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Monday 29<sup>th</sup> January 2018

Dear Sir/Madam

## REGULATORY AND LICENSING COMMITTEE

A meeting of the Regulatory and Licensing Committee has been arranged to take place  
**TUESDAY, 6TH FEBRUARY, 2018 at 6.00 PM IN THE COMMITTEE ROOM** District  
Council House, Lichfield to consider the following business.

Access to the Committee Room is via the Members' Entrance.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Neil Turner', is written over a light blue horizontal line.

Neil Turner BSc (Hons) MSc  
**Director of Transformation & Resources**

### To: **Members of Regulatory and Licensing Committee**

Councillors B Yeates (Chairman), O'Hagan (Vice-Chair), Mrs Bacon, Mrs Constable, Drinkwater, Mrs Evans, Miss Fisher, Humphreys, Leytham, Salter, Miss Shepherd, Mrs Stanhope MBE and A Yeates



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## AGENDA

- |    |  |           |
|----|--|-----------|
| 1. | Apologies for Absence  |           |
| 2. | Declarations of Interest   |           |
| 3. | Minutes of the Previous Meeting  | 1 - 2     |
| 4. | Street Trading Policy  | 3 - 26    |
| 5. | Minor Amendment to Private Hire Vehicle Licence Conditions Relating to Seating                     | 27 - 32   |
| 6. | Food Service Delivery Plan   | 33 - 70   |
| 7. | Health and Safety Law Enforcement Plan   | 71 - 116  |
| 8. | Review of Licence and other Fees and Charges in Regulatory Services, Housing and Wellbeing 2018/19 | 117 - 136 |
| 9. | Work Programme   | 137 - 138 |



## REGULATORY AND LICENSING COMMITTEE

2 OCTOBER 2017

**PRESENT:** Councillors B.W. Yeates (Chairman), Mrs Constable, Drinkwater, Mrs Evans, Miss Fisher, Leytham, Salter, Mrs Stanhope MBE and A. Yeates

**AN APOLOGY FOR ABSENCE** was received from Councillors Mrs Bacon, O'Hagan (Vice-Chairman), Miss Shepherd.

... **DECLARATIONS OF INTEREST**

There were no declarations of interest.

... **MINUTES**

Subject to the inclusion of Councillor Mrs Stanhope MBE as present, the minutes of the meeting held 4<sup>th</sup> July 2017, as printed and previously circulated were taken as read, approved as a correct record and signed by the Chairman.

... **STREET COLLECTIONS 2018**

The Committee received a report on the requesting approval on the allocation of Street Collection Permits for 2018.

It was reported that any organisation that was not on the approved list was checked by officers to ensure they were a registered charity and the final decision being made by the Committee Chairman or Vice-Chairman in his absence. It was reported that there was currently no policy framework in place in issuing street collection permits and this was planned to be rectified for next year.

Fraudulent collections was discussed and there was concern that people act like they are collecting for these organisations when they are not. It was noted that there was not the resource to go out and check either from the council or the charity themselves. It was noted however that the other means of identification like id badges could be considered during the policy framework creation.

- RESOLVED:** (1) That permits be issued by the licensing team to those charities listed in **APPENDIX A** of the report in accordance with the criteria and procedures set out in section 3 of the report; and
- (2) That the Chairman of Regulatory & Licensing Committee or Vice Chairman of Regulatory & Licensing Committee in their absence have discretion to approve the allocation of permits to organisations not listed in Appendix A of the report.

... **NEW ENFORCEMENT MEASURES TO TACKLE 'ROGUE LANDLORDS'**

The Committee received a report seeking approval for a new Annex to the Council's Regulatory Services Enforcement Policy which detailed new enforcement measures designed to deal with 'rogue landlords' in line with the Housing and Planning Act 2016.

It was reported that there was around 750 privately rented properties that have the highest category hazards and imminent risk to tenants. It was also reported that the Private Sector Housing Officer within Environmental Health has dealt with on average around 230 complaints and whilst some landlords were proactive in managing their properties, some were quite poor and a challenge in gaining compliance. Currently prosecution was the final resort however the Housing and Planning Act 2016 has introduced the option of issuing civil penalties.

The Committee noted that not all aspects of the new powers had come into force however they were expected in the near future. It was also noted that the charging table for penalties had been jointly devised and adopted or soon to be adopted by all of the Staffordshire Local Authorities. It was noted that landlords could appeal these penalties at a tribunal and the charging table may change if many of these appeals are successful. It was finally reported that income made from penalties would be ring-fenced for further private rented housing enforcement.

Members asked if there was a sufficient level of resource to carry out these new powers and it was reported that these civil penalties could be given in place of going to court and so are likely to be no more onerous for officers than the current system. It was also reported that currently there was not the resource to be proactive and the income from penalties would help rectify this.

The Committee was surprised that there was not a requirement for a national or local register for all landlords except for Houses of Multiple Occupancy (HMO). It was noted that this would make tracking consistently criminal landlords easier.

- RESOLVED:**
- (1) That the new Enforcement Annex be approved;  
and
  - (2) That the Head of Regulatory Services, Housing and Wellbeing be given delegated authority to authorise relevant officers in relation to the new powers.

... **WORK PROGRAMME**

The work programme was considered.

**RESOLVED:** That the Work Programme as submitted be agreed.

(The meeting closed at 6.40 pm)

CHAIRMAN

# Street Trading Policy

Cllr Doug Pullen, Cabinet Member for Regulatory Services, Housing & Wellbeing

Date: 6<sup>th</sup> February 2018

Agenda Item: Updated Street Trading Policy

Contact Officer: James Rudman

Tel Number: 01543 308742

Email: [James.rudman@lichfielddc.gov.uk](mailto:James.rudman@lichfielddc.gov.uk)

Key Decision? YES- NO (delete as appropriate)

Local Ward Members N/a



**REGULATORY &  
LICENSING  
COMMITTEE**

## 1. Executive Summary

- 1.1. It was agreed by Regulatory and Licensing Committee that the current Street Trading Policy required updating to take into consideration the changing climate surround street trading during events.
- 1.2. This report contains a proposed street trading policy for the Regulatory and Licensing Committee to consider and adopt.

## 2. Recommendations

- 2.1. It is recommended that Members approve the new Street Trading Policy contained in Appendix A for consultation.
- 2.2. That authority is delegated to the Head of Regulatory Services, Housing and Wellbeing in consultation with the Members task group, to include any agreed comments into the Policy from the consultation process.

## 3. Background

- 1.1. The attached policy provides a decision making framework for the consideration of applications for street trading consents. The aim of the policy is to create a street trading environment which is sensitive to the needs of the public, consumer choice, ensures safety and contributes to the character and ambience of the local environments. The council's power to regulate street trading is set out in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 referred to in this policy as "the Act".
- 1.2. Street trading can aid the local economy and contribute to the facilities offered to people who visit, live and work in Lichfield District.
- 1.3. A Members task group was set up to consider the effects of street trading within the district and gave comments on the proposed policy which have been reflected within it. External Agencies were contacted during the task group process to seek additional views.
- 1.4. Additions to the existing policy were made to address concerns around Special Event Organisers who fail to follow submitted event management plans. There were also concerns raised by officers around additional administration burdens caused by late or incomplete applications. These have been addressed in the new policy. The proposed policy also creates a process to tackle the potential issue caused by more than one event organisers arranging events on the same day in the same location.
- 1.5. In 2017 over 900 traders applied for street trading consent. Many of these were involved in Special Events. Over 130 of these applications were either found to be incomplete on application and others required further administration.

Alternative Options	1. An alternative option would be to further review the policy and implement additional changes.
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Consultation	<ol style="list-style-type: none"> <li>1. Feedback was sought from agencies such as: the Police, West Midlands Ambulance Service, Trading Standards, Highways England, Staffordshire County Council, Staffordshire Fire and Rescue Service and other Council departments</li> <li>2. A Members task group considered recommendations and provided feedback on the policy.</li> <li>3. Further consultation will be sought from other interested parties such as Lichfield City Council, the Showmen's Guild, Event Organisers, etc.</li> <li>4. The draft policy will also be placed on the Council's website seeking comments.</li> </ol>
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Financial Implications	1. The new policy seeks to make financial improvements and ensure that the administration burdens caused by incomplete applications are addressed. It also seeks to cover potential costs caused by event organisers failing to clear up waste after an event.
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Contribution to the Delivery of the Strategic Plan	1. A dedicated Street Trading Policy supports the objective on providing a vibrant and prosperous economy. Encouraging events and ensuring that they run safely will aid the longevity of such events.
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Equality, Diversity and Human Rights Implications	1. The proposed Street Trading Policy will be submitted to the Equality Impact Assessment process for comment prior to being publicised. Any recommendations made by the assessment panel will be added into the policy.
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Crime & Safety Issues	<ol style="list-style-type: none"> <li>1. By carrying out functions around street trading we hope to protect the public health of those living in our community and the interests of consumers in connection with trading activities within the district.</li> <li>2. The adoption of the Street Trading Policy will impact positively on our duty to detect and prevent street trading crime within the District. (Section 17 of the Crime and Disorder Act, 1988).</li> </ol>
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Demands arising from changes in legislation	Monitor legislative proposals and changes; evaluate impact on service and plan for changes; monitor impact	Yellow

Background documents
1. Appendix A Street Trading Policy.

Relevant web links
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# Street Trading Policy

September 2017

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## 1.0 - Introduction

This policy is a decision making framework for the consideration of applications for street trading consents. The aim of the policy is to create a street trading environment which is sensitive to the needs of the public, consumer choice, ensures safety and contributes to the character and ambience of the local environments. The council's power to regulate street trading is set out in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 referred to in this policy as "the Act".

Street trading can aid the local economy and contribute to the facilities offered to people who visit, live and work in Lichfield District.

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## 2.0 – About this policy

Lichfield District Council's original Street Trading Policy was published in April 2016. This new policy has been created to reflect the feedback and experiences we have received since the original policy was published.

The purpose of this policy is to provide a single set of basic rules which will be used as the regulatory framework for street trading. This policy will inform applicants and organisers of special events of the parameters by which the Council will make decisions. It will also give prospective traders an early indication as to whether their application is likely to be granted or not. It also provides prospective applicants with details of what is expected of them.

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## 3.0 – Definition of street trading

Street trading is defined in paragraph 1 of Schedule 4 of the Act as:

**'the selling or exposing or offering for sale of any article (including living thing) in a street'.**

The Act defines the term 'street' as including:

**'any road, footway, beach or other area to which the public have access without payment; and a service area as defined in section 329 of the Highways Act 1980'.**

Streets located on private land are included within the scope of this policy.

The Act in paragraph 1(2) of schedule 4 states that the following types of trade are not street trading:

- **A pedlar trading under the authority of a pedlar's certificate granted under the Pedlar's Act 1871;**



- Anything done in a market or fair, the right to hold which was acquired by virtue of a grant, enactment or order;
- Trading in a trunk road picnic area provided by the secretary of state under section 112 of the Highways Act 1980.
- Trading as a news vendor.
- Trading carried on at a premises used as a petrol station.
- Trading carried on at premises used as a shop or in a street adjoining a shop where the trading carried on is part of the business of the shop.
- Selling things, or offering or exposing them for sale as a roundsman.

## 4.0 – Types of street trading

Streets may be designated as either 'prohibited', 'licensed' or 'consent streets' for the purpose of street trading.

### Definitions:

#### Prohibited streets

If a street is designated as a prohibited street then a criminal offence is committed by any person engaging in street trading in that street. There could be a number of reasons for wishing to designate a street as prohibited. For example the street may not be wide enough to facilitate a trader or the council may wish to restrict trading in a particular location. The only prohibited street in Lichfield District is the whole extent of the A38. Other streets will be considered on a case by case basis on application.

#### Licensed streets

A licensed street designation is considered appropriate for the more formalised market type of trading in a street where the strict control of a limited amount of space is required. There are no licensed streets within Lichfield District.

#### Consent Streets

Designating a street a consent street enables trading to take place upon it, subject to the trader receiving a consent to trade from the Council. All streets within Lichfield District are designated as consent streets with the exception of the A38.

## 5.0 – Street trading within the Lichfield District

Lichfield District Council has designated all streets within the Lichfield District as consent streets, except the whole extent of the A38. This policy applies to all street trading which is undertaken within the Lichfield District.

Where an applicant wishes to trade on private land, a consent will not be granted by the Council unless the applicant provides written permission from the land owner showing they have permission to trade.



This policy does not apply to:

- Small scale trading from residential properties (for example, garage sales, garden produce, eggs from own private livestock).
- Sale of articles by a charity. Charity sales and collections in the street are regulated under Police, Factories, & c. (Miscellaneous Provisions) Act 1916 by the Council. Charities should contact the Council Licensing Team to apply for a permit.

Street trading consents are issued by Lichfield District Council. The consents come under the following classifications:

### Annual Street Trading

This is a consent that lasts 12 months and enables the trader to trade up to 7 days a week at a particular pitch within the district.

### Temporary Street Trading

This type of consent is for short periods of time for a designated pitch in the district.

### Roaming Street Trading

This is where a trader operates on various streets within the district rather than a fixed location.

### Special Event Street Trading

An organiser of an event will apply to the Council requesting their event to be considered a 'special event' where street trading is taking part at the event and there are 10 or more consents that require issuing.

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## 7.0 – Why do we have street trading?

Street trading provides valuable employment opportunities for local people as well as a seedbed of entrepreneurship, allowing new entrants to test their business skills and ideas in an environment which has a low start-up costs, minimal overheads and existing customer footfall.

Goods on sale in the street provide convenient access to hot and cold drinks, fresh fruit and vegetables, household goods and other services for local communities, those travelling to work, and the visitors to Lichfield District. Street trading supports the District Council's priority to encourage a vibrant and prosperous economy.

The designation of all streets within Lichfield District <sup>1</sup> as consent streets has taken place to ensure:

- Public Safety
- Prevention of crime and disorder
- Prevention of public nuisance

<sup>1</sup>Except the A38



## 8.0 – Key considerations when assessing an application

The following criteria apply to all types of street trading:

### Public safety

- The proposed location of the activity should not present a significant risk to the public in terms of highway safety and obstruction.
- Some locations may be considered unsuitable or may require an officer visit before a consent can be issued.
- Applications in respect of sites that have previously been the subject of refusal due to the unsuitability of the location are unlikely to be accepted.

### Prevention of crime and disorder

- The proposed activity should not present a risk to the public.

### Prevention of nuisance

- Activities at the pitch must not cause a nuisance or annoyance to neighbouring properties, this includes businesses. Controls must be in place to ensure that nuisance from noise, light, refuse, vermin, fumes, obstruction, littering, and smells does not occur.
- If at any time we receive complaints the nuisance is occurring, we are duty bound to investigate and, if complaints are found to be justified, we may decide to withdraw the consent.

### Suitability of the applicant

- Lichfield District Council will consider any unspent the convictions the applicant may have.
- The council will reserve the right to request a basic disclosure check where the Council deems there is a risk to children and/ or vulnerable people. Examples of circumstances where basic disclosure may be required are ice cream sellers.
- When determining whether an applicant is suitable, we will look at the reliability of the applicant in paying fees and charges.
- An applicant's history of street trading will also be taken into consideration e.g. whether previous street trading consents have been used appropriately and whether appropriate deadlines have been adhered to.

### Suitability of the trading stall

- The vehicle, trailer or stall (now referred to as a 'stall' within this policy) to be used should be of a high quality design, build, add to the quality of the street scene and be adequate for the purpose intended.
- The stall must meet with all of the consent conditions.
- The stall may be inspected by an officer from Lichfield District Council prior to consent being issued.
- Only stalls approved by an authorised officer of Lichfield District Council can be used.
- The stall will comply in all respects with any legal requirements relating to the activity proposed.
- The stall must be removed each evening, unless it is permitted by the consent.
- Colours should be chosen which are suitable for the surroundings.



- The stall shall be of such a design that it facilitates timely and efficient removal.
- The stall shall be of robust construction and materials that the daily removal will not result in the rapid deterioration in appearance of the unit.
- Stalls and ancillary equipment and stock must be contained within the pitch.
- Prior to any consent being issued or in cases where a consented trader wished to change the stall, prior approval must always be sought from the Council. Proposals must include all display equipment and any attached, projecting or free standing elements.
- The design and appearance of the stall must be agreed by an officer from the Council before consent will be granted.

### Generators

- Generators shall be positioned so as to reduce the length of cabling required to an absolute minimum and to minimise nuisance to local residents or businesses from noise or fumes. Where required, silenced generators or acoustically insulated generators should be sourced.

### Advertising

- Advertising should only relate to goods offered for sale on that pitch.
- Third party advertisements are prohibited.
- It is not permitted to illuminate any advertisement on the outside of the stall kiosk without express consent.
- The use of 'A' boards is prohibited for certain sites (for example, Lichfield City Centre).

### Barriers

- Barriers will only be allowed on a consent pitch where they have been specifically included within the stall's approval.

### Hours of trading

Trading hours will be set on the basis of promoting the following purposes:

1. Preventing crime, disorder and antisocial behaviour.
2. Avoiding nuisance.
3. Protecting public safety.
4. Preventing obstruction of the highway.
5. Having regard to location and operating hours of business activity.

### Selling the right goods

The council will not normally grant a consent for the sale of goods which conflict with those provided by nearby shops. If a street trader has used a location regularly and a shop selling similar goods begins trading in the area, the Council may choose to continue to grant consents to that street trader.

The types of goods allowed to be sold will be considered on a pitch-by-pitch basis.



Anyone wanting to have a stall must clearly state the nature of the proposed goods. The goods must not:

- Cause a nuisance or annoyance to nearby properties/ people, including cooking smells, smoke, noise, litter and additional cleansing requirements for the Council.
- Cause or contribute to crime and disorder.

### Site assessment

In determining whether street trading in a particular area is appropriate the council will have regard to:

- Any effect on road safety, either arising from the siting of the pitch or from customers visiting or leaving.
- Any loss of amenity caused by noise, traffic, smell etc.
- Existing traffic orders e.g. waiting restrictions.
- Any potential obstruction of pedestrian or vehicular access.
- Any obstruction to the safe passage of pedestrians.
- The safe access and egress of customers and staff from the pitch and immediate vicinity.

### Other criteria

- The consent holder will at no time have the exclusive right to trade from the street or any part of it.
- Street trading can take place in the area outlined in the consent and on days and hours detailed in the consent.
- The consent holder may only trade in goods that are outlined on the consent.
- Auction sales shall not be permitted as part of the consent.
- All street trading units will be equipped with safe and adequate lighting for the operation during the hours of darkness.

Failure to comply with any of these requirements may result in refusal to issue consents or withdrawal of consent.

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## 9.0 – Annual street trading

An annual consent can last up to 12 months. This consent enables the consent holder to trade up to 7 days a week at a particular pitch within the district. Annual street trading consents run from the 1<sup>st</sup> April until 31<sup>st</sup> March the following year. Consents can be applied for part way through the year, but they will only run until 31<sup>st</sup> March.

### Filling vacancies and allocation of pitches

The council will keep a waiting list for annual pitches that are currently occupied. Traders can express an interest in a pitch. The details will be held on a list. The list will be kept in chronological order. Traders will be contacted in chronological order and the first suitable trader will be invited to make an application.





If a trader makes an application, but is unable to trade when a pitch becomes available, the pitch will be offered to the next appropriate trader on the list.

Where there is no one on the waiting list for a pitch the council will from time to time advertise the vacancy for the annual street trading pitch on the council's website and select the most suitable applicant from those applications.

### Surrendering an annual consent

Where the trader at an annual pitch wishes to surrender their consent they must give the council 21 days written notice. Notice must be sent to [street-trading@lichfielddc.gov.uk](mailto:street-trading@lichfielddc.gov.uk)

### Payment of fees for annual pitches

Please see Lichfield District Council's website for the current fee. The annual fee is based on a daily fee 5 days worked per week, 50 weeks of the year. For annual pitches an initial payment equivalent to 40 trading days will be due before a consent is granted. The remaining fee will be spread over the following 10 month period, with monthly payments equivalent to 21 trading days due. The monthly payments will start one month after your consent is granted. The consent will run from the 1<sup>st</sup> April until 31<sup>st</sup> March the following year. If an applicant makes an application during this period the consent for an annual pitch will cease on 31<sup>st</sup> March in the year that it was applied.

### Annual consent renewal

Consent holders will be reminded that their consent is due to expire. This is done to assist the trader, the Council accepts no liability if you do not receive the reminder. It is the trader's responsibility to ensure that they have the correct consent and to ensure that they submit their application prior to the expiry of their consent.

Consent holders may submit their application to renew up to one month in advance of their current annual consent running out. Applications for renewal must be received 14 days before the consent is due for renewal. **Failure to do so may result in a renewal not being granted or a delay in you being able to trade.**

## 10.0 –Temporary street trading

Temporary street trading pitches can be in any appropriate location on a consent street. Each application will be assessed on its own merits.

Deadlines for applications are:

Type of application	Deadline
New application for a pitch that has not been used before by this trader or a new type of stall is proposed	10 working days prior to trading date
Application where the trader has traded at the pitch before with the same stall	5 working days prior to trading date



## Payment of fees for temporary pitches

Please see Lichfield District Council's website for the current fee. For temporary pitches the applicant will need to pay when booking. The trader will incur the one day fee and then a lower daily fee for any additional days to be added to the same consent. The additional days must be at the same pitch or a pitch that has been previously authorised for use by this trader. The additional days must also be within the same financial year as the 1<sup>st</sup> day of trading. To take advantage of the additional day fee rate full payment must be made in advance and in one transaction.

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## 11.0- Roaming street trading

Consents for roaming street trading will be granted on condition that they allow no more than 30 minutes trading in any 100m part of any one street on any one day and don't return within 2 hours. This reflects the peripatetic nature of their operation. Trading in one place for longer than this will require a temporary or annual street trading consent. The trader must clearly identify the times and dates they wish to trade and in which locations. It is up to the consent holder to ensure that they comply with laws relating to the highway. The Council will generally restrict or amend your consent where the type of goods conflict with other goods for sale in the vicinity. Consents can run for up to 12 months. Applications must be made at least 10 working days before the consent is due to start.

## Payment of fees for roaming pitches

Please see Lichfield District Council's website for the current fee. Full payment must be made in advance of a consent being granted and in one transaction.

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## 12.0 – Special event street trading

A 'special event' is where there are 10 or more street trading consents to be issued, to the traders at that event, and where the event is organised by a single person/ organisation. The organiser must meet certain criteria before an event will be considered a special event. The criteria are outlined in this policy.

Special events can make a significant contribution to the local economy and can attract many visitors and tourists into the district.

Once an event has been approved as a special event the organisers will invite applications to be made by street traders wanting to trade at the event. Consents will be issued by the Council to individual traders on successful application.

## Applying to be considered a special event

Applicants should complete the online special event organiser's application. All questions must be answered in full.



The deadline for applications are:

Type of application	Deadline
Events involving more than 2000 persons at any one time or events with less than 2000 persons if there is an increased risk.	At least 3 months before the event
Events involving less than 2000 persons where there is no increased risk.	At least 6 weeks before the event

We strongly recommend that all street trading organisers contact us whilst they are in the planning stages of their event. Applications may have restrictions put on them by the Council such as the number of certain type of trader e.g. food, or the number of total stalls that can be accommodated at the event.

### Criteria to be met by event organisers

- **The event organiser and the event**

When determining whether the special event application is authorised we will take into consideration the past experience the Council has of the event organiser, this will include compliance with conditions and policy, complaints and any other relevant matter. We will also consider how successful previous events have been in supporting the council objective of having a vibrant and prosperous economy. The organiser of the event may be asked to evidence this.

- **Minimum of 10 street trading consents to be issued**

To be considered a special event a minimum of 10 street trading consents must be issued to traders at this event. Having 9 or less traders can still be applied for, but will be considered temporary street trading.

- **Economic benefit to the district**

We expect a 'Special Event' to have economic benefit to the district and support the Council's objective of having a vibrant and prosperous economy. In order to encourage more visitors and promote a greater visitor spend in our district the Council expects these special events to be more than a market. As well as street trading stalls we would expect the event to normally include some sort of entertainment, attraction or promotion to encourage visitors to the event and surrounding area. The amount expected will be proportionate to the size of the event and determined on a case by case basis. If the Council believes that this has not been shown adequately the application may be refused.

Lichfield District Council would like to attract a variety of events to the District and to ensure that the events are varied. Restrictions may be put in place to reflect this limiting the number and certain types of stalls e.g. the number of food and drink stalls at a garden festival.

- **Event management plan**

An Event Management Plan (EMP) for the event must be provided to the Council well in advance of the event. It will be necessary for some event organisers to attend the Safety Advisory Group (SAG) to discuss your plans with the appropriate authorities. The deadline for the submission of the EMP will be set by an Officer of the Council based on when the SAG is and other appropriate factors. Where the event organiser is attending the SAG a deadline for the final version of the EMP to be provided will be set by the SAG. The EMP must include:

- Health and safety risk assessments for the event.



- Traffic management details, including evidence that a road closure has been obtained (if appropriate).
- Organiser insurance details compliant with this Policy.
- Safeguarding Policy
- Fire safety provision.
- Details of medical, ambulance and first-aid management.
- Major incident planning (emergency planning).
- Structures, barriers, electrical installation and lighting (where appropriate).
- Details of sanitary facilities.
- Details of waste management, e.g. whether additional street cleansing is required.
- Consideration of the impact of noise and vibration.
- Protection of children and vulnerable adults at the event
- A plan and stall layout.
- Any other factor as prescribed by the SAG.

Failure to provide a satisfactory EMP within the deadline set may result in refusal or withdrawal of the special event status.

- **Attendance at the Safety Advisory Group**

If it is deemed appropriate for the details of the event and the EMP to be taken to a SAG the organiser must attend a SAG meeting. Where actions are agreed the organiser must put these in place and the EMP be amended accordingly. A copy of the amended EMP must be provided to the Council by the deadline set by the officer or the SAG. Failure to comply with the recommendations set out by the SAG may result in a special event status being withdrawn or refusal of the event

- **Public liability insurance**

The event organiser must have in place Public Liability Insurance cover to a value no less than £5 million. We reserve the right to require a higher cover if we deem it necessary. You are required to produce evidence of such insurance.

Failure to provide proof of insurance for the duration of the event will lead to a special event not being authorised or authorisation being revoked

- **Marketing**

Appropriate marketing for the size of the event must be undertaken by the event organiser.

- **Accounts**

The applicant must submit the full accounts for the previous year this event took place and budgets for the event must be submitted including all costs incurred.

- **Map**

A map showing the location of the stalls must be provided at least one month before the event.

- **Making the event a special event**

Organisers need to make sure that it is a special event and not just a market. Details of how you are going to make the event a special event must be included in your special event application. The exception to this is when an existing market is moved to accommodate another event.



- **Notification to local residents and business'**

All local businesses and residents must be notified of the event at least one month before the event goes ahead. This notification must give details of the event, details of any road closures, any impacts that the event may have on the residents/ businesses, and how they can get involved in the event should they wish. Event organisers must notify the Council which areas they have notified for an event. The Council may extend this area if they see fit.

- **Waste**

For events where more than 15 consents are due to be issued the event organiser is required to provide a means of waste removal from the event e.g. provide a skip for disposal of waste. If an agreed event fails to provide adequate waste disposal a deduction may be taken from your deposit to cover the costs.

### Bidding for special events

To ensure a fair and transparent method of event organisers booking events organisers should apply for events by 1<sup>st</sup> September before the calendar year the event is to be held in. This process will ensure that the best events for the district with the best organisers will be chosen to trade in the district. Applicants that wish to be considered during the bidding process must submit a complete online Special Event Organiser application form including all the relevant documents. The applicant must provide all the information they wish to be considered as part of the bidding process, information will not be accepted after the closing date of bids. Applications will be accepted after the bidding deadline, however, if the dates are already in use, the city is saturated with special events, a similar event has already been booked in or other relevant factor the special event application will be rejected. Incomplete applications will not be considered as part of the bidding process. The appropriate deposit must also be included with the application. The application must be submitted as stated in this policy. After the bidding process will be judged on a first come first served basis. No bookings for the following year will be taken until the bidding process has been completed.

During the bidding process a number of factors will be considered including:

- Organiser's past performance in organising previous events.
- Previous compliance.
- Economic benefit
- Complaints and compliments
- Ability to meet deadlines.

This list is not exhaustive and other relevant factors will be considered.

### Consent fees for special events

For special event pitch fees the trader will incur the one day fee and then a lower daily fee for any additional days they wish to add to the consent. To take advantage of the additional day fee rate full payment will need to be made in advance and in one transaction. Additional days can only be added for the same event. In the past, in certain circumstances, the street trading event fees are waived to support the Council's strategic objective of creating a vibrant and prosperous economy.



### Additional fees for special events

Additional fees apply to traders that trade at special events. When the applicant makes an application the organiser is asked to check that the application is correct and complete. If the application is not correct and complete the organiser must chase up the missing information. Once the special event organiser is satisfied that the application is correct they will advise the street trading licensing team and submit the supplied information. The following fees apply once this process has been complete:

Action	Fee
<b>Deposit</b> Refundable on successful completion of the event. However, deductions will be made where costs have been incurred by the Council or other agencies/bodies e.g. damage to street furniture, cost of removal of waste. Any deductions made from the deposit will be based on full cost of remediation plus a 15% admin fee. The deposit is not refundable if the event is cancelled.	£10 per stall in the event. Eg: 15 Stalls = £150 200 Stalls = £2,000 Deposits are payable by the event organiser.
<b>Incorrect or incomplete application</b> Council requests further information to complete application.	A further 75% of the fee per check of further documents provided. Payable by the trader. Payment to be made before a consent is granted. <i>(NB if the initial application fee has been waived for a special event, this additional fee will not be waived)</i>
<b>Public Liability Insurance (PLI)</b> Where the PLI is in date at the time of the original application, but runs out before the event takes place, the street trading team will e-mail the applicant one reminder to provide the PLI that covers the period of the event. If the applicant fails to provide the correct documentation within 5 working days of that e-mail. The Street Trading Licensing Team will chase the documentation again resulting in the following fee applying.	A further 75% of the fee - Payable by the trader. Payment to be made before a consent is granted. <i>(NB if the initial application fee has been waived for a special event, this additional fee will not be waived)</i>
<b>Late Applications</b> Traders applications received less than 14 days before the event	A further 100% of the fee for 1 day. Fees are defined within the Fees and Charges report. Payable by the trader. <i>(NB if the initial application fee has been waived for a special event, this additional fee will not be waived)</i>

### Special event applications

Applications must be made online. Where applicants want to submit extra documents as part of the bidding process they must send the information to [street-trading@lichfielddc.gov.uk](mailto:street-trading@lichfielddc.gov.uk)



All information must be correct and complete. Where misleading or incomplete information is provided your application may be rejected.

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## 13.0 – Letting of pitches

### Sub-letting pitches

Consent holders are not permitted to sub-let the pitch they are allocated under any circumstances.

### Re-letting pitches

Street traders must make full use of their consent. The local authority will assess whether a consent holder has made a full use of their consent. Street traders shall notify the council in circumstances where, and for whatever reason, they do not intend to make use of their consent, and notification should be made in advance. Consent holders must inform the council of the date upon which they intend to resume trading. In circumstances where the date is not known, consent holders must give appropriate notice of their intention to resume trading. Where no prior notification has been received and in circumstances where the council is satisfied that the consent holder is not making full use of their consent it may re-let the street trading pitch to another trader. Multiple street trading consents may be granted to different applicants for the same site provided specific trading days/ periods are applied for.

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## 14.0 – Temporary relocation

When a pitch becomes unsuitable, the council will relocate consent holders where suitable alternative street trading pitches exist. The council may consult with the highway authority to identify suitable alternative pitches for the purpose of relocating the displaced street trader.

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## 15.0 – Fees and charges

Lichfield District Council set fees and charges for street trading. Fees and charges are reviewed annually.

Where a consent is surrendered or revoked, the council will remit or refund, as they consider appropriate, the whole or part of any fee paid for a grant or renewal of the consent.

Please visit [www.lichfielddc.gov.uk/streettrading](http://www.lichfielddc.gov.uk/streettrading) to find out what the current fees and charges are for street trading.

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## 16.0 Applications

All applications will be considered on their individual merits taking into account all relevant matters.

Consents will not normally be granted where:

- Enforcement action is pending or has previously been undertaken against the applicant.
- The holder is currently in arrears with any charges.
- The location is unsuitable
- The stall will be in proximity of a shop selling similar goods.





- The activities are likely to cause a nuisance or annoyance to neighbouring properties.
- The applicant is unsuitable.
- An applicant has failed to appropriately use previous consents.
- The stall is unsuitable.
- It causes or contributes to crime and disorder.

This list is not exhaustive.

### Who can apply?

To apply for consent a person must be:-

- An individual or business
- 17 years of age or over
- Legally entitled to live and work in the UK

### Making an application

All applications must be made on the council's prescribed application form. The application must be completed in full with all the required information before it will be considered. Applicants can apply online by visiting [www.lichfielddc.gov.uk/streettrading](http://www.lichfielddc.gov.uk/streettrading), if you are unable to apply online please call 01543 308725 to request a hard copy.

The application must be accompanied by the following documents:

- Public Liability Insurance certificate
- A description of the stall or a photograph if available.
- Basic Disclosure and Barring Service (DBS) check or access to the DBS update service for you or any assistants if requested by the street trading licensing team.
- Proof that the applicant, and any assistants are entitled to work in the UK if requested.

Once the application is complete and has been accepted, the council will either:

- Grant the consent as applied for.
- Grant the consent with conditions or a variation to the application.
- Refuse the consent.

Where a consent is refused the council will notify the trader in writing detailing the reason for refusal.

### Receipt of application and fees

An application will be treated as being received only when the relevant application and the necessary supporting evidence has been received and relevant fee has been paid. The application must be completed in full. Incomplete applications will be rejected. Failure to follow the application process may result in the consent being refused or delayed. Applicants are encouraged to submit their applications in





plenty of time of the trading date to ensure that if there are any problems they can be rectified or discussed before they intend to trade.

## Consultation

Before a street trading consent is granted the council may decide it is appropriate to consult with various people or groups. The council will consider relevant representations.

The street trading licensing team may consult the following people before issuing a consent:

- Staffordshire Police
- Highways Authority
- Relevant departments at Lichfield District Council e.g. food team, waste team etc.
- Fire and Rescue Service.
- Any other person or body deemed necessary.

Information obtained from these people/ bodies will be considered during the application process and will help determine whether a consent should be granted.

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## 16.0 Insurance

The council will accept no liability for the street trading activities undertaken by the consent holder(s). Evidence of suitable public liability insurance (minimum value of £5 million) will be required from the applicant covering the period they wish to trade.

The insurance must be maintained throughout the period of the consent and the consent will be revoked should the insurance be cancelled or breached or its sum altered as to provide less than the minimum value.

If the insurance is due for renewal during the period covered by the consent, it is the responsibility of the consent holder to provide the council evidence that public liability insurance is continuous for the period of the consent.

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## 17.0 Food stalls

All food businesses must be appropriately registered with their local authority. Certain low risk businesses are exempt from the hygiene rating scheme, so will not require a hygiene rating, however we may contact their local authority to ensure adequate compliance with food law. Other low risk food businesses (the decision of what is classed as a low risk business will be determined by the Food Safety Team), may be considered safe to trade whilst awaiting inspection by their local authority or in other circumstances. All other traders that sell or provide food must have a national food hygiene rating of a 4 or 5. Where a rating drops below a 4 whilst a consent is in place, consent may be withdrawn. Applicants and consent holders should notify Lichfield District Council of any changes to their national food hygiene rating.



If food safety is found to be below the specified standard consent will be withdrawn until the issues are resolved.

If a traders food hygiene rating drops below 4 after applying for street trading consent then, in following consultation with the Commercial team Food Safety Officers consent may be withdrawn.

Businesses awaiting a food hygiene rating at the time of application for street trading consent must provide evidence that their business is registered with their home local authority. A decision will be made based on risk, in consultation with Food safety Officers in the Commercial Team, as to whether consent will be granted or not.

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## 18.0- Disclosure and barring service check (DBS)

The council may ask you to apply for a basic disclosure to ensure that you are a suitable applicant. For information on how to apply for a basic DBS check please visit <https://www.gov.uk/government/publications/basic-checks>. If you are asked to provide a disclosure and barring service check as part of your application any assistants working during the duration of the consent will also need to provide a check.

We will not accept DBS checks that are more than 12 months old at the time of the application. Applicants that regularly apply may want to consider the DBS update service, further information is available at [www.gov.uk](http://www.gov.uk).

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## 19.0 Removal of waste

Traders shall ensure that they comply with the law in relation to the disposal of waste. All businesses must put in formal arrangements for the collection of waste created by their activities. It is an offence to dispose of trade waste in domestic refuse bins.

Special event organisers with 16 or more consents issued for an event must provide sufficient waste disposal facilities.

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## 20.0 Revoking consents

There is no right of appeal against an officer's decision to revoke a consent. Where a consent is revoked the council will advise the applicant verbally and confirm the reasons for this in writing within 10 working days. The Head of Regulatory Services, Housing and Wellbeing may allow an appeal to the **Regulatory and Licensing Committee** if it is felt appropriate. Details on how to appeal will be given to applicants when a decision to revoke the consent has been made.

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## 21.0 Refusing applications

The council may refuse to grant a consent. Where a consent is refused the council will advise the applicant in writing and notify them of the reason for the refusal. There is no right of appeal against an officer's decision to refuse a consent. The Head of Regulatory Services, Housing and Wellbeing may,



however, allow an appeal to the **Regulatory and Licensing Committee** if it is felt appropriate. Details on how to appeal will be given to applicants when a decision to refuse the consent has been made.

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## 22.0 Conditions, complaints and enforcement

General conditions will be attached to every consent. Additional conditions may also be attached relating to the type of the consent given. Failure to comply with conditions may result in enforcement action, revocation of your consent, and refusal to grant further consents on application.

### Complaints

Complaints will be fully investigated and consent holders will be expected to liaise with the council to resolve them, Substantiated complaints may result in a consent being revoked and refusal to grant further consents on application.

### Offences

Decisions regarding enforcement action will be made in accordance with the Council's Enforcement Policy.

A person commits an offence if they:

- a) Engage in street trading in a prohibited street.
- b) Engage in street trading in a consent street without first obtaining authorisation from the council.
- c) Contravene a condition imposed on a consent.

Any person guilty of such an offence will be liable, on conviction at a magistrates' court to a fine of up to £1,000.

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## 23.0 – Definition

### Roundsman

A roundsman is a person who followed the round of his/her customers to take orders and deliver the pre-ordered goods of these customers.

### News vendor

News vendor is a reference to trading where:

- a) The only articles sold or exposed or offered for sale are newspapers or periodicals; and
- b) They are sold or exposed or offered for sale without a stall or receptacle for them or with a stall or receptacle for them which does not:
  - (i) exceed one metre in length or width or two metres in height;
  - (ii) occupy a ground area exceeding 0.25 square metres; or
  - (iii) stand on the carriageway of a street.



DRAFT



# Minor amendment to Private Hire Vehicle Licence Conditions relating to Seating

Report of Councillor Doug Pullen, Cabinet Member for Housing and Health

Date: 6<sup>th</sup> February 2018

Contact Officer: Jack Twomey / Gareth Davies

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Key Decision? **YES NO (delete as appropriate)**

Local Ward

Members



## REGULATORY AND LICENSING COMMITTEE

### 1. Executive Summary

- 1.1 As vehicle safety technology moves on, our licence conditions must keep pace with the changes.
- 1.2 Seats which must be tilted to permit access to other rows of seats are currently not permitted under the vehicle conditions for Private Hire Vehicles.
- 1.3 This report is proposing that the condition preventing the use of such seating arrangements is amended so that they can be used.

### 2. Recommendations

- 2.1 That Members approve a change to the Private Hire vehicle Condition 10.2 to permit the use of tilting seats to gain access to another row of seats to read:

*10.2 The seating arrangement in "People Carrier" type vehicles will be fixed and approved by the Council. The seating will not be moved once approval has been granted. Customers hiring any vehicle in which any seat must be tilted, moved or in any way adjusted to gain access to another row of seats shall be advised of this at the time of booking.*

### 3. Background

- 3.1 The current Private Hire Vehicle Licence Conditions are shown in Appendix A.
- 3.2 Condition 10.2 prohibits the use of vehicles where any seat needs to be tilted, moved or in any way adjusted to gain access to another row of seats.
- 3.3 As new vehicles are coming onto the market, it is becoming clear that "people carrier" type vehicles with up to 8 passenger seats are no longer available new without at least one seat which has to be tilted to gain access to another row of seats. It is understood that this is because the sliding rear doors are narrower on modern people carriers so that the pillars which are on either side of the door are closer together, thus improving side impact protection where previously a vehicle may have hit a wider sliding door without striking the stronger pillars and thus cause more damage and potentially injury.
- 3.4 Under normal circumstances a driver wishing to purchase a new vehicle would have the option to choose an alternative where the model they are considering has folding seats. It seems that no new

vehicles with 8 passenger seats are available without folding seats to gain access and thus to maintain the requirement for vehicles having direct access to all rows of seats is in effect preventing the use of 8 seat private hire vehicles in the future.

- 3.5 Furthermore, as vehicles become safer, it is appropriate that the Council should encourage operators to consider the most safe and technologically advanced vehicles for passengers in the district.
- 3.6 This is a minor amendment to conditions which benefits and was requested by the trade and it is not therefore considered necessary to consult them prior to implementation. It is proposed that a further, more in depth review of all taxi and private hire vehicle and driver conditions and policies takes place during 2018, once the restructure of Regulatory Services, Housing and Wellbeing is complete and the new Licensing Team is in place. That review will include consultation with the trade.

Alternative Options	To keep with the current condition which prevents the use of tilting seats in private hire vehicles only. This is not considered appropriate for the reasons outlined. Two drivers are currently awaiting the outcome of this report as they are waiting to purchase new vehicles which they will use for many years to come.
Consultation	Some consultation has taken place with other local authorities to determine how many continue to have a condition relating to folding seats. Most do not.
Financial Implications	None.
Contribution to the Delivery of the Strategic Plan	May be considered to assist with the vibrant and prosperous economy aspect of the Strategic Plan 2016-2020 as it will assist drivers who are trying to make a living from private hire. It also will ensure that residents can use the most up to date and therefore safest private hire vehicles in future.
Equality, Diversity and Human Rights Implications	Potentially negative impact in relation to customers who are less able to access seating, however it should be noted that all vehicles will have <i>some</i> seats which are directly accessible and more able bodied customers on the same journey may select any seats which are less easy to access. Furthermore, the suggestion that the condition requires the operator to inform the customer of this arrangement at the time of booking should enable any customer to make alternative arrangements should they so wish.
Crime & Safety Issues	None.

	Risk Description	Severity of Risk (RYG)
A	None	
B		
C		
D		
E		

# APPENDIX 1

## Lichfield District Council



### PRIVATE HIRE VEHICLE

#### Conditions of Licence

##### Introduction

The Private Hire Vehicle Licence is granted subject to complying with the following conditions of licence. The 'Licence Holder' is the proprietor of the vehicle.

All references to the "Council" in these conditions mean Lichfield District Council, District Council House, Frog Lane, Lichfield, Staffs, WS13 6YX.

##### General Conditions

#### 1.0. Licence Document

- 1.1. Licences for a Private Hire Vehicle will run for a maximum period of twelve months
- 1.2. The licence document must be kept in a place where the vehicle is operated from and must be readily available for inspection by a duly authorised Council Officer or Police Officer.
- 1.3. If you decide to work for another operator, you must notify the Council within **7 days**.
- 1.4. If your Private Hire Vehicle licence expires you must return the vehicle licence, identification plate and to the Council within **7 days**.
- 1.5. The licence plate shall not be transferred to another vehicle without the consent of the Council.
- 1.6. The licence holder must notify the Council of any changes:-
  - 1.6.1 in the particulars disclosed on any application forms
  - 1.6.2 or in respect of any forms or documents submitted in order to make an application for a Private Hire Vehicle Licence.

#### 2.0. Deposit of Driver's Licence

- 2.1. If the licence holder permits or employs any other person to drive the vehicle for Private Hire they shall, before that person commences to drive the vehicle, ensure that the driver has a valid Combined Drivers Licence and the vehicle owner shall retain a photocopy of that Drivers Licence, until such time as the driver ceases to be permitted or employed to drive the vehicle.

#### 3.0. Change of Address

- 3.1. If you change your address at any time during the period of the licence, you must inform the Council, in writing, within **7 days**.
- 3.2. This licence is issued on the condition that the private hire vehicle to which it relates is not licensed as either a hackney carriage or private hire vehicle by another authority. If Lichfield District Council becomes aware of other vehicle licenses (Hackney Carriage or Private Hire) running concurrently with this licence, then this licence will be revoked.

#### 4.0. Vehicle Insurance

- 4.1. The licence holder shall produce all vehicle insurance documents on demand to the Council at any time during the period of the licence.

- 4.2. The licence holder shall ensure that a full certificate or cover note of insurance is produced to the Council within 7 days of expiry or upon request or any earlier renewal.
- 4.3. Before permitting any licensed Hackney Carriage or Private Hire driver to drive the vehicle, the licence holder shall ensure that the driver is adequately insured to do so.

## **5.0 Inspection**

- 5.1. The Council may require in writing for the licence holder to produce their vehicle for inspection at a Lichfield District Council selected Test Station up to three times annually at the cost of the licence holder. Inspections carried out on an unannounced basis will not be included within the above figure.

## **6.1 Vehicle Road Fund Licence**

- 6.1. The licence holder shall produce a current vehicle road fund licence on demand to the Council at any time during the period of the licence.

## **7.0 Ministry of Transport Test Certificate**

- 7.1. The licence holder is required to produce on demand to an authorised officer of the Council or a Police Officer, an annual Ministry of Transport Test Certificate after 3 Years from the date of initial registration.

## **8.0 Accidents**

- 8.1. Any accident or damage involving the licensed vehicle must be reported to an officer in the Environmental Health Department at the Council. This may be an oral report in the first instance but must be followed up by the completion of an Accident Report Form within 120 hours of the accident.

## **9.0 Alteration of Vehicles**

- 9.1. No material alterations or change in specification, design, condition or appearance of the Private Hire Vehicle shall be made at any time while the licence is in force without the prior approval of the Council.

## **10.0 Vehicle Type**

- 10.1. The Private Hire Vehicle must not be of an approved type,(approved by the Public Carriage Office) and must not in any way shape or form resemble a Hackney Carriage.
- 10.2. The seating arrangement in 'People Carrier' type vehicles will be fixed and approved by the Council. Every seat should have direct access to an exit door, therefore no seat which needs to be tilted, moved or in any way adjusted to gain access to another row of seats will be allowed. The seating will not be moved once the approval has been granted.
- 10.3. All saloon / estate type vehicles must have a minimum of 4 doors excluding rear doors/tailgate/boot.
- 10.4. Vehicles capable of carrying more than 4 passengers e.g. people carriers/minibuses and similar type, must have a minimum of 3 doors excluding the rear doors/tailgate/ boot. The third door must be located on the near side of the vehicle to ensure safe access and egress of passengers. There must be sufficient space for luggage whilst still leaving gangways clear and there shall be a suitable restraint available to secure any luggage in the passenger compartment.
- 10.5. Any vehicle that in the opinion of the Council has received any modification, other than by a recognised vehicle manufacturer, shall at the discretion of the Council undergo an additional safety test at a testing centre selected by the Council.

## **11.0 Comfort of Passengers**

- 11.1. Seating must have adequate dimensions and leg room in the opinion of the licensing officer.



## **12.0. Colour**

- 12.1. All licensed Private Hire vehicles can be any colour except white or anything which appears to be white.

## **13.0. Age Limit of Vehicles**

- 13.1 No Private Hire vehicle will be permitted to be more than six years old from date of first registration (unless the vehicle is in an exceptional condition as determined by the Council).

## **14.0. Maintenance of Vehicle**

- 14.1 The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire, be kept in a good, clean and efficient working order.
- 14.2 The interior of the vehicle shall be kept clean and tidy at all times when in use as a Private Hire vehicle. The exterior of the vehicle is to be clean at all times, having due regard to the weather conditions on the day.
- 14.3 The vehicle shall also carry a spare wheel and tyre, which complies with all legal requirements, and the necessary tools to change the same. Space saver tyres must only be used in accordance with manufacturer's instructions.
- 14.4 The preceding condition 14.3 shall not apply in the case of vehicles specifically modified to operate using gas as an alternative fuel and where the gas fuel tank occupies the existing spare wheel compartment.

## **15.0. Advertising and Official Signs**

- 15.1. All Private Hire Vehicles must display Private Hire Identification signs as supplied by the Council and shall ensure each is permanently affixed to both of the rear passenger doors of the vehicle aligned horizontally with the rear door handles and shall remain on display at all times.
- 15.2. These signs shall not be removed from the vehicle except with the approval of, or under the supervision of, an Authorised Officer of the Council or any Police Officer.
- 15.3. No words, letters or graphics may be displayed on the glazing of the vehicle.
- 15.4. The proprietor of the Private Hire vehicle may display on the vehicle the trading name and contact number of the operator to whom all advance bookings for this vehicle are taken. This is restricted to a single advertisement on the front passenger and drivers doors (if licensed for 8 seats then one rear panel) and to be contained within a border with a maximum size of 600mm in width and 300mm in height and for the bonnet and boot of the vehicle, a single advertisement of a maximum size of 600mm in width and 150mm in height to be agreed in advance in writing.
- 15.5. No other material may be displayed on the outside of the vehicle without the written authorisation of the Council.
- 15.6. The proprietor shall maintain such signs in a clean and tidy condition and shall further remove any sign which is damaged, or defaced.
- 15.7. No advertisement shall be displayed within the interior of the vehicle.

## **16.0. Notices**

- 16.1. The licence holder shall display inside the vehicle any notice reasonably required by the Council.

## **17.0. Private Mobile Radio**

- 17.1. Installation or the use of Citizen Band (CB) radio equipment, or scanners, within the licensed vehicle is not permitted.

### **18.0. Vehicle Licence Plate**

- 18.1. The Private Hire vehicle licence plate shall be attached to the backing plate supplied by the Council and positioned either above or below the rear vehicle registration number plate or as determined by an authorised officer.
- 18.2. The licence holder shall ensure that the Private Hire Vehicle Plate is at all times kept maintained in such good condition that the information contained is clearly visible to the public view.
- 18.3.1 The licence plate shall remain the property of the Council and shall be returned to the Council upon the expiration, suspension or revocation of this licence, including a suspension under Section 68 of the Local Government (Miscellaneous Provisions) Act 1976.
- 18.4 The proprietor or driver of a licensed vehicle must surrender its Lichfield District Council licence plate to any appropriately authorised officer.

### **19.0. Seating Capacity**

- 19.1. The licence holder shall not convey or permit to be conveyed in the licensed vehicle any greater number of persons than that prescribed in the licence and on the plate issued by Council.

### **20.0. Wheelchair access**

- 20.1. The licence holder may display on suitably adapted vehicles symbols or form of words indicating that the vehicle has been adapted for use by disabled persons. The Council will however require evidence of the acceptability of such adaptation and shall approve the form of words and symbols.

### **21.0. Safety Equipment**

- 21.1. There shall be provided in the vehicle a suitable fire extinguisher of at least 1.0kg capacity. It shall be fitted in such a position as to be readily available for immediate use in an emergency. The fire extinguisher must conform to the appropriate British Standard and be maintained to manufacturers specifications.

### **22.0. Vehicle Roof Signs**

- 22.1. The provision of roof signs to any private hire vehicle is prohibited.

### **23.0. CCTV**

- 23.1. CCTV cameras may be installed in vehicles, provided their use is clearly signed within the vehicle and all regulations covering the use of such equipment is adhered to.

### **24.0. Offences and Penalties**

- 24.0. Contravention of these conditions constitute an offence under the Local Government (Miscellaneous Provisions) Act 1976. In addition it is also an offence to obstruct an authorised officer or Police Constable in his duty. Any person who commits an offence against any of the provisions of this Part of this Act in respect of which no penalty is expressly provided shall be liable on summary conviction to a fine not exceeding Level 3 on the standard scale. Contravention may also result in suspension or revocation of the licence in accordance with the statutory provision.

### **25.0. Revocation and Modification of Conditions**

- 25.0. The Council reserves the right (at its own behest and at any time) to revoke, vary, or modify any of these conditions and/or to make such additional conditions as it may deem requisite, either generally or in respect of any particular licence or occasion.

# Food Safety Service Delivery Plan

Cllr Doug Pullen, Cabinet Member for Regulatory Services, Housing & Wellbeing

Date: 6<sup>th</sup> February 2018

Agenda Item: Food Safety Service Delivery Plan

Contact Officer: James Rudman

Tel Number: 01543 308742

Email: [James.rudman@lichfielddc.gov.uk](mailto:James.rudman@lichfielddc.gov.uk)

Key Decision? YES- NO (delete as appropriate)

Local Ward Members N/a



**REGULATORY &  
LICENSING  
COMMITTEE**

## 1. Executive Summary

- 1.1. It is essential that the delivery of food safety regulation is undertaken in an approved and regulated manner in compliance with Government requirements. Service delivery plans for food safety enforcement are a fundamental part of the process to ensure national priorities and standards are addressed and delivered locally, taking account of local needs.
- 1.2. The Food Standards Agency (FSA) requires that each local authority publishes a Food Safety Service Delivery Plan which is required by 'Food Standard Agency's Framework Agreement on Local Authority Food Law Enforcement'
- 1.3. This Report introduces the Food Service Delivery Plan for 2018-20 which covers, in detail:
  - the aims and key priorities of the services provided;
  - the organisational structure and the scope of the services provided;
  - the ways in which the service will be delivered and the targets for its delivery;
  - the human and financial resources involved in providing the service;
  - the ways in which the quality of the service will be monitored and improved upon; and
  - the ways in which the service will be reviewed and improved upon

## 2. Recommendations

- 2.1. It is recommended that Members approve the Food Safety Service Delivery Plan 2018-20 contained in Appendix A.

## 3. Background

- 1.1. The Food Safety Service Plan for 2018-20 is detailed in Appendix A for consideration and approval. The plan highlights areas of work we hope to deliver and improve upon in **2018-20** and includes plans to:-
  - Undertake approximately **1,300** interventions / inspection visits to premises;
  - improve the percentage of broadly compliant premises;
  - support food business 'Start ups' to achieve a 4 rating or above;
  - improve the poorer performing businesses with 0,1 & 2 Food Hygiene Ratings through support, advice and regulation;
  - deal with complaints, requests for advice, food alerts, planning applications and infectious disease control;
  - carry out food sampling; and
  - to develop our existing 'Primary Authority' relationships and seek further opportunities for partnerships with other businesses

1.2. The Plan reports on previous achievements and sets goals for future ones within the recognised predicted available resources.

1.3. The Plan for 2018-20 also recognises the proposed changes by the FSA to the regulatory system highlighted in their Regulating Our Future programme.

Alternative Options	<ol style="list-style-type: none"><li>1. The plan is required by the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement. Failure to adopt a plan or provide a food safety service could result in the FSA assuming control of the Councils Food Safety service.</li><li>2. An alternative option would be to submit an amended version of the plan.</li></ol>
Consultation	<ol style="list-style-type: none"><li>1. Regular feedback about our service is received from our stakeholders in a number of ways:-<ul style="list-style-type: none"><li>• through customer satisfaction surveys;</li><li>• comments during inspections;</li><li>• Food Hygiene Training course assessments;</li><li>• e-mail and 'Rate My Place'</li></ul></li><li>2. The Plan has been developed through this feedback and is publicised on our website. Comments are welcomed and are considered during the following years planning process.</li></ol>
Financial Implications	<ol style="list-style-type: none"><li>1. There are no additional implications. Appropriate financial provision for Food Safety enforcement work is provided within the current Budget for Environmental Health Services.</li></ol>
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"><li>1. The Food Safety Service Delivery Plan recognises the Council's own strategic plan and embraces it. The plan details in the Service Aims and Key Priorities section how the service contributes to the Strategic Plan.</li></ol>
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"><li>1. The Food Safety Service Delivery Plan recognises the Councils Equality Statement 2017 and will be submitted to the Equality Impact Assessment process for comment prior to being publicised. Any recommendations made by the assessment panel will be added into the plan.</li></ol>
Crime & Safety Issues	<ol style="list-style-type: none"><li>1. By carrying out functions around food safety we hope to protect the public health of those living in our community and the interests of consumers in connection with the consumption of food.</li><li>2. The adoption of the Food Safety Service Delivery Plan will impact positively on our duty to detect and prevent food crime within the District. (Section 17 of the Crime and Disorder Act, 1998).</li></ol>

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Early changes introduced by the Food Standards Agency cause priorities to shift	The Regulating Our Future programme being implemented by the FSA is being monitored and the service is prepared to shift and adapt to ensure it is current as 2020 approaches.	Yellow
B	Significant Outbreaks or large investigations cause shortage in resources resulting in failure to deliver the workplan	The service is continuously looking at ways to improve its efficiency and ensure its resilience. Improvements in cost recovery and the introduction of a back office system will help to reduce the impact of this risk and all flexibility to engage contractors to cover shortfalls caused by demand.	Yellow
C	Staff sickness / absence causing shortage in resources resulting in failure to deliver the workplan	Manage staff shortage / sickness by ensuring compliance with sickness absence policies. Business Continuity plans are in place to provide resilience	Yellow
D	Failure to deliver priorities	Monitoring of targets and performance monthly.	Green
E	Major Incidents involving the council offices	Business Continuity plans are in place to provide resilience	Yellow
F	Demands arising from changes in legislation	Monitor legislative proposals and changes; evaluate impact on service and plan for changes; monitor impact	Yellow

### Background documents

1. Appendix A Food Safety Service Delivery Plan 2018-20

Relevant web links: None

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**FOOD SAFETY SERVICE DELIVERY  
PLAN  
2018 - 2020**

Approved by: .....Date.....  
Gareth Davies, Head of Regulatory Services,  
Housing and Wellbeing

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## Foreword

Lichfield District continues to be a growing centre of culture and heritage. Together with its relatively affluent resident population, the tourism industry has led to the development of a thriving and vibrant day and night time economy which is supported by over 950 food businesses including some of Staffordshire's finest and award winning eateries. A number of events held throughout the year, including the Lichfield Food Festival (Heralded as one of the top ten events to visit in the summer by the Sun newspaper in June 2017) are helping to place Lichfield on the map as the place to go to enjoy food.

Whether it is a lunchtime sandwich, three course meal or food which is produced in the area, we want to ensure that all food available to the residents, employees, visitors and the wider public is safe and healthy. Our role is to help ensure food businesses deliver products which are safe and are produced from premises which are hygienic and properly controlled, thereby allowing the business to grow and thrive. It is also to provide information to the public to help them make informed choices about what and where to eat, through promotion and transparency.

This year we have produced a Plan setting out our Food Service Delivery priorities for the coming two years. This Plan is developed in order to meet the requirements of the 'Food Standard Agency's Framework Agreement on Local Authority Food Law Enforcement' and covers, in detail:

- ❖ the aims and key priorities of the services provided
- ❖ the organisational structure and the scope of the services provided
- ❖ the ways in which the service will be delivered and the targets for its delivery
- ❖ the human and financial resources involved in providing the service
- ❖ the ways in which the quality of the service will be monitored and improved upon
- ❖ the ways in which the service will be reviewed and improved upon

The Food Safety Service Delivery Plan will next be reviewed in spring 2020 or sooner in the presence of further direction from the Food Standards Agency. However, before then the Council would welcome not only feedback on the current Service Plan, but also suggestions from interested parties on what they feel should be included in future plans.

Copies of this Service Plan will be available on our website [www.lichfielddc.gov.uk](http://www.lichfielddc.gov.uk)

Comments, observations and any suggestions for improvement should be sent for the attention of James Rudman, Regulatory Services, Housing & Wellbeing, Council House, Frog Lane, Lichfield, Staffordshire, WS13 6YX, or by e-mailing at [james.rudman@lichfielddc.gov.uk](mailto:james.rudman@lichfielddc.gov.uk)

Councillor Doug Pullen  
Portfolio Holder for Regulatory Services, Housing & Wellbeing  
February 2018

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## 0.1 INTRODUCTION

The Council recognises the important role it plays in securing the safety of food consumed in the District. This plan's key focus is to demonstrate how the Council will fulfil its statutory obligations and duties in relation to food safety.

The stated aim of the Food Standards Agency is to ensure that food law enforcement is undertaken by the various agencies in a more effective, comprehensive and collaborative manner. This Food Safety Service Plan sets out to achieve these objectives.

Underpinning our Food Safety Service is the ethos on ensuring we are delivering services to all communities equitably, proportionally and consistently, taking account the personal beliefs, race, age, disability, gender and sexuality of all our customers.

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## 1 SECTION 1: SERVICE AIMS & KEY PRIORITIES

### 1.1 SERVICE AIMS

- 1.1.1 The Environmental Health Service aims to contribute to the Lichfield District Council's corporate commitment to 'To be a strong, adaptive council that delivers good value quality services and helps to create a **vibrant and prosperous economy**, **healthy and safe communities** and **clean, green and welcoming places**', by protecting and improving the public health of those living in our community in connection with the consumption of food and likewise to protect the interests of consumers in relation to food. Specifically the service aims:

- 1 To provide a food service in Lichfield District, to the public and businesses alike, that is **equitable, proportional, consistent, helpful, open and takes into account equality issues**.
- 2 To actively contribute to the **Food Standards Agency's Strategy for 2015-2020** and its key strategic objective to ensure the interests of consumers in relation to food are protected. Ensuring that:
  - Food is safe
  - Food is what it says it is
  - Consumers can make informed choices about what to eat
  - Consumers have access to an affordable healthy diet, now and in the future

"The main objective of the Agency in carrying out its functions is to protect public health from risks which may arise in connection with the consumption of food (including risks caused by the way in which it is produced or supplied) and otherwise to protect the interests of consumers in relation to food."

- 3 To continue to **regulate effectively**. To achieve this we aim to follow the headline priorities for regulation laid out by the Food Standard Agency:-
  - secure effective enforcement and implementation of policies that protect consumers from risks related to food and from fraudulent or misleading practices, targeting the areas where there is highest risk.
  - develop our knowledge of what works in driving up business compliance with regulations.
  - safeguard consumers by making it easier for business to comply with regulations, and minimise burdens on business.
  - secure more proportionate, risk-based and effective regulation.

### 1.2 KEY PRIORITIES

- 1.2.1 In order to achieve our stated service aims, we need to set out some key priorities for our Food Safety Service Delivery. These key priorities are:-
- To put the consumer first in everything we do.
  - To ensure that interventions are carried out commensurate with the principles of risk, at food premises within the district, ensuring compliance with the relevant food laws.

- To ensure as far as reasonably practicable, that imported food used or sold in premises within the District complies with UK and European Food Law.
- To ensure as far as reasonably practicable, that no illegally produced food is used or sold in premises within the District e.g. meat or meat products from unauthorised premises.
- To ensure food complaints are investigated.
- To continue to develop partnerships with small local businesses and larger national companies based in our district, which will help to provide consistent and proportional advice on food safety issues at both local and national levels (acting as a Primary Authority in accordance with guidance from the Regulatory Delivery office within the Department for Business Energy and Industrial Strategy (BEIS)).
- To undertake a food sampling regime based on local and national priorities.
- To provide informed and helpful advice to businesses and the public alike on matters relating to food safety.
- To act on food safety alerts promptly and in a manner that is proportionate to the risks involved.
- To play an active role with neighbouring local authorities in the Central England Food Coordinators Group and the Central England Environmental Health Management Board Group in order to ensure a consistent approach to food law enforcement.
- To play a key role in developing innovative ways that enable, motivate, educate and inform all citizens of matters relating to food safety.
- To provide help, advice and support to consumers to protect health and promote healthier lifestyles and consumer choice.
- To review the way we deliver our food service annually that takes into account recognised performance targets and standards.

### 1.3 LINKS TO CORPORATE OBJECTIVES & PLANS

1.3.1 This Food Safety Service Delivery Plan links closely with the strategic themes laid out in **Our Strategic Plan 2016-2020**. These essentially govern how the Council in future will deliver its services based on local aspirations, needs and priorities.

1.3.2 At the heart of the **Plan** is the Council's commitment to be a strong, adaptive council that delivers good value quality services and helps to create a vibrant and prosperous economy, healthy and safe communities and clean, green and welcoming places.

1.3.3 Seizing on the core values the Food Safety Service will ensure it delivers:

**Put Customers First** - We are passionate about our customers and our corporate value is to deliver good customer service.

**Have respect for everyone** - We believe in mutual respect, whether that's between our staff and customers, or our staff and members. By working together in a respectful way, we believe we can achieve more.

**Improve and Innovate** - We are always striving for continuous improvement, whether that's in what we all achieve on a daily basis, or in the services we deliver to our customers.

1.3.4 To help deliver this plan the Council has identified 3 external facing key **'priorities'**

- **Vibrant & prosperous economy** - We work to support and strengthen our local economy, with high employment, good local jobs and thriving local businesses. We want people to be able to live and work locally and have the choice of great jobs and training opportunities – from apprenticeships through to high-skilled senior roles – so that they can fulfil their potential. We want our town and city centres and rural areas to be dynamic and thrive, and we want new businesses to start up, innovate and succeed.
- **Healthy & safe communities** - We want local people to have access to great opportunities to be active and live healthy, fulfilled lives. We want to prevent social isolation and loneliness, particularly in older members of our community. We want our communities to be even safer and for people to be less worried about crime and anti-social behaviour. We want to encourage and support people to volunteer and help shape their communities, and be an active part of local life.
- **Clean, green & welcoming places** - We want to create great communities where people want to and can afford to live. We want a mix of homes, including enough affordable homes, and we want the right type and quantities of office, retail and manufacturing spaces. We want to protect our stunning heritage and make sure our green spaces, streets and public areas are looked after and well managed.

1.3.5 Our Food Safety Service Delivery Plan will contribute to the **priority** of **'Vibrant & prosperous economy'** by:-

- identifying the need to ensure a consistent, proportionate and fair approach to enforcement is carried out across the District;
- continue to provide support to start-up food businesses in the form of advisory visits designed to assist them to achieve a high food hygiene standard.
- Work with the Council's Economic Development Officer to assist new and current food businesses with both food safety and business improvement advice and support.
- offering a competitive high standard face to face food hygiene training course to assist food businesses with requirements to train employees.
- delivering support, signposting and networking opportunities to existing businesses to help them thrive.
- targeting interventions at lower food hygiene rated businesses to encourage improvement as higher ratings have been shown to increase customer base.
- supporting major businesses in the district through Primary Authority arrangements to ensure they get assured and consistent advice on regulatory compliance.
- actively participating in initiatives on regulatory reform as part of the Staffordshire Local Enterprise Partnership.
- actively participating in initiatives on regulatory reform as part of the Greater Birmingham and Solihull Local Enterprise Partnership.
- Continue to provide support and advice through a Safety Advisory Group for organisers holding large events involving large numbers of visitors to the district.

1.3.6 Our Food Safety Service Delivery Plan will contribute to the **priority** of '**Healthy & Safe Communities**' by:-

- ensuring we are delivering services to all communities equitably, proportionally and consistently.
- carrying out interventions prioritised by risk and regulate to ensure that all food businesses are providing safe food to consumers.
- providing help, advice and support to consumers to protect health and promote healthier lifestyles and consumer choice e.g. ('Ratemyplace' and National Food Hygiene Rating Scheme).
- providing transparent, robust and consistent approaches to investigating and resolving consumer complaints about food and food businesses.
- taking part in national food sampling programmes and take action to remove unsafe food from the market.
- working towards increasing overall food hygiene ratings for food businesses, thereby protecting food consumers within the District.
- Investigate all substantiated food poisoning allegations and notified food poisoning outbreaks.

1.3.7 Our Food Safety Service Delivery Plan will contribute to the **priority** of '**Clean, Green and Welcoming places**' by:-

- Carrying out waste enforcement and education during visits at food businesses, ensuring that adequate provisions have been put in place to deal with waste generated by businesses.
- Working towards increasing overall food hygiene ratings for food businesses within the District, thereby improving their reputation and appeal to consumers.
- Supporting events, where food plays a major role, with a suitable balance of advice and regulation to help protect the District's growing reputation for providing popular food events.

1.3.8 Our Food Safety Service Delivery Plan will be built on the **foundation** underpinning these **priorities** and the service will monitor and measure its performance by:-

- identifying what we currently are delivering in our Food Safety Service;
- setting out what we want to do between 2018-2020 in a work programme based on government and local agendas; and
- highlighting an improvement plan to make our Food Safety Service better, within given timescales which we can be measured against.

1.3.9 By helping us to listen to local people and businesses' aspirations, this will help shape some of our key priorities for our Food Safety Service in the future if possible.

1.3.10 Performance of our service is measured against national and local targets such as:-

- Satisfaction of businesses with local authority regulation services.
- Food establishments in the area which are broadly compliant with food hygiene law.
- % of premises inspected of those due.
- % improvement in 0,1 and 2 hygiene rated premises by category year on year.
- % of new food businesses which achieve an initial rating of 4 or more after receiving regulatory advice.

The indicators provide an objective measure on how our premises are improving and what businesses think of our service.

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## 2 SECTION 2: BACKGROUND

### 1.4 District Profile

- 2.1.1 Lichfield District is one of 9 Staffordshire District Councils. Within commuting distance of both the Black Country Boroughs and Birmingham, the District has a population of circa 102,100<sup>1</sup> and covers nearly 33,130 hectares.

The District was formed in 1974, and comprises urban populations in the town of Burntwood and the city of Lichfield, and a substantial rural population in surrounding villages, some of which have significant populations.

- 2.1.2 Lichfield has nationally and internationally renowned visitor attractions, including Drayton Manor Park, The National Memorial Arboretum and the historic environment of Lichfield City along with its cathedral provides a strong base for tourism.
- 2.1.3 The increased income tourism has brought to the District has led to a proportionate increase in the number of food outlets. In addition to the fixed outlets, Lichfield has seen a dramatic increase in the number of mobile street traders attending festivals and events, many of whom originate from other areas in the UK or sometimes further afield. Our Food Safety Service needs to ensure that these and all our premises provide food safely.
- 2.1.4 About 3.3%<sup>1</sup> of our residents originate from other countries throughout the world and this is shown in more detail in the Equality Statement 2017, published on the Council's website.
- 2.1.5 The challenge for our Food Safety Service is to ensure that we are delivering services to all communities equitably, proportionally and fairly, taking into account the personal beliefs, race, age, disability, gender and sexuality of all our customers. The service will ensure it encourages fairness and equal opportunities to all communities. This could require services to be delivered in different ways for different people to ensure it:-
- provides support to those who find it difficult to access or understand our services e.g. training provision in other languages.
  - gives support with advice and guidance to help maintain existing businesses and help in the establishment of new food businesses;
  - provides low cost food hygiene courses and targeted health promotion activities.
  - makes it easy to comply with requirements and minimise burdens where possible.

### 1.5 Organisational Structure

- 2.2.1 A new re-structure in 2017 created a new Head of Service post and saw the Community, Housing and Health Directorate being changed to the Regulatory Services, Housing & Wellbeing Service.
- 2.2.2 The Regulatory Services, Housing and Wellbeing Service has a wide range of duties covering the spectrum of public health, environmental and housing functions, community safety, homelessness and licensing. The Council's Food Safety Service is delivered by the Commercial Team within the Environmental Health Service. The structure of the team is detailed in **Appendix 1**
- 2.2.3 The Head of Service for Regulatory Services, Housing & Wellbeing and the Food and Health & Safety Manager have delegated powers in relation to food safety to act on behalf of the Council.

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<sup>1</sup> Equality Statement 2017, Lichfield District Council published 31<sup>st</sup> January 2017.

- 2.2.4 In response to the 'modernising agenda' the Council has adopted the 'cabinet and leader' approach to local governance. The committee structure and where our food safety service fits into this is detailed in **Appendix 2**
- 2.2.5 The Regulatory & Licensing Committee have responsibility for policy, review and development in respect of a wide range of environmental health issues including food safety. Performance against this Plan will be reported to this Committee at the end of every financial year.
- 2.2.6 Officers who deliver our Food Safety Service are multi-skilled and work across all the team's work areas at a level depending upon their competence and qualification. The officers with key responsibility for the service are:
- **The Food and Health & Safety Manager** – service development; overall management of the service, day to day management of the service; service development; official returns; food safety database management; product specific premises inspection; high risk premises inspection; service requests; food sampling; Infectious diseases and street trading.
  - **Casual Environmental Health Officer** – high and low risk premises inspection when needed.
  - **Environmental Health Officer(s) – Part time** – service development; high risk premises inspection; food alerts; service requests; food safety data base management; food sampling; food complaints; product specific premises inspection; infectious diseases and street trading.
  - **Technical Officers** – service development; high risk premises inspection; food alerts; service requests; food safety data base management; food sampling; food complaints, product specific premises inspection; infectious diseases and street trading.
  - **Technical Support Officer** – administrative support; infectious disease notifications; assistance with database management; alternative strategy inspections, temporary administration of Street Trading consent applications.
- 2.2.7 The Council uses the Public Health England Food, Water & Environmental Services based in Colindale (recently moved from Good Hope Hospital). The Public Analyst service previously provided by Staffordshire County Council Scientific Services based at Stafford has now ceased and a new public analyst service is being sought by the Central England North Food Liaison Group. **(see Appendix 3 Useful Contacts)**
- 2.2.8 In relation to Food Standards Law Enforcement, colleagues from Staffordshire County Council's Trading Standards Section based at Burton-upon-Trent cover issues relating to food composition, labelling, feedingstuffs, premises inspection and weights and measures **(see Appendix 3 Useful Contacts)**

## 1.6 Scope of the Food Service

- 2.3.1 The Commercial Team is responsible for delivering all the Authority's Food Safety Service as relevant to a District Council. This includes:-
- programmed and ad-hoc food hygiene interventions and revisits
  - the investigation of complaints regarding food sold or prepared in the District
  - the investigation of complaints regarding hygiene standards or practices
  - health education and promotional activities
  - the provision of low cost training in relation to food safety
  - infectious disease control including food poisoning and food borne disease



- responding to food alerts issued by the Food Standards Agency
- the provision of advice and information on food safety issues
- the monitoring of approved premises
- consideration of the environmental aspects of planning and licensing applications
- routine / planned sampling programmes organised in liaison with the Central England Food Coordinators Group and national studies organised by the FSA/Public Health England and local need.
- imported food control

2.3.2 All the officers who deliver services within our Commercial Team also undertake certain duties in relation to the delivery of our Occupational Health & Safety Service, certain licensing functions and take part in the Council's Emergency Planning roles.

2.3.3 Whilst undertaking food safety interventions, officers are expected to carry out the following additional functions:-

- hazard spotting in relation to health & safety issues
- priority based health and safety inspections (currently focussed on food machinery safety and gas safety)
- smoking compliance checks
- duty of care checks
- licensing checks
- supporting trading standards surveys

2.3.4 All food services are delivered by in house staff, except where food analytical services are used. Casual staff are sometimes used to support our work and help us manage variances in demand.

## 2.4 Demands on the Food Service

### 2.4.1 Food Hygiene Interventions

In Lichfield District, the Food Safety Team are responsible for approximately 940 premises, ranging from large manufacturers to one-person operations. A breakdown of the premises, as defined by type in the Food Standards Agency's Local Authority Enforcement Monitoring System Report (as of 7<sup>th</sup> January 2018) is as follows:

Type of premises	Number
Primary Producers	5
Manufacturer / Packer	30
Importer / Exporter	1
Distributors / Transporters	9
Retailer	171
Restaurant / Caterers	724
<b>Total Number of Premises</b>	<b>940</b>

Of these 940 premises, approximately 575 are due for inspection each year. We also get around 50-60 new businesses per annum. 2017-18 saw an increase in new business applications (113).

On average each year the team receives 25 requests for re-rating (Food businesses are able to request a re-rating after they have made improvements). A new charge has been introduced for this service, see Section 3 below.

This averages approximately 60 interventions per month for the team.

#### 2.4.2 Approved Premises

The Food Safety Team is responsible for 6 premises under Approved Premises Regulations. Details of these premises are given below:-

Establishment Name	Type of Approval	Approval Number
Highfields Dairy	Dairy Products	LF 001
Brownsfield Farm	Egg Packing	LF 006
John Owen	Fishery Products	LF 007
ELC	Cold Storage	FL008
Urban Organics	Egg Packing	LF009
Alfa Doner Kebab Manufacturing Ltd.	Meat Product Manufacturing	LF010

These premises are inspected in accordance with our risk rating programme.

#### 2.4.3 Regionally & Nationally Significant Companies

In the District, there are several large manufacturers / processors including **Soleco Ltd.** (Salad Products - Fradley) of which we have a **Home Authority** relationship and **Manor Vinegar** (Preservative Products - Burntwood).

Also within the District we have 2 recognised (in accordance with European and National legislation) Natural Mineral Water Sources at Maple Hayes, Burntwood and Elmhurst Spring, Elmhurst.

Lichfield itself is home to the headquarters of **The Central England Co-operative Society** and **Busy Bees Nursery's Ltd**, both are regionally and nationally significant companies. We have **Primary Authority** relationships with both of these companies for food hygiene matters.

Referrals from other local authorities into the activities of these companies form a large part of the work generated by such premises.

#### 2.4.4 Other Factors likely to have an impact on Food Safety Service Delivery in 2018-20

In addition to some of the demands identified above, other factors are likely to influence the way we work in 2018-20, including:-

- further work with our partners in both the Staffordshire and the Greater Birmingham and Solihull Local Enterprise Partnership to encourage business growth through regulatory support
- the possible change in government direction in relation to how official food controls are delivered (e.g. the extent to which this remains a statutory function for local government)
- Changes in the way in which Food Safety is delivered after the Food Standards Agency delivers its Regulating Our Future Programme.
- a review of our working procedures
- implementation of a new back office computer system and mobile working solution.
- demands around health & safety enforcement
- demands from other areas of our work including licensing
- demands for street trading licensing and transfer of the service to the Licensing Team

- demands placed on the team by large events and attendance at the Safety Advisory Group.

#### 2.4.5 Access to our Service.

Our Food Safety Service is delivered from The Council House, Frog Lane, Lichfield, Staffordshire. Service users may contact Officers on site or by leaving a message, in the following ways:-

- ❖ **in person:** between 8.45am and 5.15pm Monday to Friday.
- ❖ **by telephone:** on 01543 308000 or 01543 308999  
between 8.45am and 5.15pm Monday to Friday.  
Out of hours:- 01543 254213
- ❖ **by e-mail:** [food.safety@lichfielddc.gov.uk](mailto:food.safety@lichfielddc.gov.uk)
- ❖ **by website:** <https://www.lichfielddc.gov.uk/Council/Report-it>

For other useful contact addresses and numbers please refer to **Appendix 3**

## 2.5 Enforcement Policy and its application in Food Safety Service Delivery

- 2.5.1 The Council has signed up to follow the principles laid out in the Government's **Enforcement Concordat** and the principles contained in the **Regulators Guide to Compliance**. A service specific Enforcement Policy has been developed, this was updated and approved by Committee in February 2015 and updated in 2017.
- 2.5.2 Underpinning our Enforcement Policy are certain key elements, which are applied to how we deliver our food safety service. The Policy recognises the Regulators Code which states:-
  - Regulators should carry out their activities in a way that supports those they regulate to comply and grow.
  - Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views.
  - Regulators should base their regulatory activities on risk.
  - Regulators should share information about compliance and risk.
  - Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.
  - Regulators should ensure that their approach to their regulatory activities is transparent.

### 3 SECTION 3: SERVICE DELIVERY

#### 3.1 Food Premises Interventions

- 3.1.1 One of this Service Plan's key priorities is to ensure that all our businesses receive an intervention within the minimum frequency set down in Food Law - Code of Practice (England) 2017
- 3.1.2 The category of the premises, i.e. A – E, is defined by scoring premises around potential hazard associated with the business and food safety compliance, this then relates to the interval between inspections. For example: category A premises are inspected every 6 months and category D every 2 years.
- 3.1.3 Interventions are key to improving compliance with food law by food business operators. The range of possible interventions allows authorised officers to use their professional judgement to apply a proportionate level of regulatory and enforcement activity to each business.
- 3.1.4 Interventions fall into either official control or non-official control as follows:

Official Control interventions include:- <ul style="list-style-type: none"><li>➤ monitoring</li><li>➤ surveillance</li><li>➤ verification</li><li>➤ audit</li><li>➤ inspection</li><li>➤ sampling and analysis</li></ul>	Interventions which are not Official Controls:- <ul style="list-style-type: none"><li>➤ targeted education &amp; advice</li><li>➤ information &amp; intelligence gathering</li></ul>
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- 3.1.5 In 2018-20 we intend to continue to use these techniques to help businesses to comply, particularly where the business is already 'broadly compliant' with the law (category C premises only).
- 3.1.6 The techniques and interventions we can use by category of risk are outlined in the Food Law - Code of Practice (England) 2017
- 3.1.7 Between 2018-20 we intend to continue concentrating our resources on non-compliant and higher risk premises identified in an intelligence led review of our premises profile. We intend to continue with a project based approach which seeks to tackle varying methods to improve standards, from providing advice to conducting enforcement action.
- 3.1.8 The following is a breakdown of categories of risk; frequency of intervention and number of premises within the District due in 2018-20

Rating	Frequency of Inspection (At least once every)	Number of premises as of the 8 <sup>th</sup> January 2018
A	6 months	8
B	12 months	57
C	18 months	158
D	2 years	264
E	3 years	391
Unrated		62
<b>Total</b>		<b>940</b>

- 3.1.9 In 2016-18 we measured our performance against a number of targets to collect performance data. The full range of Performance Indicators can be seen in Appendix 4 and below are some headline figures:-
- The % of food establishments in the District which are broadly compliant with food hygiene law **2016-17- 94.97%**
  - Satisfaction of businesses with local authority regulation services

#### **2016-17 - 98%**

- % of premises inspected of those due
- 2016-17 99.49%**
- Improvement in 0,1 and 2 hygiene rated premises by category year on year  
– of those inspected 27 improved

- 3.1.10 Past performance figures on inspections against previous years can be seen in **Appendix 4**
- 3.1.11 A variety of means will be used to ensure that individuals and organisations meet with their legal responsibilities relating to food safety during an inspection including education, negotiation, advice, guidance, warning letters, formal notices, simple cautions and prosecution.
- 3.1.12 If a written warning or notice is required following a visit the customer should receive the notification within **10** working days.
- 3.1.13 In addition to visits undertaken as part of the risk assessment programme, interventions are also undertaken in respect of:
- complaints regarding food business operations;
  - enquires and request for advice from a food business;
  - investigation following a poor sampling result;
  - transient stalls and mobiles
  - new business operation or new proprietor
- 3.1.14 New businesses registering with the authority will be inspected within **28** days of the business opening for trading or sooner if requested.

### **3.2 Food and Premises Complaints**

- 3.2.1 Food complaints received and investigated by the service fall into one of two broad categories - food contamination or complaints about food businesses (hygiene and practices).
- 3.2.2 Investigations of food complaints are carried out in accordance with guidelines issued by the Food Standards Agency
- 3.2.3 In 2016-17 the service investigated **20** food complaints and **99** premises complaints. As of 11<sup>th</sup> January 2018, the 2017-18 Food and premises complaints are up to **115**.

### **3.3 Primary Authority Scheme**

- 3.3.1 The Council continues to fully support the National Primary Authority Scheme for businesses. We currently have Primary Authority arrangements for food Hygiene with the **Central England Co-operative Society** and **Busy Bees Nurseries Ltd**. This supports the key strategic **priority** of 'vibrant and prosperous economy.'
- 3.3.2 We will continue to develop our **Primary Authority** arrangements, actively seeking new partnerships with companies.
- 3.3.3 A charging process is in place to recover costs related to this work.
- 3.3.4 The Council is also taking part in a Food Standards Agency Pilot scheme with Busy Bees Nurseries Ltd., testing the potential of National Inspection Strategies. This means that as a primary authority, we can build a picture of compliance across the whole of the business' operations. After considering all the information available, the primary authority could take the view that it has sufficient evidence that the business is being well managed, and consider that a lower number of checks are needed to ensure compliance and protection for the public. This is implemented via a national inspection strategy and is forming part of the FSA Regulating Our Future Programme.

### 3.4 Advice to Business

- 3.4.1 The food team will take a proactive role in providing advice to businesses to help them comply with the law and encourage the use of best practice. Such an approach helps standards of food hygiene to improve and positive relationships to be built with proprietors. This is achieved through:-
- advice given during inspections and other visits
  - the provision of advice leaflets
  - responding to enquiries
  - Safer Food Better Business (SFBB) coaching
- 3.4.2 We will also provide advice and assistance to new and proposed businesses at the planning and pre-planning stages and will assist existing businesses that propose to make changes to their operations. The team plans to work with the Council's economic Development Officer providing both food safety and business improvement advice. This will improve skills to manage businesses more effectively which is likely to impact on the businesses ability to maintain food safety standards.
- 3.4.3 In an attempt to increase the standards in the poorest performing businesses we will continue the implementation of project based work where such businesses will be offered advice on how to improve their hygiene standards and thereby their food hygiene rating. We will also provide a report on how successful the project is, including information on whether standards are being maintained in those businesses included in previous years.
- 3.4.4 In 2016/17 the Food Safety Service responded to **437** enquiries. As of 11<sup>th</sup> January 2018, the 2017-18 the number of enquiries is up to **386**.

### 3.5 Food Sampling

- 3.5.1 The microbiological and physical examination and analysis of food is undertaken on the basis of:-
- businesses identified for sampling as part of nationwide, regional or local schemes;
  - businesses subject to consumer complaints or outbreak investigations;
  - during a programmed inspection where an inspector deems a sample is necessary.
- 3.5.2 The Council supports all nationally co-ordinated food sampling programmes organised by the Food Standard Agency and Public Health England's Laboratory Services.
- 3.5.3 Such sampling is co-ordinated locally by the Staffordshire Chief Environmental Health Officers Food Liaison Group and carried out by the Officers within the team. A Staffordshire Food Sampling Strategy document is in place for food sampling as well as our own Food Sampling Policy/Programme.
- 3.5.4 The general principle of this strategy is to make announced surveillance visits with businesses being informed of both the sample collection and results, co-ordinated by each authority in turn. Unannounced sampling is occasionally used to verify complaint allegations and suspicions of contraventions arising from inspection visits.
- 3.5.5 Samples requiring microbiological examination are sent to the PHE Food, Water & Environmental Services based at Colindale or otherwise are sent to a public analyst. **88** samples were submitted during 2016/17. As of 11<sup>th</sup> January 2018, the team has collected **70 food** and water samples in 2017-18 with **63** further samples programmed in between January and March.

### 3.6 Control and Investigation of Outbreaks and Food Related Infectious Diseases(Food Poisoning)

- 3.6.1 Investigation of outbreaks will be in accordance with the South Western Staffordshire Joint Outbreak Control Plan co-ordinated by the Health Protection Agency based out of Stafford. The number of notifications received almost always relates to single cases rather than outbreaks.
- 3.6.2 The Central England Food Coordinators Group, in consultation with Public Health England, has produced guidance on the investigation of infectious diseases and this is followed when dealing with notifications.
- 3.6.3 All food poisoning notifications are followed-up by a standard letter and questionnaire wherever practicable to identify possible sources of infection and recommend practices to prevent its spread. The West Midlands Food, Water and Environmental Services performs sample analysis.
- 3.6.4 The team received **146** notifications in 2016/17. As of 11<sup>th</sup> January 2018 the team has received **121** notifications for 2017/18.
- 3.6.5 In 2016 the team successfully prosecuted a business implicated in causing 33 people to suffer campylobacter food poisoning during a wedding outbreak. The company were fined £11,000.
- 3.6.6 In October 2017, another wedding food poisoning outbreak was reported by guests attending a wedding organised by a different business. This outbreak is currently under investigation and involves over 50 guests with reported symptoms.

### 3.7 Food Safety Incidents

- 3.7.1 The Council complies with Food Safety Act Code of Practice in relation to handling food alerts. "Round-the-clock" contact details have been supplied to the Food Standards Agency. All the officers within the Commercial Team are alerted to food alerts via:-
- mobile phone alerts activated by the Food Standards Agency
  - Food Standards Agency E-mail alerts.
- 3.7.2 We respond to all food alerts that **require action** within 1 working day.

### 3.8 Liaison with Other Organisations

- 3.8.1 Members of the Commercial Team play an active role in the Central England North Food Coordinators Group, which is governed by a Core Constitution. The group's primary aim is to encourage greater consistency in enforcement across the whole of the 9 Staffordshire Authorities represented.
- 3.8.2 Members of the Commercial Team also attend the Shropshire & Staffordshire Health Protection Liaison Group Health Protection Agency Community Control of Infection Committee and its Water Sub Committee which was set up to:
- develop guidelines on infection control
  - act as advisory groups, on all aspects of communicable diseases
  - formulate exercises and where necessary, implement outbreak control plans.



### 3.9 Food Safety Promotional Work and Education

- 3.9.1 The Food Safety Service can contribute to improving the health of the community by helping to ensure that individuals have access to credible and trustworthy information to enable them to make informed choices that impact on their health. The service will look to develop its health education role and seek to identify new opportunities to deliver information on food safety and healthy eating, especially to young people.
- 3.9.2 Low cost food safety training courses are also provided to local businesses. Approximately 40-80 people per year will be trained to the Food Hygiene Level 2 qualification. Following a review in 2016 it was decided to provide food hygiene training via an external contractor, thereby reducing the cost of this service.
- 3.9.3 The service also promotes and takes part in the Food Standards Agency National Food Safety Week campaign.

### 3.10 Regulating Our Future Programme

- 3.10.1 The Food Standards Agency has concluded that it's time to improve the way the UK delivers regulatory controls in food. Their Regulating Our Future (ROF) Programme paper explains the direction they intend to take to create a modern, risk-based, proportionate, robust and resilient system.
- 3.10.2 The ROF Programme is looking at introducing a new enhanced registration process for food businesses. The FSA have identified that no single approach to regulation can satisfactorily cover the diversity of size, culture or risk (and any number of other characteristics) of food businesses. They have determined that the UK needs a system that is more sophisticated in dealing with this reality. They intend to introduce a new risk management framework that will determine the nature, frequency and intensity of the controls that a food business will be subject to. In addition they intend to better recognise those businesses that can demonstrate sustained compliance, reducing the regulatory burden on them by ensuring that intervention is proportionate.
- 3.10.3 The Council is taking part in the development of the ROF programme, in particular, around testing the feasibility of a National Inspection Scheme, which may see Primary Authorities and their partnered businesses providing advice and guidance on business compliance. Using access to business compliance data the Primary Authority could influence whether other authorities carry out visits and to what degree.
- 3.10.4 More information can be found relating to the ROF programme here:  
[https://www.food.gov.uk/sites/default/files/rof-paper-july2017\\_0.pdf](https://www.food.gov.uk/sites/default/files/rof-paper-july2017_0.pdf)

### 3.11 Re-rating Charges

- 3.11.1 In November 2017 the Commercial Team, followed guidance from the FSA and introduced a charge for conducting re-rating visits. The fee, set in the Regulatory Services, Housing & Wellbeing, annual Fees and Charges Report, will see businesses who wish to improve their food hygiene rating, pay a fee to receive a re-rating visit by officers. The initial fee was set at £165 per re-rating visit.
- 3.11.2 Businesses who fail to meet the required standard will be revisited as normal without charge and, where standards remain unchanged, will be subject to enforcement action.

### 3.12 Improved Performance Indicators.

- 3.12.1 A new suite of performance indicators is being introduced which will combine previous indicators with new ones and will see references to national averages and benchmarking against similar profiled authorities. This will help to give a better overview of the team's performance. The implementation of a new line of business computer software system will enhance this overview.



3.12.2 The new performance indicators are shown in the table below and new indicators are highlighted. Benchmarking will include those authorities identified in the CIPFA LG Inform Benchmarking Summary Report. 2017/18 includes the following authorities identified as comparable with Lichfield: Stafford, Hinckley and Bosworth, South Staffordshire, Stroud, South Ribble, Bromsgrove, Tewkesbury, East Northamptonshire, West Lancashire, South Kesteven, Maldon, Staffordshire Moorlands, Chorley, and Rushcliffe. Benchmarking, where data is available (published in the FSA LAEMS report) will be reported annually as a placement figure (eg 1<sup>st</sup> out of 15).

Status	Performance Indicator	Example				Notes
		Actual 2016/17	Target	National Average	Benchmarked Position (Out of 15 LA's)	
Current	LEH7(a) No. of food establishments inspected in the last month that were broadly compliant	408	58 / mth 97% / year	89% <sup>2</sup> 2016-17	5 <sup>th</sup>	Reported monthly, quarterly & annually – benchmark reported annually <i>NB – Target is indicative of district performance rather than entirely reflecting officer performance.</i>
Current	LEH7(b) No. of food establishments inspected that were not compliant	60	3%	6% <sup>2</sup> 2016-17	N/a	Reported monthly, quarterly & annually – benchmark reported annually <i>NB – Target is indicative of district performance rather than entirely reflecting officer performance.</i>
NEW	No. of those that were not compliant due to poor management (Where the confidence in management score is 20+)	N/a	N/a	N/a	N/a	Reported monthly, quarterly & annually – benchmark reported annually <i>NB – reflects the number of businesses that are performing badly due to poor management. These premises will be targeted for enforcement or where appropriate advice.</i>
Current	LEH7(c) Total number of food safety intervention visits made	558	60/ mth 97% / year	N/a	N/a	Reported monthly, quarterly & annually – <i>NB – No benchmark or national average data available.</i>
Current	LEH7(d) % all food establishments within the District which are broadly compliant	94.04%	58 / mth 97% / year	89% <sup>2</sup> 2016-17	7 <sup>th</sup>	Reported monthly, quarterly & annually – benchmark reported annually <i>NB – Target is indicative of district performance rather than entirely reflecting officer performance.</i>
NEW	% of reports sent within 10 working days of intervention	98%	98%	N/a	N/a	Reported monthly, quarterly & annually <i>NB – No benchmark or national average data available. Team data reported, individual officer data held by the Food and Health &amp; Safety Manager</i>
Current	LEH7(e) Total number of new food premises that have started up since the last month	109	N/a	N/a	N/a	Link to previous year month data to show annual / seasonal trends. <i>NB – No target set as figure for info only. No benchmark or national average data available.</i>
New	Total number of new food premises that have started up since the last month that are included in the FHR Scheme and were given advice	65	N/a	N/a	N/a	<i>NB: Not all food businesses require advice if they are already performing well. Some are rated on initial visit. Some businesses are exempt from the FHR Scheme No benchmark or national average data available.</i>
Current	LEH7(f) No of new food premises start-ups in the last month which have been provided with regulatory advice that achieve 4* or above	77.58%	75%	N/a	N/a	Figure worked out from new PI above (Total new businesses in month given advice) <i>NB: No benchmark or national average data available</i>
Current	LEH7(o) Food Safety Simple Cautions	0	N/a	0.7	5 <sup>th</sup> (Joint with 10)	<i>NB No target required for this activity.</i>
Current	LEH7(o)(i) Food Safety Written Warnings	300	N/a	272	3 <sup>rd</sup>	<i>NB No target required for this activity. The national average includes only authorities with total number of premises between 800 and 1,500.</i>
Current	LEH7(p) Food Safety Legal Proceedings	0	N/a	0.86	2 <sup>nd</sup>	<i>NB No target required for this activity.</i>
NEW	Food Safety – Food Hygiene Notices served	24	N/a	9.15	2 <sup>nd</sup>	<i>NB No target required for this activity.</i>
Current	LEH18(a) Shift in Compliance - Number of premises improving from 0, 1 & 2 to 3 or above rating	70% 26	Overall improvement 60 %	N/a	N/a	Reworded: Number of premises identified as improving from 0, 1 & 2 to 3 or above rating
Current	LEH18(b) Shift in Compliance - Number of premises falling into the lower 0, 1 & 2 rating	20		N/a	N/a	Reworded: Number of premises identified as falling into the lower 0, 1 & 2 rating
Current	Satisfaction of business with local authority regulation services (NI 182)	99%	99%	N/a	N/a	Reported annually <i>NB: No benchmark or national average data available</i>
NEW	No Premises maintaining Broad compliance over the last three visits	N/a	75%	N/a	N/a	To be reported on following implementation of a new computer system (2019 onwards) <i>NB: This will not include new businesses or businesses with less than three historical inspections recorded. No benchmark or national average data available</i>
Current	% of premises inspected which were programmed.	99.49%	100%	87.14%	3 <sup>rd</sup>	Reported monthly, quarterly & annually – benchmark reported annually
NEW	% of premises inspected of those programmed and those non programmed (Unrated)	99.75	98%	90.06%	3 <sup>rd</sup>	Reported annually after LAEMS report is published – benchmark reported annually

<sup>2</sup> Annual report on UK local authority food law enforcement, 1 April 2016 to 31 March 2017, FSA

## 4 SECTION 4: RESOURCES

### 4.1 Financial Allocation

- 4.1.1 The net expenditure for food law enforcement for 2017-18 was **£275,660**. In 2018-19 it is **£276,260** and the 2019 -20 net expenditure is expected to be **£279,810**.
- 4.1.2 A breakdown of expenditure for food safety by activity for 2017-18 to 2021-22 is included in **Appendix 5**.
- 4.1.3 If legal action is to be taken by the service, costs are met from within the overall environmental health budget under a specified cost area for prosecutions. Where possible costs are recovered.
- 4.1.4 The Council recognises the importance of being able to deal with legal actions and other one off occurrences by maintaining adequate corporate reserves and provisions.

### 4.2 Staffing Allocation

- 4.2.1 Pressures on staffing resources for food safety service delivery are likely to increase. To ensure the viability of our service we are looking at and implementing ways to deliver our service in a number of different ways such as:-
- the introduction of a new database system
  - changing the way we carry out interventions to release resources in 'pressure areas' such as enforcement
  - raising income through the delivery of services and further 'Primary Authority' arrangements
  - Continued streamlining the inspection report process to reduce administrative burdens.
- 4.2.2 The staff resources available to undertake food law enforcement during 2018-20 are equivalent to 2.3 full time officers. FTE of 2.3 is equivalent to 506 working days. We believe that we can deliver the service with this resource, using the techniques highlighted above in this time. Resource to task allocation is highlighted in the work/improvement table that follows. A breakdown of this figure based on full time equivalent posts (FTE) is as follows:-

Post	Full Time Equivalent (FTE)
Food and health & Safety Manager	0.4
Environmental Health Officer (Pt time)	0.3
Environmental Health Officer (Pt time)	0.3
Technical Officer	0.6
Technical Officer	0.7
Total (FTE)	2.3

- 4.2.3 All Technical Officers are qualified to undertake food safety work. Both officers have the Higher Certificate in Food Premises. The Food and Health & Safety Manager and EHOs are qualified to undertake the whole range of food safety work. When needs arise, the Head of Service is trained to cover food.
- 4.2.4 Support for our service comes from our Technical Support Officer. Currently the level of this support is 0.25 of a full time equivalent.

### 4.3 Staff Development

- 4.3.1 The Council recognises that there is a need to invest in the continuing development of staff. Each member of staff takes part in a performance and development review at the beginning of the

financial year in order to establish work and performance targets and identify training and development needs.

- 4.3.2 Within the Commercial Team, such development is needed in order to meet the continuing professional development requirements of the Chartered Institute of Environmental Health and more specifically requirements contained in the Food Standards Agency's Code of Practice.
- 4.3.3 All Officers are required to prove competence via the competency framework introduced by the Food Standards Agency. Each officer must attend 20 hours CPD training each year.
- 4.3.4 All necessary training will be undertaken through in house training, formal courses and vocational visits as appropriate. Sufficient resources will be allocated towards such training and the extent of training will be assessed as part of the development review process.

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## 5 SECTION 5: QUALITY ASSESSMENT

### 5.1 Quality Assessment

- 5.1.1 The work of the team is subject to scrutiny by Members, internal auditors, the Audit Commission, the Food Standards Agency and peer review by other Staffordshire Local Authorities.
- 5.1.2 The following monitoring arrangements are currently in place to assist in the quality assessment of the work carried out by the food team :-
- sample inspection audits
  - customer satisfaction questionnaires
  - sample audits of food files and associated paperwork
  - sample audits during visits
  - sample telephone audits post intervention
  - sample audits post enforcement action being taken
  - performance and development reviews
  - performance monitoring of target response times
  - performance monitoring against targets set down by National Indicators
  - 1:1 meetings with team members
  - team meetings
- 5.1.3 We aim to continue to build on the qualitative aspects of our work and recognise that through the introduction of a new database, the reporting and monitoring of key aspects of our service will improve.
- 5.1.4 In our work programme we will continue to review and improve our documented food procedures required within the Food Standards Agency's Framework Agreement.

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## 6 SECTION 6: REVIEW

### 6.1 Review against this Service Plan

6.1.1 The process of review will be commenced in March/April each year based on:-

- performance and resources available over the previous 12 months
- responses to feedback from local businesses and the community
- observations from members and the food safety team
- advice and guidance issued by the Food Standards Agency, the Local Authority Co-ordinating Body on Regulatory Services and examples of best practice.

6.1.2 A briefing paper on the previous year's performance against the Food Safety Service Delivery Plan will be submitted to the Regulatory & Licensing Committee in each year in the form of a briefing paper.

### 6.2 Identification of any Variation from the Service Plan

6.2.1 Quarterly performance figures are produced for our National & Local Indicators through our performance monitoring software 'Pentana'. Regular performance reports are submitted to Committee. Any variances against the Food Safety Service Plan, including resource implication, will be addressed during this process.

### 6.3 Work Programme and Areas of Improvement

6.3.1 Both a work and improvement programme have been developed as part of this Service Plan, details of which can be found in the tables below.

### 6.3.2 Work/Improvement Programme 2018-20

Work Activity	Ongoing Work / Improvement Action	Links to Strategic priorities:				Performance Measures –	Timescales (based on end of reporting years for 2016-18)	Responsibility	Resources (per annum)
		1. Vibrant and prosperous economy	2. Healthy and safe communities	3. Clean, green and welcoming places	4. A Council that is Fit for the future				
		1	2	3	4				
Interventions	To undertake interventions at food premises in accordance with our annual programmes for 2018-19 & 2019-20	✓	✓	✓	✓	Annual Programme – 575 interventions approx  Monthly target - 60 interventions  100% of all interventions by year end	March 2019  March 2020	Commercial Team / FHSM	295 days
	Target worst performing premises to improve standards	✓	✓	✓		To improve the number % 'Broadly Compliant' Premises and those premises in the 0,1 & 2 category (minimum overall 95% broadly compliant)			
	To produce LAEMS return					97% performance in the 10 day target for turnaround of paperwork  LAEMS Return submitted by FSA set deadline			
	To implement the internal monitoring procedure to monitor consistency of intervention and enforcement.				✓	To check against procedures on monitoring of intervention and enforcement  95% compliance / training needs acted upon if identified	Monthly/March 2020	FHSM	20 days
	To continue with the poor performing business project – providing new advisory interventions to improve FHRS ratings and standards	✓	✓	✓		Increase in higher FHRS ratings for current programmed visits and assessment of sustainability for those taking part in previous years.	Ongoing	Commercial Team / FHSM	15 days
Food & Premises Complaints	To investigate all food and premises complaints	✓	✓	✓		To respond to 97% of all food and premises complaints within 5 working days	March 2019 March 2020	Commercial Team / FHSM	30 days

Work Activity	Ongoing Work / Improvement Action	Links to Strategic priorities: 1. Vibrant and prosperous economy 2. Healthy and safe communities 3. Clean, green and welcoming places 4. A Council that is Fit for the future				Performance Measures –	Timescales (based on end of reporting years for 2016-18)	Responsibility	Resources (per annum)
		1	2	3	4				
<b>Primary Authority</b>	To continue to develop our working arrangements and partnership where we act as a primary authority.  Actively seek new partnerships	✓	✓	✓	✓	Identify and approach 4 more businesses to enter into PA agreements.	March 2019 March 2020	Commercial Team / FHSM	40 days
<b>Provision of Advice to Business &amp; other Service Users</b>	To respond to all requests for advice from businesses and service users	✓	✓			To respond to 97% of all requests for advice within 5 working days	March 2019 March 2020	Commercial Team / FHSM	40 days
<b>Food Sampling</b>	To undertake a food sampling programme based around the Central England Food Coordinators Group and the National annual sampling programmes	✓	✓			To take approximately 120 food samples in 2018-19 To take approximately 120 food samples in 2019-20 Review & publicise the Sampling Policy and procedure	March 2019 March 2020 March 2019	Commercial Team / FHSM	30 days
<b>Food Poisoning &amp; Outbreak Investigations</b>	To undertake investigations of all food poisoning or outbreak notifications received	✓	✓			To respond to 97% of all food poisoning or outbreak notifications within 1 working days	March 2019 March 2020	Commercial Team / FHSM	20 days
<b>Food Safety Incidents</b>	To respond to food alerts issued by the Food Standards Agency	✓	✓			To respond to all food alerts received in accordance with guidance issued by the FSA	March 2019 March 2020	Commercial Team / FHSM	5 days
<b>Liaison with Other Organisations</b>	To actively participate on the Central England North Food Coordinators Group	✓	✓	✓	✓	Attendance by a member of the Food Team at 4 meetings	March 2019 March 2020	Commercial Team / FHSM	2 days

Work Activity	Ongoing Work / Improvement Action	Links to Strategic priorities: 1. Vibrant and prosperous economy 2. Healthy and safe communities 3. Clean, green and welcoming places 4. A Council that is Fit for the future				Performance Measures –	Timescales (based on end of reporting years for 2016-18)	Responsibility	Resources (per annum)
		1	2	3	4				
Page 62	To actively participate on the local Health Protection Agencies Community Control of Infection Committee and Water Sub Committee.	✓	✓		✓	Attendance by a member of the Food Team at 2 meetings	March 2019 March 2020	Commercial Team / FHSM	2 days
	To obtain feedback from businesses and the local community to allow for the better understanding of how well our service works	✓	✓		✓	99% positive feedback about our food safety service	March 2019 March 2020	Commercial Team / FHSM	2 days
	To support National Food Safety Week in 2018 & 2020	✓	✓		✓	Publicity & Press Releases	June 2018 June 2019	Commercial Team / FHSM	3 days
	To provide Foundation Level 2 Food Hygiene Training or its equivalent	✓		✓	✓	5 Courses in 2018-20 Pass rate 100%	March 2020	FHSM	5 days
Food Safety Promotion & Education	To review documented procedures for food safety and train officers in their implementation				✓	Completion of procedures review and implement updates	March 2020	FHSM	5 days
	All officers undertaking food safety work to have received at least 20 hours training in relevant subject areas	✓	✓	✓	✓	Completion of 20 hours of training	March 2019 March 2020	Commercial Team / FHSM	10 days
	To identify and fully implement a new back office system				✓	Full back office line of business system implemented.	March 2020	FHSM	30 days



Work Activity	Ongoing Work / Improvement Action	Links to Strategic priorities:				Performance Measures –	Timescales (based on end of reporting years for 2016-18)	Responsibility	Resources (per annum)
		1. Vibrant and prosperous economy	2. Healthy and safe communities	3. Clean, green and welcoming places	4. A Council that is Fit for the future				
		1	2	3	4				
<b>Additional Work in Food Safety</b>	Carry out internal audits in-line with the Central England North Food Liaison Group programme	✓	✓	✓	✓	Completion of 2 audits in March 2019-20	March 2019 March 2020	FHSM	5 days

## REFERENCES

- 1 Framework Agreement on Local Authority Food Law Enforcement 2004 (as amended)
- 2 Food Standards Agency Strategy Plan for 2015 - 2020
- 3 Lichfield District Council - Strategic Plan 2016-2020
- 4 Food Standards Agency - Food Safety Act 1990 - Code of Practice & Practice Guidance Notes (2017)
- 5 Lichfield District Council's Regulatory Services, Housing & Wellbeing Enforcement Policy 2015, updated 2017
- 6 PHE WM Centre Outbreak Control Plan 2017
- 7 Annual report on UK local authority food law enforcement, 1 April 2016 to 31 March 2017, FSA
- 8 Equality Statement 2017, Lichfield District Council published 31st January 2017

**Commercial Team**

Food and Health & Safety Manager  
(1.0)

**Food and Safety Commercial  
Team**

Environmental  
Health Officer  
(0.5)

Environmental  
Health Officer  
(0.5)

Food Safety  
Officer  
(1.0)

Food Safety  
Officer  
(1.0)

Technical  
Support Officer  
(0.8)

## Appendix 2 - Committee Structure & Food Safety Reporting

### Lichfield District Council

#### Portfolio Chart



Last updated: 18 October 2017

## Appendix 3 - Useful Contacts

Lichfield District Council Regulatory Services, Housing & Wellbeing Food Safety Team Council House Frog Lane Lichfield WS13 6ZE	Tel:- 01543 308000  Out of Hours Tel:- 01543 254 213  E-mail:- <a href="mailto:food.safety@lichfielddc.gov.uk">food.safety@lichfielddc.gov.uk</a>  Web address:- <a href="http://www.lichfielddc.gov.uk">www.lichfielddc.gov.uk</a>
Lichfield District Council Council House Frog Lane Lichfield WS13 6ZE	Tel:- 01543 308000  E-mail:- <a href="mailto:enquiries@lichfielddc.gov.uk">enquiries@lichfielddc.gov.uk</a>  Web address:- <a href="http://www.lichfielddc.gov.uk">www.lichfielddc.gov.uk</a>
Food, Water and Environmental Microbiology Laboratory London Public Health England 61 Colindale Avenue London NW9 5EQ	Tel:- 0208 327 6548 / 6550 / 6551  <a href="https://www.gov.uk/guidance/london-food-water-and-environmental-laboratory-services-takes">https://www.gov.uk/guidance/london-food-water-and-environmental-laboratory-services-takes</a>  E-mail address:- <a href="mailto:fwem@phe.gov.uk">fwem@phe.gov.uk</a>
PHE West Midlands 6th Floor 5 St Philip's Place Birmingham B3 2PW	Tel:- 0344 225 3560  E-mail address:- <a href="mailto:phebirmingham@heartofengland.nhs.uk">phebirmingham@heartofengland.nhs.uk</a>  Web address:- <a href="https://www.gov.uk/government/organisations/public-health-england">https://www.gov.uk/government/organisations/public-health-england</a>
Staffordshire County Council Consumer Services Trading Standards 57-60 High Street Burton upon Trent DE14 1JE	Tel:- 03454 040506  E-mail address:- <a href="mailto:businessadvice@staffordshire.gov.uk">businessadvice@staffordshire.gov.uk</a>  Web address:- <a href="http://www.staffordshire.gov.uk/trading">www.staffordshire.gov.uk/trading</a>
Food Standards Agency Local Authority Enforcement Division Aviation House 125 Kingsway London WC2B 6NH	Tel:- 020 7276 8000  E-mail address:- <a href="mailto:helpline@foodstandards.gsi.gov.uk">helpline@foodstandards.gsi.gov.uk</a>  Web address:- <a href="http://www.food.gov.uk">www.food.gov.uk</a>

## Appendix 4 - Performance Indicators for our food safety service

	2014-15		2015-16		2016-17		2017-18	
	Target	Actual	Target	Actual	Target	Actual	Target	Actual
LEH7(a) No. of food establishments inspected in the last month that were broadly compliant		408		420		457		194 at Dec 17
LEH7(b) No. of food establishments inspected that were not compliant		60		40		49		37 at Dec 17
LEH7(c) Total number of food safety inspection visits made		558		527		527		295 at Dec 17
LEH7(d) % all food establishments within the District which are broadly compliant - moving figure (monthly).	97%	94.04%	97%	95.43%	97%	94.89%	97%	94.97 at Dec 17
% of reports sent within 10 working days of intervention	Not recorded						97%	Unavailable until March
LEH7(e) Total number of new food premises that have started up since the last month		109		80		105		124 at Dec 17
LEH7(f) No of new food premises start ups in the last month which have been provided with regulatory advice that achieve 4* or above	75%	77.58% 65	75%	74.12% 30		83.06% 27		72.22% 21 at Dec 17
LEH7(o) Food Safety Simple Cautions		0		0		0		1 at Dec 17
LEH7(o)(i) Food Safety Written Warnings		300		284		343		175 as at Dec 17
LEH7(p) Food Safety Legal Proceedings		0		0		0		0
LEH18(a) Shift in Compliance - Number of premises improving from 0, 1 & 2 to 3 or above rating	Overall improvement 60 %	70% 26	Overall improvement 60%	39		27		13 at Dec 17
LEH18(b) Shift in Compliance - Number of premises falling into the lower 0, 1 & 2 rating		20		21		35		22 at Dec 17
Satisfaction of business with local authority regulation services (NI 182)	99%	99%	99%	100%	99%	Unavailable	99%	Unavailable until March
% of premises inspected of those due	100%	99.27%	100%	99.62%	100%	99.38%	100%	Unavailable until March

## Appendix 5 - A Breakdown of Net Expenditure for Food Safety by Activity from 2015 to 2020

			Forecast		
	Budget	Budget	Budget	Budget	Budget
	2017/18	2018/19	2019/20	2020/21	2021/22
	£	£	£	£	£
Expenditure					
Employees	190,410	189,010	191,400	193,370	195,360
Transport	5140	5140	5140	5140	5140
Supplies and Services	4830	4860	4900	4940	4980
Overheads	105,590	107,560	108,680	107,590	88,050
Total Expenditure	305,970	306,570	310,120	311,040	293,530
Income					
External Sources	3,500	3,500	3,500	3,500	3,500
Internal Recharges	26,810	26,810	26,810	26,810	26,810
Total Income	30,310	30,310	30,310	30,310	30,310
<b>Net Expenditure</b>	<b>275,660</b>	<b>276,260</b>	<b>279,810</b>	<b>280,730</b>	<b>263,220</b>

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# Health and Safety Law Enforcement Plan

Cllr Doug Pullen, Cabinet Member for Regulatory Services, Housing & Wellbeing

Date: 6<sup>th</sup> February 2018

Agenda Item: Health and Safety Law Enforcement Plan

Contact Officer: James Rudman

Tel Number: 01543 308742

Email: [James.rudman@lichfielddc.gov.uk](mailto:James.rudman@lichfielddc.gov.uk)

Key Decision? **YES- NO (delete as appropriate)**

Local Ward Members N/a



**REGULATORY &  
LICENSING  
COMMITTEE**

## 1. Executive Summary

- 1.1. The Health and Safety Law Enforcement Plan (HSLEP) is a statutory document required under the 'Section 18 Standard' set by the Health and Safety Executive (HSE).
- 1.2. Section 18(4) of the Health and Safety at Work etc. Act 1974 (HSW Act) requires that enforcing authorities perform their duties in accordance with guidance issued by the HSE. This guidance is known as the Section 18 Standard and compliance with this Standard is mandatory.
- 1.3. One of the key elements of the Standard is that local authorities must publish an Enforcement Plan. This plan sets out the arrangements to demonstrate how it will comply with Section 18, outlines the work programme for the following two years as well as reflecting on the work carried out during the previous year.
- 1.4. This Report introduces the Health and Safety Law Enforcement Plan for 2018-20 which covers, in detail:
  - the aims and key priorities of the services provided;
  - the organisational structure and the scope of the services provided;
  - the ways in which the service will be delivered and the targets for its delivery;
  - the human and financial resources involved in providing the service;
  - the ways in which the quality of the service will be monitored and improved upon; and
  - the ways in which the service will be reviewed and improved upon.

## 2. Recommendations

- 2.1. It is recommended that Members approve the Health and Safety Law Enforcement Plan 2018-20 contained in Appendix A.

## 3. Background

- 1.1. The Health and Safety Law Enforcement Plan 2018-20 is detailed in Appendix A for consideration and approval. The plan highlights areas of work we hope to deliver and improve upon in **2018-20** and includes plans to:-
  - deliver a number of projects focussed on tackling national health and safety priorities;
  - continue to deliver work to tackle local priorities, such as food machinery safety and gas safety in commercial catering premises;
  - investigate and regulate incidents and complaints brought to the attention of the commercial team;
  - introduce new performance indicators to monitor team performance;

- develop our existing 'Primary Authority' relationships and seek further opportunities for partnerships with other businesses

1.2. The Plan reports on previous achievements and sets goals for future ones within the recognised predicted available resources.

Alternative Options	<ol style="list-style-type: none"> <li>1. The plan is required by Section 18 of the Health and Safety at Work etc. Act 1974. Failure to adopt a plan or provide a Health and Safety service could result in the HSE assuming control of the Councils Health and Safety service.</li> <li>2. An alternative option would be to submit an amended version of the plan.</li> </ol>
Consultation	<ol style="list-style-type: none"> <li>1. Regular feedback about our service is received from our stakeholders in a number of ways:- <ul style="list-style-type: none"> <li>• through customer satisfaction surveys;</li> <li>• comments during inspections;</li> <li>• comments during investigations;</li> </ul> </li> <li>2. The Plan has been developed with this feedback in mind and is publicised on our website. Comments are welcomed and are considered during the following years planning process.</li> </ol>
Financial Implications	<ol style="list-style-type: none"> <li>1. There are no additional implications. Appropriate financial provision for health and Safety enforcement work is provided within the current Budget for Environmental Health Services.</li> </ol>
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> <li>1. The Health and Safety Law Enforcement Plan recognises the Council's own strategic plan and embraces it. The plan details in the Service Aims and Key Priorities section how the service contributes to the Strategic Plan.</li> </ol>
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> <li>1. The Health and Safety Law Enforcement Plan recognises the Councils Equality Statement 2017 and will be submitted to the Equality Impact Assessment process for comment prior to being publicised. Any recommendations made by the assessment panel will be added into the plan.</li> </ol>
Crime & Safety Issues	<ol style="list-style-type: none"> <li>1. By carrying out functions around health and safety we hope to protect the public health of those living in our community and the interests of employees working within the sectors in the district to which the council has enforcement responsibility.</li> <li>2. The adoption of the Health and Safety Law Enforcement Plan will impact positively on our duty to detect and prevent health and safety within the District. (Section 17 of the Crime and Disorder Act, 1988).</li> </ol>

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Early changes introduced by the Health and safety Executive cause priorities to shift	HSE strategy is being monitored and the service is prepared to shift and adapt to ensure it is current as 2020 approaches.	Yellow
B	Significant Outbreaks or large investigations cause shortage in resources resulting in failure to deliver the workplan	The services is continuously looking at ways to improve its efficiency and ensure its resilience. Improvements in cost recovery and the introduction of a back office system will help to reduce the impact of this risk and all flexibility to engage contractors to cover shortfalls caused by demand.	Yellow
C	Staff sickness / absence causing shortage in resources resulting in failure to deliver the workplan	Manage staff shortage / sickness by ensuring compliance with sickness absence policies. Business Continuity plans are in place to provide resilience	Yellow
D	Failure to deliver priorities	Monitoring of targets and performance monthly.	Green
E	Major Incidents involving the council offices	Business Continuity plans are in place to provide resilience	Yellow
F	Demands arising from changes in legislation	Monitor legislative proposals and changes; evaluate impact on service and plan for changes; monitor impact	Yellow

### Background documents

1. Appendix A Health and Safety Law Enforcement Plan 2018-20

Relevant web links None

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## **Health & Safety Law Enforcement Service Plan 2018 - 2020**

Approved by: .....Date.....  
Gareth Davies, Head of Regulatory Services,  
Housing and Wellbeing

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## Foreword

The Health and Safety Law Enforcement Plan (HSLEP) is a statutory document required under the 'Section 18 Standard' set by the Health and Safety Executive (HSE).

Section 18(4) of the Health and Safety at Work etc. Act 1974 (HSW Act) requires that enforcing authorities perform their duties in accordance with guidance issued by the HSE. This guidance is known as the Section 18 Standard and compliance with this Standard is mandatory.

One of the key elements of the Standard is that local authorities must publish an Enforcement Plan. This plan sets out the arrangements to demonstrate how it will comply with Section 18, outlines the work programme for the following two years as well as reflecting on the work carried out during the previous year.

A strong co-regulator partnership between the Health & Safety Executive and Local Authorities is integral in delivering the visions and mission of both organisations – but regulators cannot do it alone. We need everyone including businesses, workers and regulators working together to play their part in delivering improved standards of performance in health and safety because it is delivery of this Service Plan that counts.

Lichfield District Council has approved this Service Plan for the provision of our health and safety law enforcement service in the year(s) 2018-20

The plan details the following:-

- the aims and key priorities of the services provided
- the organisational structure and the scope of the services provided
- the ways in which the service will be delivered and the targets for its delivery
- the human and financial resources involved in providing the service
- the ways in which the quality of the service will be monitored and improved upon
- the ways in which the service will be reviewed and improved upon.

The HSLEP is reviewed on a biannual basis and the next revision will take place in spring 2020. However, before then the Council would welcome not only feedback on the current Service Plan, but also suggestions from interested parties on what they feel should be included in future plans.

Copies of this Service Plan will be available on our website [www.lichfielddc.gov.uk](http://www.lichfielddc.gov.uk)

Comments, observations and any suggestions for improvement should be sent for the attention of James Rudman, Environmental Health, Council House, Frog Lane, Lichfield, Staffordshire, WS13 6ZE, or by e-mailing him at [james.rudman@lichfielddc.gov.uk](mailto:james.rudman@lichfielddc.gov.uk)

Councillor Doug Pullen  
Portfolio Holder for Regulatory Services, Housing & Wellbeing  
February 2018

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## 0 INTRODUCTION

- 0.1.1 The Health & Safety Executive and Local Authorities are the principal Enforcing Authorities for the Health & Safety at Work etc. Act 1974. The primary purpose of the Health & Safety at Work etc. Act 1974 is to control risk from work activities. The role of Enforcing Authorities is to ensure that duty holders manage and control these risks and thus prevent harm to employees and to the public.
- 0.1.2 Section 18 (the 'Standard') of the Health & Safety at Work etc. Act 1974 puts a duty on the Health & Safety Executive and Local Authorities to make adequate arrangements for enforcement. The 'Standard' sets out the arrangements that Local Authorities and the Health & Safety Executive should put in place to meet this duty. Enforcing Authorities are legally required to comply with the 'Standard.'
- 0.1.3 The Council recognises the important role it plays in securing health and safety compliance in the workplace to safeguard both employees and the public who live, work or visit the District. This plan's key focus is to demonstrate how the Council will fulfil its statutory obligations and duties in relation to health & safety and how we contribute to local and national visions and goals.
- 0.1.4 Working in partnership with the Health & Safety Executive, Local Authorities can help to protect people's health and safety by ensuring that risks in the changing workplace are properly controlled.

## 0.2 SETTING THE SCENE

- 0.2.1 Nationally, in 2016/17 137 workers were killed at work, 1.3 million working people suffered from a work-related illness. 609,000 injuries occurred at work according to the Labour Force Survey. 70,116 injuries to employees were reported under RIDDOR. 31.2 million working days lost due to work-related illness and workplace injury. In Total there was a £14.9 billion estimated cost of injuries and ill health from current working conditions (2015/16) and in 2015 there were 2,542 mesothelioma deaths due to past asbestos exposures.
- 0.2.2 In his report "*Reclaiming health & safety for all: An independent review of health and safety legislation*," Professor Ragnar Löfstedt recommended that the Health and Safety Executive be given a stronger role in directing Local Authority health & safety inspection and enforcement activity.
- 0.2.3 In response to Loftstedt's recommendation the HSE published the National Local Authority Enforcement Code to all local authorities detailing how they are to target their health and safety resources.
- 0.2.4 The Code is designed to ensure that LA health and safety regulators take a more consistent and proportionate approach to their regulatory interventions. It sets out the Government expectations of a risk based approach to targeting. Whilst the primary responsibility for managing health and safety risks lies with the business who creates the risk, LA health and safety regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to the wider public health agenda.
- 0.2.5 This means targeting interventions on those activities that give rise to the most serious risks or where the hazards are least well controlled.



0.2.6 Annex A of the code (shown in appendix 5) sets out a list of activities/sectors for proactive inspection by local authorities. This plan shows how the Council intends to regulate these activities.

**0.2.7 LAs should target these activities by:**

- Having risk-based intervention plans focussed on tackling specific risks;
- Considering the risks that they need to address and using the whole range of interventions to target these specific risks;
- Reserving unannounced proactive inspection only for the activities and sectors published by HSE or where intelligence suggests risks are not being effectively managed; and  
Using national and local intelligence to inform priorities.

0.2.8 The Commercial Team is responsible for enforcing health and safety legislation in a wide range of premises in Lichfield. These include:

- Warehouses.
- Steel stockholders.
- Sports stadia, theatres and cinemas.
- Retail and catering outlets.
- Hotels, hostels and residential care homes.
- Offices.
- Tattooists and beauty treatments.
- Consumer Services e.g. Funeral Directors, coin operated laundrettes, etc.

0.2.9 This Plan sets out to help to contribute to the overall mission and goals set out in the Health & Safety Executive's Strategy produced in 2016 – Helping Great Britain Work Well - A new health and safety system strategy.

0.2.10 To provide a focus for this important work, HSE has set out six strategic themes that will bring a renewed emphasis on improving health in the workplace, as well as building on the highly successful track record on safety.

The six strategic themes are:

Acting together: Promoting broader ownership of health and safety in Great Britain

Tackling ill health: Highlighting and tackling the costs of work-related ill health

Managing risk well: Simplifying risk management and helping business to grow

Supporting small employers: Giving SMEs simple advice so they know what they have to do

Keeping pace with change: Anticipating and tackling new health and safety challenges

Sharing our success: Promoting the benefits of Great Britain's world-class health and safety system

This document seeks to include much of the ideals included in the above HSE strategy.

---

# 1 SERVICE AIMS & KEY PRIORITIES

## 1.1 SERVICE AIMS

- 1.1.1 The Commercial Team aims to:
- 1.1.2 Contribute to the Lichfield District Council's corporate commitment to 'To be a strong, adaptive council that delivers good value quality services and helps to create a vibrant and prosperous economy, healthy and safe communities and clean, green and welcoming places', by protecting and improving the health and safety of those living in our community in connection with the work environment.
- 1.1.3 Support and actively contribute to the 6 themes contained in the Health & Safety Executive's Strategy Helping Great Britain Work Well - A new health and safety system strategy.
- 1.1.4 Continue to target our interventions around areas of work which have the greatest impact on ill health reduction effectively using the resources we have. Target areas are contained within Appendix 5.

## 1.2 KEY PRIORITIES

- 1.2.1 In order to achieve our stated service aims, we need to set out some key priorities for our Health & Safety Service Delivery. These key priorities are to:-
  - ensure that premises that fall under our control for health & safety enforcement only have an intervention where risk management is failing.
  - base our interventions around areas of ill health reduction that have the greatest impact.
  - Continue to review the information contained within the premises database and review of local intelligence.
  - ensure that complaints about unsafe practices or premises are investigated in accordance with the complaints handling procedure.
  - investigate accidents and incidents of ill health where they meet the selection criteria shown in Appendix 6.
  - provide informed and helpful advice to businesses and the public alike on matters relating to health & safety, where requested. In particular start-up businesses operating within Lichfield.
  - develop partnerships with small local businesses and larger national companies based in our district, which will help to provide consistent and proportional advice on health & safety issues at both local and national levels.
  - play an active role with neighbouring local authorities in the Central England Health and Safety Coordinating Group in order to ensure a consistent approach to health & safety enforcement.
  - Continue to support organisers of events within Lichfield through the charring Safety Advisory Groups (SAGs) and providing advice and guidance on Event Management Plans.

- review the way we deliver our health & safety service annually taking into account recognised performance targets and standards.

### 1.3 LINKS TO CORPORATE OBJECTIVES & PLANS

1.3.1 This Health and Safety Law Enforcement Plan links closely with the strategic themes laid out in Our Strategic Plan 2016-2020. These essentially govern how the Council in future will deliver its services based on local aspirations, needs and priorities.

1.3.2 At the heart of the Plan is the Council's commitment to be a strong, adaptive council that delivers good value quality services and helps to create a **vibrant and prosperous economy**, **healthy and safe communities** and **clean, green and welcoming places**.

1.3.3 Seizing on the core values the Commercial Team will ensure it delivers:

**Good customer service** - We are passionate about our customers and our corporate value is to deliver good customer service.

**Mutual respect** - We believe in mutual respect, whether that's between our staff and customers, or our staff and members. By working together in a respectful way, we believe we can achieve more.

**Continuous improvement** - We are always striving for continuous improvement, whether that's in what we all achieve on a daily basis, or in the services we deliver to our customers

1.3.4 To help deliver this plan the Council has identified 3 external facing key 'priorities'

- **Vibrant & prosperous economy** - We work to support and strengthen our local economy, with high employment, good local jobs and thriving local businesses. We want people to be able to live and work locally and have the choice of great jobs and training opportunities – from apprenticeships through to high-skilled senior roles – so that they can fulfil their potential. We want our town and city centres and rural areas to be dynamic and thrive, and we want new businesses to start up, innovate and succeed.
- **Healthy & safe communities** - We want local people to have access to great opportunities to be active and live healthy, fulfilled lives. We want to prevent social isolation and loneliness, particularly in older members of our community. We want our communities to be even safer and for people to be less worried about crime and anti-social behaviour. We want to encourage and support people to volunteer and help shape their communities, and be an active part of local life.
- **Clean, green & welcoming places** - We want to create great communities where people want to and can afford to live. We want a mix of homes, including enough affordable homes, and we want the right type and quantities of office, retail and manufacturing spaces. We want to protect our stunning heritage and make sure our green spaces, streets and public areas are looked after and well managed.

1.3.5 Our Health and Safety Law Enforcement Plan will contribute to the priority of '**Vibrant & prosperous economy**' by:-

- identifying the need to ensure a consistent, proportionate and fair approach to enforcement is carried out across the District;

- providing support to start-up businesses in the form of advisory visits designed to assist them to achieve a high safety standard. The team will also work alongside the Councils Economic Development Officer to provide advice on business improvement as well as health and safety.
- delivering support, signposting and networking opportunities to existing businesses to help them thrive.
- targeting interventions in accordance with the national priorities as directed by the HSE and also as required by local priorities (Set by locally gathered intelligence).
- supporting major businesses in the district through Primary Authority arrangements to ensure they get assured and consistent advice on regulatory compliance.
- actively participating in initiatives on regulatory reform as part of the Greater Birmingham & Solihull Local Enterprise Partnership.
- providing support and advice through a Safety Advisory Group for organisers holding large events involving large numbers of visitors to the district.

1.3.4 Our Health and Safety Service will contribute to the **priority** of ‘**Healthy & Safe Communities**’ by:-

- ensuring we are delivering services to all communities equitably, proportionally and consistently in a fair way.
- carrying out interventions prioritised by risk and regulate to ensure that all businesses are managing health and safety risks effectively.
- providing transparent, robust and consistent approaches to investigating and resolving health, safety & welfare complaints about businesses.
- investigating all incidents reported to the council where they fall within the incident selection criteria (Appendix 6)

1.3.5 Our Health and Safety Service will contribute to the **priority** of ‘**Clean, Green and Welcoming places**’ by:-

- Carrying out waste enforcement and education during visits at businesses, ensuring that adequate provisions have been put in place to deal with waste generated by businesses.
- Working towards increasing overall standards within the District, thereby improving their reputation and appeal to consumers.
- Supporting events, where traders play a major role, with a suitable balance of advice and regulation to help protect the District’s growing reputation for providing popular events.

1.3.6 Our Health and Safety Law Enforcement Plan is built on the **foundation** underpinning these **priorities** and the service will monitor and measure its performance by:-

- identifying what we currently are delivering in our service;

- setting out what we want to do between 2018-2020 in a work programme based on HSE and local agendas; and
- highlighting an improvement plan to make our service better, within given timescales which we can be measured against.

1.3.7 By helping us to listen to local people and businesses' aspirations, influences will be drawn which will help shape some of our key priorities for our service in the future.

1.3.8 Performance of our service is measured against national and local targets such as:-

- Satisfaction of businesses with local authority regulation services.
- 100% of identified premises receiving an intervention where they have been identified within priority topic plans.
- Delivering a minimum number of priority topic plans.

The indicators provide an objective measure on how our premises are performing and what businesses think of our service.

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## 2 BACKGROUND

### 2.1 District Profile

- 2.1.1 Lichfield District is one of 9 Staffordshire District Councils. Within commuting distance of both the Black Country Boroughs and Birmingham, the District has a population of circa 102,100<sup>1</sup>, and covers nearly 33,130 hectares.
- 2.1.2 The District was formed in 1974, and comprises urban populations in the town of Burntwood and the city of Lichfield, and a substantial rural population in surrounding villages, some of which have significant populations.
- 2.1.2 We have nationally and internationally renowned visitor attractions and the historic environment of Lichfield City provides a strong base for tourism.
- 2.1.1 The increased income tourism has brought to the District has led to a proportionate increase in the number of businesses. Our proximity to the M6 corridor makes Lichfield the perfect location to do business from.
- 2.1.3 Lichfield has nationally and internationally renowned visitor attractions, including Drayton Manor Park, The National Memorial Arboretum and the historic environment of Lichfield City along with its cathedral provides a strong base for tourism.
- 2.1.2 The Districts population continues to grow. With this growth comes further business opportunity and new challenges for our health and safety service, as the industry base diversifies.

### 2.2 Organisational Structure

- 2.2.1 The Place & Community Directorate has a wide range of duties covering the spectrum of public health, environmental and housing functions. The Council's Health & Safety Service is delivered within the Regulatory Services, Housing and Wellbeing Directorate. The structure of the team is detailed in **Appendix 1**
- 2.2.2 The Director for Place & Community has delegated powers in relation to health & safety to act on behalf of the Council.
- 2.2.3 In response to the 'modernising agenda' the Council has adopted the 'cabinet and leader' approach to local governance. The committee structure and where our health & safety service fits into this is detailed in **Appendix 2**
- 2.2.4 The Regulatory & Licensing Committee has responsibility for policy, review and development in respect of certain environmental health issues including health and safety. Performance against this Plan will be reported to this Committee at the end of Spring 2018.
- 2.2.5 Officers who deliver our Health & Safety Service are multi-skilled and work across all the team's work areas at a level depending upon their competence and qualification. The officers with key responsibility for the service are:

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<sup>1</sup> A Focus on Lichfield, 2015, Insight, Planning and Performance Team, Staffordshire County Council, Sept 2015

- **Head of Service – Regulatory Services, Housing and Wellbeing** – service development and strategic direction
- **Food and Health & Safety Manager** - overall management of the service, day to day management of the service; service development; official returns; premises inspection; accident investigations; service requests
- **Environmental Health Officers** - service development; premises inspection; accident investigation; service requests.
- **Technical Officers** – service development; premises inspection; accident investigation; service requests.

2.2.6 The Council if necessary will call for technical expertise through the Health & Safety Executive.

## 2.3 Scope of the Health & Safety Service

2.3.1 The Commercial Team is responsible for delivering all the Authority's Health & Safety Regulation Service as relevant to a District Council. This includes:-

- national and local priority planned health & safety interventions and revisits
- partnership working with the Health & Safety Executive and other Local Authorities
- the investigation of complaints regarding safety standards or practices in premises across the district, which meet the complaints handling procedure
- the investigation of reportable incidents that have occurred across the district where they meet the incident selection criteria
- the provision of advice and information on health & safety issues
- consideration of the health & safety aspects of planning and licensing applications

2.3.2 All of the officers who deliver services within our Health & Safety Team also undertake certain duties in relation to the delivery of our Food Safety Service.

2.3.3 All health & safety services are delivered by the officers of the team, except where specialist and technical advice is required.

## 2.4 Demands on the Health & Safety Service

### 2.4.1 Health & Safety Interventions

In Lichfield District, the Commercial Team are responsible for approximately 1740 premises, ranging from large warehousing/logistic firms to smaller operations. A breakdown of the premises, as defined by type in the Annual LAE 1 report is shown in the table below.

Following the National Enforcement Code and LAC 67/2 to prioritise work means that previous proactive planned regular inspections are no longer carried out and this reduces the accuracy of the health and safety premises database. Work must continue to review local intelligence sources to ensure the database is maintained. Officers review the database when planning and delivering priority work, identifying which premises are still present and trading in the district. The table below updates previous figures reported based work carried out last year, however it is accepted that this does not reflect the complete picture with regard to premises operating within the district.

Type of premises	Number
Catering	617
Consumer Services	210
Hotels, campsites, accommodation	24
Leisure and cultural services	76
Office	265
Other Premises	26
Residential Care Home	16
Retail Shop	421
Wholesale Shops, warehousing	70
Unclassified	15
<b>Total Number of Premises</b>	<b>1740</b>

With the implementation of a new software system, the database will be further scrutinised to ensure that integrity is as high as possible.

## 2.4.2 Regionally & Nationally Significant Companies

In the District, there are several large warehousing/logistics firms, for example: Tesco Distribution Centre (Fradley). The district is also home to Drayton Manor Park and the National Memorial Arboretum.

Lichfield itself is home to the headquarters of The Central England Co-operative Society (Retail) and Busy Bees Nursery's Ltd (Child Care), Midland Expressway, and Police Mutual all of which are regionally and nationally significant companies.

## 2.4.3 Other Factors likely to have an impact on Health & Safety Service Delivery in 2018-20

In addition to some of the demands identified above, other factors are likely to influence the way we work in **2018-20**, including:-

- changes to when we carry out an intervention (Local Authority Circular 67/2) could mean an increase or decrease in the number of programmed interventions over this period depending on national priorities.
- Significant changes to the national priorities in 2018-20.
- implementation of a potential new computer system.
- the transfer of data from our current databases to any new computer system.
- possible changes to the Enforcement Authority Regulations.
- additional premises picked up during district wide surveys.



#### 2.4.4 Access to our Service.

Our Health & Service is delivered from The Council House, Frog Lane, Lichfield, Staffordshire. Service users may contact officers on site or by leaving a message, in the following ways:-

- ❖ **in person** between 8.45am and 5.15pm Monday to Friday.
- ❖ **by telephone** on (01543) 308000 or (01543) 308999  
between 8.45am and 5.15pm Monday to Friday.

Out of hours:- (01543) 254213

- ❖ **by e-mail** [occuapntional.safety@lichfielddc.gov.uk](mailto:occuapntional.safety@lichfielddc.gov.uk)

For other useful contact addresses and numbers please refer to **Appendix 3**

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## 3 SERVICE DELIVERY

### 3.1 Premises Interventions

- 3.1.1 One of this Service Plan's key priorities is to ensure that there is a local plan in place for delivering Health and Safety Regulation which is relevant to national and local priorities and to businesses which are failing to meet standards.
- 3.1.2 It is therefore essential that time is spent building up information on the local business picture. This will be achieved by continuing to review the databases held by the council, surveys of the district, intelligence gathering from local directories and internet sites, and a review of local accident statistics, complaints and insurance reports.
- 3.1.3 Following a review of the local intelligence gathered through this process any significant trends identified, for example, an increase in incidents involving fork lift trucks will be targeted by delivering project specific interventions designed to provide information, advice and regulation to businesses that are at risk of similar incidents occurring.
- 3.1.4 In addition to local intelligence driven projects the commercial team will (where premises are identified) be delivering on the following National Priorities (Shown in Appendix 5) identified by the HSE as being significant causes of injury or ill health:
- Carbon monoxide poisoning at commercial catering premises using solid fuel cooking equipment
  - Fatalities/injuries resulting from being struck by vehicles at Tyre fitters / Motor Vehicle Repair (as part of Car Sales), High volume Warehousing/Distribution
  - Fatalities/injuries resulting from falls from height/ amputation and crushing injuries at Industrial retail/wholesale premises e.g. steel stockholders, builders/timber merchants
  - Crowd control & injuries/fatalities to the public at large scale public gatherings e.g. cultural events, sports, festivals & live music due to lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue
  - Industrial Diseases (Occupation deafness / cancer / respiratory diseases) in relation to industrial retail / wholesale premises (eg steel stockholders, builders / timber merchants / instore bakeries, etc.) High risk activities will be looked at to include noise exposure, use of loose flour (bakeries in store), exposure to carcinogens, etc.
  - Manual Handling at High volume warehousing and distribution;
  - Unstable loads on vehicles at high volume warehousing
  - Violence at work at premises with vulnerable working conditions (lone / night working / cash handling, such as betting shops /off-licences / hospitality) and where intelligence indicates that risks are not being effectively managed.
- 3.1.5 Officers are tasked to deliver project based work on these priorities. A variety of means will be used to ensure that individuals and organisations meet with their legal responsibilities relating to health & safety during an intervention including education, negotiation, advice, guidance, warning letters, formal notices and prosecution.
- 3.1.6 Officers will be given individual responsibility for identifying premises which carry out high risk activities and will plan and manage at least one project to deliver regulation based on the above priorities.
- 3.1.7 The Following priorities will also be addressed during all interventions:

- Promoting worker involvement by ensuring employees are engaged during interventions carried out by officers;
  - Raising awareness of preventing sheltering within large retail bins.
- 3.1.8 Appendix 8 shows the types of interventions available to officers planning priority project based work.

## 3.2 Health & Safety Premises Practices & Complaints

- 3.2.1 Health & Safety complaints received and investigated by the service fall into one of two broad categories:- complaints about safety practices or complaints about safety on the premises .
- 3.2.2 An initial response to a health & safety complaint will be made within 5 working days. The team investigates on average 100 complaints about practices and premises annually.

## 3.3 Primary Authority

- 3.3.1 The Council fully supports the Primary Authority Principle. Officers give advice to companies and other Local Authority Health & Safety Enforcement Services if requested to do so.
- 3.3.2 The Commercial Team manages four Primary Authority agreements with Midland Expressways (M6 Toll), Busy Bees Nurseries and Police Mutual, and the Central England Co-operative Society.

## 3.4 Advice to Business and the Public

- 3.4.1 The Commercial team will provide advice to businesses to help them comply with the law and encourage the use of best practice. Through such an approach, standards of health & safety are improved and positive relationships built with businesses. This is achieved through:-
- advice given during inspections and other visits
  - the provision of advice leaflets
  - responding to enquiries
  - via attendance at Safety Advisory Groups.
- 3.4.2 We will also provide advice and assistance, when requested, to new and proposed businesses at the planning and pre-planning stages and will assist existing businesses that propose to make changes to their operations.
- 3.4.3 An initial response to a request for advice will be made within 5 working days. An estimated 100 enquiries are received from businesses and the public each year.

## 3.5 Accident, Ill Health or Dangerous Occurrence Investigation

- 3.5.1 Incidents are reported to us:-
- via the HSE Incident Contact Centre on the web
  - via direct contact with the business where the accident occurred
  - via direct contact with the injured party
  - via other organisations such as the Police, the fire service, OFSTED, etc.

3.5.2 Investigation priority will be given to any accident, report of ill health or dangerous occurrence that occurs in line with **Local Authority Circular 22/13 (Incident Selection Criteria Guidance)**. We will also be using the Enforcement Management Model to help us decide on our enforcement approach.

3.5.3 We have a 1 day response time for major incidents, reports of ill health or dangerous occurrences. We currently have around 100 incidents reported annually.

### **3.6 Partnership Working with the Health & Safety Executive and Liaison with Other Organisations**

3.6.1 We will continue to work in partnership with the Health & Safety Executive to target our resources more effectively.

3.6.2 Members of the Commercial Team play an active role in the Central England Health and Safety Coordinating Group, which is governed by a Core Constitution. The Group's primary aim is to encourage greater consistency in enforcement across the whole of the Midlands and on a local level the 9 Staffordshire Authorities represented.

### **3.7 Event Safety work**

3.7.1 The Commercial Team will continue to be heavily involved in providing advice and support to the various event organisers. A Safety Advisor Group (SAG) has been created by the Commercial Team and is chaired by the Local Authority. The group includes all of the bodies responsible for regulation at events and allows for event organisers to receive advice on their Event Management Plans.

3.7.2 The SAGs are held for each major event in the District and include all of the regulatory authorities allowing Event Management Plans to be reviewed and providing advice to organisers who must demonstrate that their events will be managed safely.

3.7.3 Officers are also in attendance at larger events ensuring that standards are being maintained and Event Management Plans are being followed.

### **3.8 Internal Audit Recommendations**

3.8.1 An Internal Audit of the health and safety enforcement service was delivered conducted in October 2017 assessing the following criteria:

#### **Criteria assessed:**

01 Written procedures relating to health and safety inspections are in place and are made available to all members of staff involved in these processes

02 Officers authorised to carry out enforcement in respect of health and safety inspections are suitably qualified and experienced in accordance with legislation requirements

03 The Council has in place priority planning and programmes of health and safety inspections which are undertaken in accordance with the determined risk assessment undertaken by the Council

04 Systems are in place to ensure that database records relating to non-domestic premises requiring health and safety inspections are kept up to date and reviewed regularly for appropriateness

05 Adequate documentation is maintained relating to the health and safety inspections undertaken

06 Adequate monitoring and reporting of the health and safety inspection programmes and the quality of inspections in place

07 Satisfactory procedures are in place to deal with complaints and incidents arising from health and safety issues and are followed in principal

3.8.2 The following recommendations have been highlighted as actions to be implemented during the time period covered within this plan. Actions have been identified to carry out improvements alongside implementation dates:

No.	Recommendation	Action to take	Implementation Date
1	All departmental health and safety procedures should be revised to reflect current practices.	Procedures are being reviewed and will be updated. Particular focus will be given to a new intervention planning procedure. Until such time as procedures are updated officers are subscribed to RIAMS which contains model procedures and model templates and these will be used in the interim.	1 <sup>st</sup> April 2018
2	A central record of completed priority inspections should be maintained to support delivery against the work programme target for priority interventions. Records should include the date inspected, outcomes and action required.	A paper based system has been implemented to record completed interventions and whilst it is accepted that this is a short term measure, long term it is intended to procure a computer based system to record interventions on.	31 <sup>st</sup> March 2018
3	Work should continue to ensure the council's business database is updated to reflect real time information. Re-configuration of the council's Uniform system should be considered for inclusion within the Innovation Hub project to ensure a centralised and systematic approach is adopted for the management and sufficient record keeping in support of health and safety processes associated with non-domestic premises.	Computer software is in the process of being procured. A paper is going to cabinet in February 2018	Project Initiation Document indicates that this will be completed by April 2019
4	Performance measures detailed within the Work Programme should be developed into formal performance indicators and from here should be subject to regular management review to identify performance issues/ areas for improvement. Quality monitoring of case file documentation should be completed and evidenced on a regular basis to ensure compliance against local and national requirements.	Performance indicators are contained within this service plan and are monitored. Currently officers are tasked with 5 interventions per month. This is monitored as part of the PDR process and during 1 to 1s and team meetings. Internal monitoring will be set up – similar to those used for Food Safety so that the regular 1 to 1 meetings, accompanied visits and team meetings are formalised and recorded.	31 <sup>st</sup> March 2018
5	Consideration should be given to introducing a mechanism for the classification of all incidents to assist in the effective monitoring of incidents requiring investigation.	The Council's LAGAN system will no longer be used after the procurement of a new computer system. It is not designed for investigating incidents. The configuration of the new system should differentiate between those that meet the selection criteria and those that do not. Incidents requiring investigation are generally discussed during 1 to 1s and team meetings.	1 <sup>st</sup> April 2019

## 3.9 Performance Indicators

- 3.9.1 A new suite of performance indicators have been developed to manage the performance of the team.
- 3.9.2 The new performance indicators are shown in the table below. Benchmarking will include those authorities identified in the CIPFA LG Inform Benchmarking Summary Report. 2017/18 includes the following authorities identified as comparable with Lichfield: Stafford, Hinckley and Bosworth, South Staffordshire, Stroud, South Ribble, Bromsgrove, Tewkesbury, East Northamptonshire, West Lancashire, South Kesteven, Maldon, Staffordshire Moorlands, Chorley, and Rushcliffe. Benchmarking, where data is available (published in the HSE LAE1 report) will be reported annually as a placement figure (eg 1<sup>st</sup> out of 15).
- 3.9.3 Further indicators will be added following the publishing of the LAE1 report submitted to the HSE. Changes have been made to the report since 2015-16 which means the way in which the number of interventions reported is different. Once data is made available it will be included in the team statistics.

Status	Performance Indicator	2015-16 Actual	Target	National Average	Bench-marked Position (Out of 15 LA's)	Notes
NEW	% of reports sent within 10 working days of intervention	n/k	98%	N/a	N/a	Reported monthly, quarterly & annually <i>NB - No benchmark or national average data available. Team data reported, individual officer data held by the Food and Health &amp; Safety Manager</i>
NEW	Satisfaction of business with local authority regulation services (NI 182)	n/k	99%	N/a	N/a	Reported annually <i>NB: No benchmark or national average data available</i>
NEW	No. Improvement Notices Served	0	N/a	5 (2015-16)	7 <sup>th</sup> (Joint)	Reported annually <i>NB: Only available after LAE1 report is published.</i>
NEW	No. Prohibition Notices served	2	N/a	1 (2015-16)	1 <sup>st</sup> (Joint)	Reported annually <i>NB: Only available after LAE1 report is published</i>
NEW	Visits to investigate health and safety related incidents	3	N/a	20 (2015-16)	11 <sup>th</sup> (Joint)	Reported annually <i>NB: Only available after LAE1 report is published</i>
PROPOSED	No. Interventions carried out	n/k	N/a	n/k	n/k	<i>NB: This new PI will be reported annually and will be included as a PI only following publish of the latest LAE1 report.</i>

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## 4 RESOURCES

### 4.1 Financial Allocation

- 4.1.1 The net expenditure for health & safety law enforcement budgeted for 2018-2020 is £54,150 for 2018-19 and £54,870 for 2019-20.
- 4.1.2 A breakdown of net expenditure for health & safety by activity between and 2017 and 2022 is included in **Appendix 4**
- 4.1.3 If legal action is to be taken by the service, costs are met from within the overall environmental health budget under a specified cost area for prosecutions. Where possible costs are recovered.
- 4.1.4 The Council recognises the importance of being able to deal with legal actions and other one off occurrences by maintaining adequate corporate reserves and provisions.

### 4.2 Staffing Allocation

- 4.2.1 The staff resources available to undertake Health & Safety law regulation during 2016-18 are equivalent to 1.3 full time officers. A breakdown this figure based on full time equivalent posts (FTE) is as follows:-

Post	Full Time Equivalent (FTE)
Head of Service & Environmental Health Manager	0.1
Food and Health & Safety Manager	0.3
Environmental Health Officer (Pt time)x2	0.3
Technical Officer (x2)	0.6
Total (FTE)	1.3

- 4.2.2 All officers are qualified and competent to undertake health & safety work in food businesses. The Regulatory Development Needs Analysis sets out clearly the competencies and qualifications needed by inspectors. Officers who have completed this analysis have identified that they require further training in certain aspects of Health and Safety regulation outside of food businesses. In order for the team to deliver the key priorities, knowledge gaps will need to be addressed.
- 4.2.3 Support for our service comes from our Customer Services Team. Currently the level of this support is 0.3 of a full time equivalent.

### 4.3 Staff Development

- 4.3.1 The Council recognises that there is a need to invest in the continuing development of staff. Each member of staff takes part in a performance and development review at the beginning of the financial year in order to establish work and performance targets and identify training and development needs.
- 4.3.2 Within the Commercial Team, such development is needed in order to meet the continuing professional development requirements of the Chartered Institute of Environmental Health and

more specifically requirements contained in the Health & Safety Executives Section 18 Guidance.

- 4.3.3 All necessary training will be undertaken through in house training, formal courses and vocational visits as appropriate. Innovative ways of receiving training to maximise limited training resources will be pursued.
- 4.3.4 A training programme will be developed for each officer to be delivered by the Senior Environmental Health Officer in advance of each area of work being undertaken.



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## 5 SECTION 5: QUALITY ASSESSMENT

### 5.1 Quality Assessment

- 5.1.1 The work of the team is subject to scrutiny by Members, internal auditors, the Audit Commission, the Health & Safety Executive and peer review by other Staffordshire Local Authorities.
- 5.1.2 The following monitoring arrangements are currently in place to assist in the quality assessment of the work carried out by the Commercial Team, although some need formalising through written procedures:-
- sample inspection audits
  - sample audits of health & safety files and associated paperwork
  - performance and development reviews
  - performance monitoring of target response times
  - performance monitoring against targets set down as local indicators
  - monthly team meetings and individual 1 to 1 meetings with officers
- 5.1.3 In addition to this, we will continue to consult with our customers through business satisfaction questionnaires, this will provide us with qualitative data to further develop our service in the future.

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## 6 SECTION 6: REVIEW

### 6.1 Review against this Service Plan

- 6.1.1 The process of review will commence in April/May each year based on:-
- performance and resources available over the previous 12 months
  - responses to consultation with local businesses and the community
  - observations from members and the Commercial Team
  - advice and guidance issued by the Health & Safety Executive, the Local Authority Co-ordinating Body on Regulatory Services and examples of best practice.
- 6.1.2 The new Service Plan for 2018-20 will be submitted to Regulatory & Licensing Committee before being forwarded for adoption by Council.
- 6.1.3 A briefing paper on the previous year's performance against the Health & Safety Law Enforcement Plan for 2018-19 and 2019-20 will be submitted to the Regulatory & Licensing Committee for information in May/June of each year.

### 6.2 Identification of any Variation from the Service Plan

- 6.2.1 Quarterly performance figures are produced for our Corporate Performance Plan. Any variances against the Health and Safety Law Enforcement Plan, including resource implication, will be addressed during this process

### 6.3 Work Programme and Areas of Improvement

- 6.3.1 Both a work and improvement programme have been developed as part of this Plan, details of which can be found in the tables below.

## 6.4 Work/Improvement Programme 2018-20

Work Activity	Ongoing Work / Improvement Action	Links to Strategic priorities:				Performance Measures –	Timescales (based on end of reporting years for 2016-18)	Responsibility	Resources (per annum)
		1	2	3	4				
Interventions	To undertake project based interventions based on the key priorities: ➤ Carbon monoxide poisoning at commercial catering premises ➤ Fatalities/injuries resulting from being struck by vehicles ➤ Fatalities/injuries resulting from falls from height/ amputation and crushing ➤ Crowd control & injuries/fatalities to the public at large scale public gatherings ➤ Industrial Diseases (Occupation deafness / cancer / respiratory diseases) ➤ Manual Handling at High volume warehousing and distribution; ➤ Unstable loads on vehicles at high volume warehousing ➤ Violence at work at premises with vulnerable working conditions	✓	✓	✓	✓	Officers to deliver at least one project per annum. (4 per year team target)  Complete interventions for all identified catering premises  Deliver SAGs and interventions at all major events which meet the Terms of Reference conditions.	Monthly/March 2020	FHSM	295 days
			✓	✓	✓	90% compliance / training needs acted upon if identified	Ongoing	Commercial Team / FHSM	20 days

Work Activity	Ongoing Work / Improvement Action	Links to Strategic priorities:				Performance Measures –	Timescales (based on end of reporting years for 2016-18)	Responsibility	Resources (per annum)
		1	2	3	4				
<b>Health Internal monitoring &amp; Safety Complaints relating to Premises and Practices</b>	To investigate all premises complaints	✓	✓	✓	✓	To respond to 95% of all premises and practices complaints within 5 working days	March 2019 March 2020	Commercial Team / FHSM	15 days
<b>Primary Authority Scheme</b>	To consider applications made by businesses in relation to becoming a Primary Authority	✓	✓	✓	✓	Conclude whether partnerships are viable	March 2019 March 2020	Commercial Team / FHSM	30 days
<b>Provision of Advice to Business &amp; other Service Users</b>	To respond to all requests for advice from businesses and service users	✓	✓	✓	✓	To respond to 95% of all requests for advice within 5 working days	March 2019 March 2020	Commercial Team / FHSM	40 days
<b>Incident Investigation</b>	To respond to reportable incidents which meet the incident selection criteria.	✓	✓	✓	✓	To respond to 100% of all reportable incidents within 1 working day.	March 2019 March 2020	Commercial Team / FHSM	30 days
<b>Liaison with Other Organisations</b>	To actively participate on the Central England Health and Safety Coordinating Group	✓	✓	✓	✓	Attendance by a member of the Commercial Team at 4 meetings in 2018-20. and undertake Inter Authority Auditing where appropriate	March 2019 March 2020	Commercial Team / FHSM	5 days

Work Activity	Ongoing Work / Improvement Action	Links to Strategic priorities:				Performance Measures –	Timescales (based on end of reporting years for 2016-18)	Responsibility	Resources (per annum)
		1	2	3	4				
Additional Work in Health & Safety	To continue to develop any documented procedures for health & safety Ensure compliance with the requirements of Section 18 Guidance	✓	✓	✓	✓	Complete a review of procedures and their implementation  Complete in house assessment in relation to Section 18 compliance	March 2020	FHSM	6 days
	Review Officers self-assessment using RDNA tool.  All officers to receive targeted training in relation to our new health & safety procedures		✓	✓	✓	Self-assessments to be fully completed by each officer and areas of further competency requirements identified  All officers to have received training in relation to procedures	March 2019  March 2020	Commercial Team / FHSM	2 days
	All officers undertaking health & safety work to have received at least 10 hours training in relevant subject areas		✓	✓	✓	Completion of at least 10 hrs training using RDNA defined competencies and the GRIP Tool	June 2018 June 2019	Commercial Team / FHSM	2 days
	To consult with customers on service delivery	✓	✓	✓	✓	90% satisfaction with service/records kept of actions	March 2020	FHSM	3 days

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## 7 REFERENCES

1. Health & Safety at Work etc Act 1974 – Section 18 ‘The Standard’.
2. Helping Great Britain work well – HSE strategy
3. Local Authority Circular 22/13 (Incident Selection Criteria Guidance).
4. National Local Authority Enforcement Code (the Code)
5. Local Authority Circular 67/2 (Priority Planning)

**Commercial Team**

Food and Health & Safety Manager  
(1.0 FTE)

**Food and Safety Commercial  
Team**

Environmental  
Health Officer  
(0.5 FTE)

Environmental  
Health Officer  
(0.5 FTE)

Food Safety  
Officer  
(1.0 FTE)

Food Safety  
Officer  
(1.0FTE)

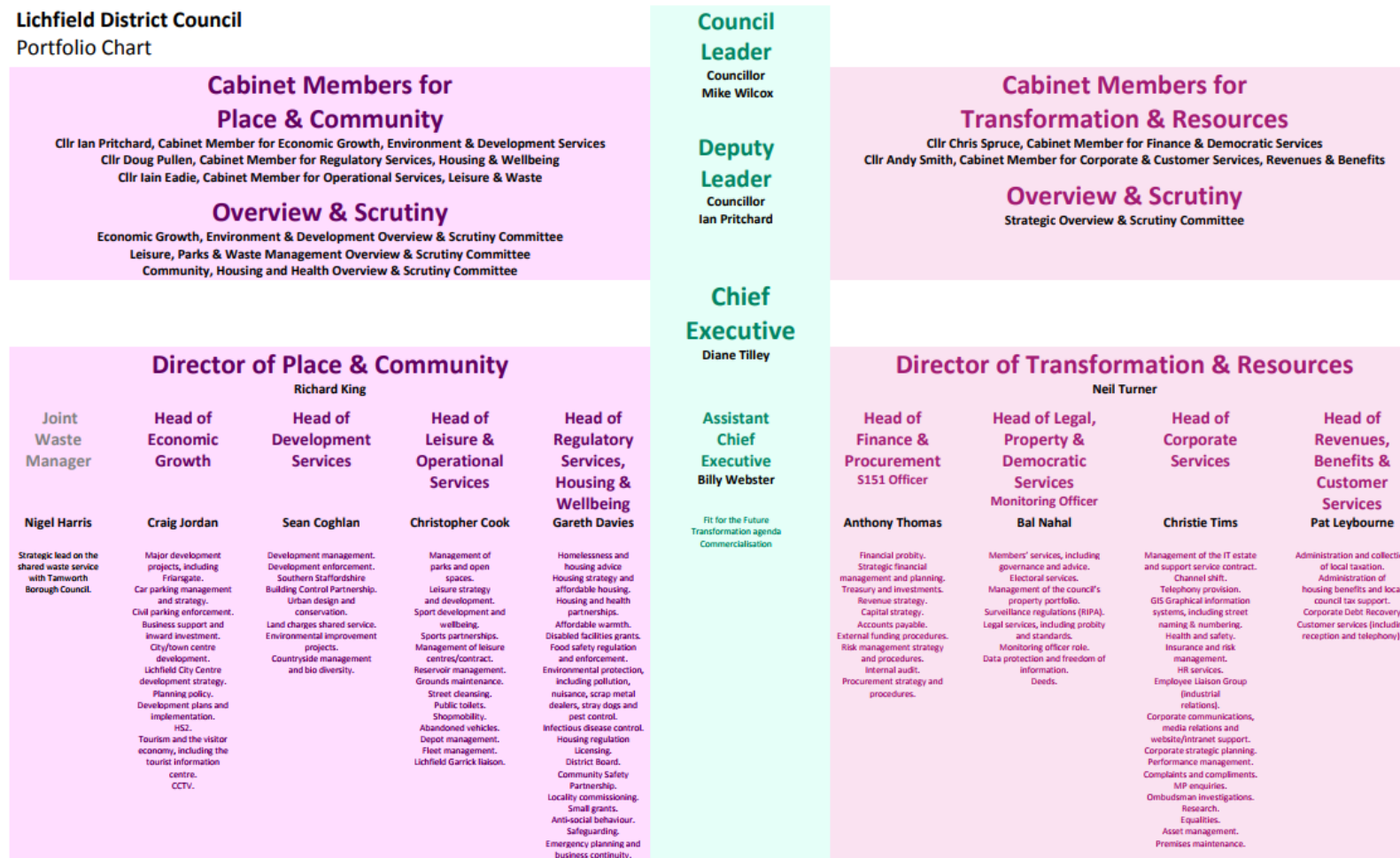
Technical  
Support Officer  
(0.8FTE)





## 9 Appendix 2 - Committee Structure & Food Safety Reporting

### Lichfield District Council Portfolio Chart



Last updated: 18 October 2017

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## 10 Appendix 3 - Useful Contacts

Lichfield District Council  
Regulatory Services, Housing & Wellbeing  
Commercial Team  
Council House  
Frog Lane  
Lichfield  
WS13 6ZE

Tel:- (01543) 308725/726/727

Out of Hours Tel:- (01543) 254 213

E-mail:- [occupational.safety@lichfielddc.gov.uk](mailto:occupational.safety@lichfielddc.gov.uk)

Web address:- [www.lichfielddc.gov.uk](http://www.lichfielddc.gov.uk)

Health & Safety Executive &  
Employee Medical Advisory Service

Tel:- 0300 003 1647

Web address:- <http://www.hse.gov.uk/contact/index.htm>

Staffordshire County Council Consumer Services  
Trading Standards  
24 Horninglow Street  
Burton upon Trent  
DE14 1PG

Tel:- 03454 040506

E-mail address:- [consumeradvice@staffordshire.gov.uk](mailto:consumeradvice@staffordshire.gov.uk)

Web address:- [www.staffordshire.gov.uk/trading](http://www.staffordshire.gov.uk/trading)

## 11 Appendix 4 - Performance Indicators for our Health and safety service

Performance Indicator	2018-19		2018-19	
	Target	Actual	Target	Actual
No priority projects planned and delivered	4		4	
% of reports sent within 10 working days of intervention	98%		98%	
Satisfaction of business with local authority regulation services (NI 182)	95%		95%	
No. Improvement Notices Served	n/a		n/a	
No. Prohibition Notices served	n/a		n/a	
Visits to investigate health and safety related incidents	n/a		n/a	
No. Interventions carried out	n/k		n/k	

## 12 Appendix 5 - A Breakdown of Net Expenditure for Food Safety by Activity from 2017 to 2022

			Forecast		
	Budget	Budget	Budget	Budget	Budget
	2017/18	2018/19	2019/20	2020/21	2020/22
	£	£	£	£	£
Expenditure					
Employees	9,690	10,020	10,360	10,700	11,050
Transport	620	620	620	620	620
Supplies and Services	490	490	490	490	490
Overheads	44,850	45,520	45,900	45,450	45,780
Total Expenditure	55,650	56,650	57,370	57,260	57,940
Income					
External Sources	2,500	2,500	2,500	2,500	2,500
Internal Recharges	0	0	0	0	0
Total Income	2,500	2,500	2,500	2,500	2,500
<b>Net Expenditure</b>	<b>53,150</b>	<b>54,150</b>	<b>54,870</b>	<b>54,760</b>	<b>55,440</b>

## 13 Appendix 5 – National Local Authority Priorities list.

List of activities/sectors for proactive inspection by LAs <sup>1</sup> – only these activities falling within these sectors or types of organisation should be subject to proactive inspection			
No	Hazards	High Risk Sectors	High Risk Activities
1	Legionella infection	Premises with cooling towers/evaporative condensers	Lack of suitable legionella control measures
2	Explosion caused by leaking LPG	Premises (including caravan parks) with buried metal LPG pipework	Buried metal LPG pipe work (For caravan parks to communal/amenity blocks only)
3	E.coli/ Cryptosporidium infection esp. in children	Open Farms/Animal Visitor Attractions <sup>2</sup>	Lack of suitable micro-organism control measures
4	Fatalities/injuries resulting from being struck by vehicles	High volume <sup>3</sup> Warehousing/Distribution	Workplace transport
5	Fatalities/injuries resulting from falls from height/ amputation and crushing injuries	Industrial retail/wholesale premises e.g. steel stockholders, builders/timber merchants	Workplace transport/work at height/cutting machinery /lifting equipment
6	Industrial diseases (occupational deafness/cancer/ respiratory diseases)	Industrial retail/wholesale premises e.g. steel stockholders, builders/timber merchants/ in-store/craft bakeries <sup>4</sup> , stone wholesalers <sup>5</sup>	Noise (steel stockholders), use of loose flour(in-store/craft bakeries <sup>4</sup> ), exposure to respirable crystalline silica (outlets cutting/shaping their own stone)
7	Falls from height	High volume <sup>3</sup> Warehousing/Distribution	Work at height
8	Manual Handling	High volume Warehousing/Distribution	Lack of effective management of manual handling risks
9	Unstable loads	High volume Warehousing/Distribution Industrial Retail/Wholesale/builders/timber merchants	Vehicle loading and unloading
10	Crowd management & injuries/fatalities to the public	Large scale public gatherings e.g. cultural events, sports, festivals & live music	Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue
11	Carbon monoxide poisoning	Commercial catering premises using solid fuel cooking equipment	Lack of suitable ventilation and/or unsafe appliances
12	Violence at work	Premises with vulnerable working conditions (lone/night working/cash handling e.g. betting shops/off-licences/hospitality) and where intelligence indicates that risks are not being effectively managed	Lack of suitable security measures/procedures. Operating where police/licensing authorities advise there are local factors increasing the risk of violence at work e.g. located in a high crime area, or similar local establishments have been recently targeted as part of a criminal campaign

<sup>1</sup> See LAC 67/2 (rev 6) for guidance on the application to certificated petroleum and licensed explosives storage sites.

<sup>2</sup> Animal visitor attractions may include situations where it is the animal that visits e.g. animal demonstrations at a nursery

<sup>3</sup> Typically larger warehousing/distribution centres with frequent transport movements/work at height activity

<sup>4</sup> Premises where loose flour is used and exposure inhalation to flour dust is likely to frequently occur during baking i.e., not baking pre-made products

<sup>5</sup> Pubs, clubs, nightclubs and similar elements of the night time economy

January 2017 Version - (LAC 67-2 Rev 6)

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## 14 Appendix 6 – Extract from Selection Criteria for investigating incidents.

### 5.0 Mandatory investigations

The following defined major incidents should always be investigated:

#### 5.1 Fatalities (Work-related deaths):

- **All** work-related accidents which result in the death of any person, including non-workers. “Accident” specifically excludes suicides\* and deaths from natural causes.
- Other deaths arising from a preventable work-related cause,\* where there is a likelihood of a serious breach of health and safety law, and where it is appropriate for enforcing authorities to investigate.

\*In some circumstances e.g. in health or social care, the risk of suicide may arise from the work activity. In such cases, the HSC/E guidance on the application of HSWA section 3 should be applied. This guidance also clarifies those circumstances when investigation by enforcing authorities is appropriate e.g. in relation to areas regulated by other regulators and legislative regimes, such as clinical judgment and practice. See: [Enforcement - Health and Safety at Work etc Act 1974 - Section 3](#)

#### 5.2 All work-related accidents resulting in a “Specified Injury” [RIDDOR Reg. 4(1)] to any person, including non-workers, that meet any of the following conditions:

- Serious multiple fractures (more than one bone, not including wrist or ankle);
- All amputations other than amputation of digit(s) above the first joint (e.g. fingertip);
- Permanent blinding in one or both eyes;
- Crush injuries leading to internal organ damage, e.g. ruptured spleen;
- Any burn injury (including scalding) which covers more than 10% of the surface area of the body or causes significant damage to the eyes, respiratory system or vital organs;
- Any degree of scalping requiring hospital treatment;
- Loss of consciousness caused by head injury or asphyxia;
- Any injury arising from working in an enclosed space which leads to hypothermia or heat induced illness, or requires resuscitation or hospital admittance for more than 24 hours.

### 5.3 Cases of Occupational Disease:

The following notifications of cases of occupational disease, other than those arising from circumstances or situations which have already been investigated:

- **All** reports of cases of occupational disease which are reportable under RIDDOR Regulations 8 – 10, specifically:
  - Carpal Tunnel Syndrome,
  - cramp in the hand or forearm,
  - occupational dermatitis,
  - hand arm vibration syndrome,

- occupational asthma,
- tendonitis or tenosynovitis in the arm or forearm,
- any cancer attributed to an occupational exposure to a known human carcinogen or mutagen,
- any disease attributed to an occupational exposure to a biological agent.
- Other reports of cases of occupational disease with the potential to cause death or a “serious health effect” as defined in EMM, and which arise from working practices that are likely to be ongoing at the time the report is made.


#### 5. 4 Incidents which indicate a likelihood of a serious breach of health and safety law:

This includes any incidents considered liable to give rise to serious public concern, where, from the facts known, the application of the Enforcement Management Model would give rise to an initial enforcement expectation of a notice or a prosecution.

#### 5. 5 Major hazard precursor events:

All relevant precursor events as identified within the HSE business plan, and the relevant work plans of each HSE Operational Directorate.

## 6.0 Non–investigation of a mandatory incident

6.1 For any mandatory incident that is not investigated, a Decision Recording Form (DRF) ([Appendix A](#) , Section B) or a local equivalent should be completed to explain the reasons for non-investigation. A senior manager (Head of Service) should be involved in any decision with the competent nominated person. LAs should adhere to this principle of recording decisions and having them signed off by a senior manager.

6.2 The grounds for not investigating incidents that would normally be investigated may include:

- where an investigation is impractical, e.g. unavailability of key witness(es), key evidence is no longer available;
- no reasonably practicable precautions available to prevent the incident\accident or its recurrence;
- investigating the accident will mean the Local Authority will be acting ultra vires;
- there is a conflict of interest between the LA as a regulator and duty holder, in which case the appropriate enforcing authority should be notified, or
- inadequate resources due to other priorities.

## 7.0 Discretionary investigations

7.1 Those incidents not falling into the above criteria for mandatory investigation may be investigated at the local authority’s discretion when taking into account the following factors:

- the incident may not have caused a RIDDOR defined major injury but is either in accordance with HSE's national guidance to LAs on targeting interventions ([LAC 67/2](#)) or one which arises from a specific health and safety initiative that may be contained within the Local Authorities Service Plan;
- the poor health and safety track record of the duty holder and whether or not there has been a history of similar events;
- the incident has the potential for high public profile\media attention or has received considerable media attention leading to reputational risk through inaction\perceived inaction;
- the incident may give rise to complaint(s). Depending on the circumstances, this should be dealt with as a normal complaint procedure and not necessarily require a full incident investigation unless found to be appropriate, or any incident that has been identified as being useful for –
  - enhancing sector good practice\technical knowledge or
  - training and developing staff as recognised from any Regulators' Development Needs Analysis (RDNA) discussions.



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## 15 Appendix 7 – HSE Complaints handling procedure

# Complaints

## Introduction

This procedure describes how HSE handles complaints against dutyholders: from initial receipt, through follow up, to a decision whether or not to formally investigate.

### Purpose

To provide a common, transparent procedure for HSE Operational Group staff to handle complaints consistently and enable HSE to fulfil its duties under the Health and Safety at Work Act.

### Scope

This procedure covers handling of all complaints by HSE from receipt to completion. It does not cover issues raised during a general discussion on site. These would not normally be classed as a complaint but would be dealt with as part of the site visit.

### Definitions

A **complaint** is a concern, originating from outside HSE, in relation to a work activity for which HSE is the enforcing authority, that is sufficiently specific to enable identification of the issue and the dutyholder and/or location and that either:

- has caused or has potential to cause significant harm, or alleges the denial of basic employee welfare facilities, or
- appears to constitute a significant breach of law for which HSE is the enforcing authority.

### Policy

HSE's policy is to investigate every such complaint received unless:

- the complainant wishes to remain anonymous, will not allow HSE to disclose that a complaint has been received and a [vulnerable person](#) is not involved
- it is from a serial complainant and Band 2 or above decides no further action is required
- it has been made by an employee and has not been taken up with the dutyholder or trade union (unless it involves a vulnerable person)
- it is outside the scope of section 3, (except for pesticide complaints) see: [Health & Safety at Work, etc Act 1974 section 3: enforcement](#)
- it is a gas complaint that is not "[serious](#)" (as defined) or the dutyholder cannot be identified

HSE will not investigate where:

- there are no reasonably practicable precautions
- it is impracticable to follow up / investigate

In the following exceptional circumstances HSE may decide not to investigate where:

- there are inadequate resources to follow up / investigate

A decision not to investigate because of inadequate resources or other emerging priorities must be made by a Band 1 or above.

### Roles and responsibilities

**Complaints / Working Time Officers** should:

- handle complaints in accordance with this procedure.

**Inspectors** should:

- handle complaints in accordance with both this and the [investigation procedure](#).

**All staff** should:

- meet the performance standards set within the procedure (and record relevant data on COIN completely and accurately) or agree with the line manager revised performance standards when necessary

**Line managers** should:

- ensure staff receive the appropriate training and are competent in their role
- support and guide their staff as necessary
- ensure staff achieve the performance standards set or, exceptionally agree revised standards if necessary
- undertake monitoring as required by this procedure.

## **Procedure overview**

An overview of the procedure is provided in the attached [flowcharts](#).

## **Monitoring**

Line managers should ensure, via normal management activity, that those involved in operating this procedure carry out their responsibilities in line with the standards and timescales described. However, they should make sufficient documented checks to satisfy themselves, and to prove to any subsequent audits, that the procedure is being operated correctly.

## 16 Appendix 8 – Types of intervention

Type	Description	Examples
<b>Intervention types: Proactive interventions</b>		
<b>Influencing and Engaging with Stakeholders, Others in Industry and Large Employers</b>		
TYPE	DESCRIPTION	EXAMPLE
<i>Partnerships</i>	Strategic relationships between organisations or groups who are convinced that improving health and safety will help them achieve their own objectives. This may involve duty holders or trade unions, regulators, other Government departments, trade bodies, investors.	Developing new relationships between businesses and regulatory services to reduce the regulatory burden on businesses; promote two way communication between businesses and regulatory services; supporting regulators to find the right balance between encouragement, education and enforcement and offering support from regulatory services for businesses e.g. Local Enterprise Partnerships. Working with a range of agencies e.g. work experience co-ordinators, secondary school students and other regulators/enforcement organisations from the coast guard to school wardens to raise awareness on sensible health and safety, tattooing, road and fire safety, and workplace safety use a variety of techniques e.g. supporting website and Facebook pages. Estates Excellence type projects use a range of organisations (e.g. LAs, Fire and Rescue Service, the Federation of Small Businesses, EEF, service providers, trade unions and local business groups) to set up/fulfil the need for advice and training for businesses and workers. Uses specially-trained staff to visit SMEs on targeted industrial estates to offer advice to managers and workers and provide free workshops, training, advice and guidance specifically targeted to a business' individual needs.
<i>Motivating Senior Managers</i>	Encouraging the most senior managers to enlist their commitment to achieving continuous improvement in health and safety performance as part of good corporate governance, and to ensure that lessons learnt in one part of the organisation are applied throughout it (and beyond).	Business engagement partnerships (e.g. Local Enterprise Partnerships) can link a range of local partners including representatives from the Federation of Small business and Chamber of Commerce to get manager buy-in on effective management of health and safety risks.
<i>Supply Chain</i>	Encouraging those at the top of the supply chain (who are usually large organisations, often with relatively high standards) to use their influence to raise standards further down the chain, e.g. by inclusion of suitable conditions in purchasing contracts	Given an LA's local focus, national supply chain activity is often outside of their remit (although large Primary Authority Schemes may help develop this). However, there can be opportunities for LAs to get local supply chains to improve health and safety e.g. office cleaning suppliers, builders merchants.  LAs can also be involved in helping to collect intelligence that feeds into supply chain monitoring e.g. linking in with trading standards or public health work on sunbeds, tattoo inks.
<i>Design and Supply</i>	"Gearing" achieved by stimulating a whole sector or an industry to sign up to an initiative to combat key risks,	Initiative to reduce workplace violence in takeaways – the LA working with the Police and local takeaways to pledge and commit to certain activities e.g. takeaways prohibiting

	preferably taking ownership of improvement targets.	customers possessing alcohol from entering the premises; the Police and the LA providing specific guidance, training, promotion and publicity
<i>Intermediaries</i>	Enhancing the work done with people and organisations that can influence duty holders. These may be trade bodies, their insurance companies, their investors or other parts of government who perhaps are providing money or training to duty holders.	Using local HABIA and training college contacts to influence hair dressers and managers to take up published materials and working practices.
<b>Engaging with the Workforce</b>		
<i>Working with Those At Risk</i>	Working with safety representatives, trade unions and other organisations that represent people put at risk by work activities to support them in their roles.	Migrant Workers - Using the local community structures and support groups to educate and communicate health and safety messages to vulnerable migrant workers.
<b>Working with Other Regulators and Government Departments</b>		
<i>Working with other regulators etc.</i>	Where appropriate work with other regulators (including HSE, other LA regulators, the Police etc.) to clarify and set demarcation arrangements; promote cooperation; coordinate and undertake joint activities where proportionate and appropriate; share information and intelligence.	Working with relevant signatories of the WorkRelated Death Protocol. Working with the Care Quality Commission during the period of transition to aid handover and ensure continued protection of employees and non-employees.
<b>Creating Knowledge and Awareness of Health and Safety Risks and Encouraging Behaviour Change</b>		
<i>Education and Awareness</i>	Seeking further ways of getting messages and advice across early to key target groups, particularly those who are difficult to reach, using channels such as small business groups, chambers of commerce etc. Promoting risk education as a curriculum item at all levels of the education system.	Using awareness days and targeted information to promote health and safety messages at take away establishments. Working with educational establishments that operate work experience placements to raise safety awareness of students. Gas safety in catering premises – having evaluated intelligence that highlighted local catering premises were not managing significant risks effectively including gas engineers working out of scope - food safety officers, health and safety officers and representatives from Gas Safe Register developed and organised a training day for the local businesses and enforcement officers. Talks to local Technical College students e.g. to construction students on asbestos awareness, to student hospitality managers – on legionella control, to hair dressing students – on dermatitis. Offering advice and support visits to new business start-ups.
<b>Promoting Proportionate and Sensible Health and Safety</b>		
<i>Encouraging Compliance</i>	Encouraging the development of examples with those organisations that are committed to performance and then using these examples to show others the	Promoting and sharing compliant practice through campaigns, local business forums, large business mentoring small businesses etc. to improve the management of health and safety risks.

	practicality and value of improving their own standards.	
<i>Recognising Compliance</i>	“Where proper management of risks can be assured, HSE and LAs	Business Awards to give public recognition to workplaces that have taken positive action to improve employee’s health and wellbeing. Recognising the use of third party inspections
	will not intervene proactively. This means we will discourage HSE and LAs from putting resources into issues where the risks are of low significance, well understood and properly managed.”	and audits for large events (formalised in license agreements) by LAs who then only need to oversee/check the process – thus freeing up LA resources for other purposes. Directing regulatory resources away from compliant businesses and low risk activities, and a more direct focus on non-compliant businesses.
<b>Inspection and Investigation</b>		
<i>Inspection</i>	Alongside the National LA Enforcement Code (the Code), HSE has published a list of higher risk activities falling into specific LA enforced sectors. Under the Code, proactive inspection should only be used for the activities on this list and within the sectors or types of organisations listed, or where there is intelligence showing that risks are not being effectively managed. The list is not a list of national priorities but rather a list of specific activities in defined sectors to govern when proactive inspection can be used. However, if a business carries out an activity on this higher risk list, it does not mean that it must be proactively inspected: LAs still have discretion as to whether or not proactive inspection is the right intervention for businesses in these higher risk categories.	Proactive inspection of industrial retail/wholesale premises to ensure adequate control of work at height and work place transport.
<i>Incident and Ill Health Investigation</i>	Making sure that the immediate and underlying causes are identified, taking the necessary enforcement action,	Using <a href="http://www.hse.gov.uk/lau/lacs/22-13.htm">HSE Incident selection criteria</a> <a href="http://www.hse.gov.uk/lau/lacs/22-13.htm">http://www.hse.gov.uk/lau/lacs/22-13.htm</a> and <a href="http://www.hse.gov.uk/lau/lacs/67-2annexc.htm">HSE’s risk based approach to complaints handling</a> <a href="http://www.hse.gov.uk/lau/lacs/67-2annexc.htm">http://www.hse.gov.uk/lau/lacs/67-2annexc.htm</a>
	learning and applying the lessons.	When there is only limited information regarding the potential need for a more involved intervention it may be prudent to maintain an active ‘watching brief’ to see if there is cumulative evidence that identifies poor performance.
<i>Dealing with Issues of Concern and Complaints</i>	Encouraging duty holders to be active and making sure that significant concerns and complaints from stakeholders are dealt with appropriately.	Adoption of the HSE complaints handling procedures to ensure that resources are targeted on complaints that indicate the poor management of risk.
<b>Enforcement</b>		
	Inspection and investigation provides the basis for enforcement action to prevent harm, to	Ensuring that adequate arrangements are made for enforcement.

	<p>secure sustained improvement in the management of health and safety risks and to hold those who fail to meet their health and safety obligations to account. Enforcement also provides a strong deterrent against those businesses who fail to meet these obligations and thereby derive an unfair competitive advantage.</p>	<p>Taking proportionate enforcement action in line with HSE's <i>Enforcement Policy Statement</i> (EPS) (<a href="http://www.hse.gov.uk/pubns/hse41.pdf">www.hse.gov.uk/pubns/hse41.pdf</a>) and <i>Enforcement Management Model</i> (<a href="http://www.hse.gov.uk/enforce/emm.pdf">www.hse.gov.uk/enforce/emm.pdf</a>). When taking enforcement action, making it clear to the dutyholder which matters are subject to enforcement, where compliance has not been achieved, what measures are needed to achieve compliance (including timescales) and their right to challenge/appeal.</p> <p>Following up on enforcement action taken to check that the necessary improvements have been made.</p>
<i>Other interventions</i>	<p>Other forms of proactive activity that are distinctly different to the other types of intervention outlined elsewhere on this list. Such interventions should be clearly described and named within your own recording systems to aid any future analysis and to prevent this classification being used as a 'catch-all'.</p>	<p>E.g. Test purchasing of services.</p>

# Review of Licence and other Fees and Charges in Regulatory Services, Housing and Wellbeing for 2018/19



Report of Councillor Doug Pullen, Cabinet Member for Housing and Health

Date: 6<sup>th</sup> February 2018

Contact Officer: Gareth Davies

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Email: [gareth.davies@lichfielddc.gov.uk](mailto:gareth.davies@lichfielddc.gov.uk)

Key Decision? YES NO (delete as appropriate)

Local Ward Members

## REGULATORY AND LICENSING COMMITTEE

### 1. Executive Summary

- 1.1 Fees and charges are levied for a variety of services or enforcement actions within Regulatory Services, Housing and Wellbeing. The majority of these relate to Licensing matters but others include fixed penalty notices for specified offences, housing enforcement costs recovery, street trading and others.
- 1.2 There are a number of new fees proposed relating to fixed penalty notices which have recently been introduced under new legislation and a charge for undertaking a food hygiene inspection re-rating visit.
- 1.3 This report outlines any changes in what we are able to charge for and sets proposed fees, the majority of which are set to recover costs and / or impose a penalty.

### 2. Recommendations

- 2.1 That Members consider and approve the fees and charges for the functions in Appendix A for statutory consultation for the forthcoming financial year of 2018/19.
- 2.2 That Members consider and approve the fees and charges for the functions in Appendix B for forthcoming financial year of 2018/19 (no statutory consultation required).
- 2.3 That authority is delegated to the Head of Regulatory Services, Housing and Wellbeing in consultation with the Chairman and Vice Chairman of this Committee, to set or amend any fees which are detailed in Appendix A in consideration of any consultation responses received.
- 2.4 That authority is delegated to the Head of Regulatory Services, Housing and Wellbeing in consultation with the Chairman and Vice Chairman of this Committee, to set on an interim basis any new fees and charges which may arise during the year.

### 3. Background

- 3.1 Each year the Council must consider fees and charges which are levied. Where these are on a cost recovery only basis, such as for licensing, the Council may be challenged via a number of routes and in order to reduce the risk of challenge to the Council a robust system is used to calculate charges based on the cost of running the relevant service being charged.
- 3.2 A process has been completed to calculate new hourly rates for each element of the licensing charges which takes into account the time spent on the specific job as well as any on costs associated with it.

- 3.3 In addition to charges associated with the various licences which the Council grants, other charges must be set in relation to enforcement fixed penalty notices for a range of offences.
- 3.4 The new *Environmental Offences (Fixed Penalties) Regulations 2017* in relation to fixed penalties for certain environmental offences came into force from November 2017. These regulations adjust the minimum fixed penalty charge upwards from specified dates. The regulations also increase the reduced charge for early payment of a range of fixed penalties. However, our current charging regime is sufficiently high that none of the increases in the minimum charges will create a need to adjust our charges. Furthermore, because charges should take account of the ability of those in the area to pay, and this has previously been considered and set, there is no recommendation that our current fixed penalty charges should be increased.
- 3.5 The new *Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018* are, at the time of writing this report, still in draft form. However, it is likely that these regulations will come into force from April 2018 and will enable the Council to give a littering fixed penalty to a person who is a keeper of a vehicle where a littering offence has been committed in respect of the vehicle within the Lichfield district boundary.
- 3.6 Whilst these new Littering from Vehicles Regulations simply permit a littering fixed penalty to be issued for the amount set by the Council for normal street littering offences, the regulations go slightly further in that if the fixed penalty is not paid in full within the payment period, the amount of the fixed penalty is doubled.
- 3.7 Regulations in relation to the ability to serve a fixed penalty notice for a waste deposit offence (fly tipping) have previously been introduced and the Council has yet to set an amount associated with this fixed penalty. The Regulations allow the fixed penalty to be set in a range from £150 to £400, with £200 the default amount if no amount is set by the authority.
- 3.8 The ability to use fixed penalty notices for fly-tipping offences enables offences to be dealt with in a more efficient, cost-effective and proportionate manner whilst still ensuring that a substantial financial penalty can be imposed upon an individual for their actions. Setting a high penalty amount will also ensure that FPNs can act as a deterrent. A fixed penalty for fly tipping will not always be a default position and consideration will always be given to prosecution if, for example, the cost of clearing the waste is more than the fixed penalty or if there are aggravating factors such as the waste being of a hazardous type or the offender having previously committed similar offences.
- 3.9 As a result it is recommended that the fly tipping fixed penalty is set at £400 with no reduction for early payment. This is the same arrangement which is in place at other Staffordshire authorities including Cannock and Stafford.
- 4.0 In relation to Taxi Licensing, some costs are merely passed on to applicants from the third party provider, such as the cost of medicals and criminal record checks. In relation to fees associated with vehicle tests and MOTs, there is currently a request out to the trade for quotations for this work. The successful garage and the fees involved will be known by the date of the Committee and this will be provided to the Committee verbally.
- 4.1 Following a trial of charging for requested Food Hygiene Rating Scheme (FHRS) re-rating visits with some local authorities in England, using existing powers in the Localism Act (2011) the Food Standards Agency (FSA) has now confirmed a change in policy allowing use of these powers by local authorities in England to introduce cost recovery for requested FHRS re-rating visits. A new fee was previously introduced part way through the current year in consultation with the Chairman and Vice Chairman of this Committee. The fee, based on officer time and cost recovery, has therefore been set for re-rating visits but will need ratifying at this committee. The fee of £165 is in Appendix B.
- 4.2 The Gambling Act 2005 fees listed at the end of Appendix B are still under review at the time of writing this report and any proposed changes will be provided at the committee.



Alternative Options	<ol style="list-style-type: none"> <li>1. To keep with the currently agreed fees and charges for 2017/18 into 2018/19. However, this would not truly reflect the current cost of the services and therefore what income we should be charging.</li> <li>2. To maintain only the option of prosecuting in court for fly tipping offences. This can be very time consuming and is considered an inefficient way of dealing with the lower level fly tipping offences which occur.</li> </ol>																																																												
Consultation	<ol style="list-style-type: none"> <li>1. Some consultation has taken place internally with relevant officers and with other Staffordshire local authorities.</li> <li>2. Fees and Charges listed in Appendix A <i>must</i> go through a statutory consultation before coming into force in April.</li> </ol>																																																												
Financial Implications	<ul style="list-style-type: none"> <li>• Majority of fees and charges are set on a cost recovery basis and a calculation has been made on the latest available data to determine the appropriate charge in relation to each relevant part.</li> <li>• Fixed Penalty Notices are set to act as a deterrent to offending but also as a means to prevent the need to go to court for lower level offending. Income from Fixed Penalties is ring-fenced in groupings to be used on the issue which the fixed penalties are served for (e.g. receipts for littering may only be used to fund littering, graffiti, etc. work). Income is relatively low and will have little impact on budgets.</li> <li>• The income budgets for licenses and other fees and charges contained in the Draft Medium Term Financial Strategy are shown in the table below for 2018/19:</li> </ul> <table border="1"> <thead> <tr> <th></th><th>2018/19</th></tr> </thead> <tbody> <tr><td>Licensing Charges - Plate</td><td>(£200)</td></tr> <tr><td>Licensing Charges - Hackney door sticker</td><td>(£930)</td></tr> <tr><td>Licensing Charges - Private Hire door sticker</td><td>(£170)</td></tr> <tr><td>Licensing Charges - Renewal Application(1 year)</td><td>(£6,050)</td></tr> <tr><td>Licensing Charges - Renewal Application (3 Year)</td><td>(£5,640)</td></tr> <tr><td>Licensing Charges - Admin Grant</td><td>(£4,940)</td></tr> <tr><td>Licensing Charges - CRB check</td><td>(£2,280)</td></tr> <tr><td>Licensing Charges - Badge</td><td>(£100)</td></tr> <tr><td>Licensing Charges - DVLA</td><td>(£100)</td></tr> <tr><td>Licensing Charges - Medical</td><td>(£2,860)</td></tr> <tr><td>Licensing Charges - Theory</td><td>(£800)</td></tr> <tr><td>Licensing Charges - One year Application</td><td>(£2,220)</td></tr> <tr><td>Licensing Charges - Hackney Application</td><td>(£21,180)</td></tr> <tr><td>Licensing Charges - Private Hire Application</td><td>(£4,030)</td></tr> <tr><td>Licensing Charges - Special Events</td><td>(£1,090)</td></tr> <tr><td>Licensing Charges - Limousine Application</td><td>(£350)</td></tr> <tr><td>Licensing Charges - Backing Plate</td><td>(£190)</td></tr> <tr><td>Licensing Charges - Vehicle Mechanical Test Fee</td><td>(£30)</td></tr> <tr><td>Licensing Charges - Additional MOT</td><td>(£360)</td></tr> <tr><td>Licensing Charges - Exceptional Condition Application</td><td>(£2,650)</td></tr> <tr><td><b>Sub Total - Hackney Carriage, Private Hire, Vehicles &amp; Operator Licenses</b></td><td><b>(£56,170)</b></td></tr> <tr><td>Licensing Charges - Animal Boarding Licences</td><td>(£1,110)</td></tr> <tr><td>Licensing Charges - Animal Breeding Licences</td><td>(£420)</td></tr> <tr><td>Licensing Charges - Pet Shop Licences</td><td>(£700)</td></tr> <tr><td>Licensing Charges - Riding Licences</td><td>(£1,020)</td></tr> <tr><td>Licensing Charges - Skin Treatment Licences</td><td>(£750)</td></tr> <tr><td>Licensing Charges - Street Trading Licences</td><td>(£33,510)</td></tr> <tr><td>Licensing Charges - Zoo Licences</td><td>(£980)</td></tr> <tr><td>Licensing Charges - Sex Establishments</td><td>(£930)</td></tr> </tbody> </table>		2018/19	Licensing Charges - Plate	(£200)	Licensing Charges - Hackney door sticker	(£930)	Licensing Charges - Private Hire door sticker	(£170)	Licensing Charges - Renewal Application(1 year)	(£6,050)	Licensing Charges - Renewal Application (3 Year)	(£5,640)	Licensing Charges - Admin Grant	(£4,940)	Licensing Charges - CRB check	(£2,280)	Licensing Charges - Badge	(£100)	Licensing Charges - DVLA	(£100)	Licensing Charges - Medical	(£2,860)	Licensing Charges - Theory	(£800)	Licensing Charges - One year Application	(£2,220)	Licensing Charges - Hackney Application	(£21,180)	Licensing Charges - Private Hire Application	(£4,030)	Licensing Charges - Special Events	(£1,090)	Licensing Charges - Limousine Application	(£350)	Licensing Charges - Backing Plate	(£190)	Licensing Charges - Vehicle Mechanical Test Fee	(£30)	Licensing Charges - Additional MOT	(£360)	Licensing Charges - Exceptional Condition Application	(£2,650)	<b>Sub Total - Hackney Carriage, Private Hire, Vehicles &amp; Operator Licenses</b>	<b>(£56,170)</b>	Licensing Charges - Animal Boarding Licences	(£1,110)	Licensing Charges - Animal Breeding Licences	(£420)	Licensing Charges - Pet Shop Licences	(£700)	Licensing Charges - Riding Licences	(£1,020)	Licensing Charges - Skin Treatment Licences	(£750)	Licensing Charges - Street Trading Licences	(£33,510)	Licensing Charges - Zoo Licences	(£980)	Licensing Charges - Sex Establishments	(£930)
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Licensing Charges - Hackney door sticker	(£930)																																																												
Licensing Charges - Private Hire door sticker	(£170)																																																												
Licensing Charges - Renewal Application(1 year)	(£6,050)																																																												
Licensing Charges - Renewal Application (3 Year)	(£5,640)																																																												
Licensing Charges - Admin Grant	(£4,940)																																																												
Licensing Charges - CRB check	(£2,280)																																																												
Licensing Charges - Badge	(£100)																																																												
Licensing Charges - DVLA	(£100)																																																												
Licensing Charges - Medical	(£2,860)																																																												
Licensing Charges - Theory	(£800)																																																												
Licensing Charges - One year Application	(£2,220)																																																												
Licensing Charges - Hackney Application	(£21,180)																																																												
Licensing Charges - Private Hire Application	(£4,030)																																																												
Licensing Charges - Special Events	(£1,090)																																																												
Licensing Charges - Limousine Application	(£350)																																																												
Licensing Charges - Backing Plate	(£190)																																																												
Licensing Charges - Vehicle Mechanical Test Fee	(£30)																																																												
Licensing Charges - Additional MOT	(£360)																																																												
Licensing Charges - Exceptional Condition Application	(£2,650)																																																												
<b>Sub Total - Hackney Carriage, Private Hire, Vehicles &amp; Operator Licenses</b>	<b>(£56,170)</b>																																																												
Licensing Charges - Animal Boarding Licences	(£1,110)																																																												
Licensing Charges - Animal Breeding Licences	(£420)																																																												
Licensing Charges - Pet Shop Licences	(£700)																																																												
Licensing Charges - Riding Licences	(£1,020)																																																												
Licensing Charges - Skin Treatment Licences	(£750)																																																												
Licensing Charges - Street Trading Licences	(£33,510)																																																												
Licensing Charges - Zoo Licences	(£980)																																																												
Licensing Charges - Sex Establishments	(£930)																																																												

	Licensing Charges - HMOs Licensing Charges - Gambling Licence Licensing Charges - Motor Salvage Licensing Charges - Licensing Act 2003 Licensing Charges - Environmental Protection Acts Food Safety - Courses Dog Fouling - Fixed Penalty Charge Litter Fixed Penalty Charge Other Income - Public Health Other Income - Health & Safety Other Income - Primary Authority Contracts - Food Safety Other Income - Primary Authority Contracts - Taxi Licensing Other Income - Environmental Protection Acts Court Costs Reimbursed <b>Sub Total - Other Licenses</b>	(£2,000) (£13,950) (£2,260) (£82,710) (£11,780) (£1,000) (£1,530) (£500) (£1,300) (£900) (£2,500) (£2,500) (£3,000) (£3,000) <b>(£168,350)</b>	
	<b>Total</b>	<b>(£224,520)</b>	
	These income budgets do not include provision for the recommended price increases contained in this report and therefore additional income could result during the financial year.		

Contribution to the Delivery of the Strategic Plan	The work associated with the fees and charges outlined has cross-cutting relevance to all aspects of the Strategic Plan 2016-2020: A vibrant and prosperous economy; healthy and safe communities and; clean, green and welcoming places to live.
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Equality, Diversity and Human Rights Implications	The work associated with many aspects of the fees and charges outlined will have a positive effect by reducing inequalities, for example in relation to inadequate housing.
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Crime & Safety Issues	The work associated with many aspects of the fees and charges outlined will have a positive effect by reducing crime, for example in relation to the lower level crimes of fly tipping, littering and dog fouling. They will also have an effect on the less obvious aspects of criminality such as rogue landlords leading to poor housing and inadequate hygiene in food establishments.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Objections from taxi licence holders on the proposed fee structure	A robust and defensible system of charge setting for cost recovery. This year charges are broadly the same with some coming down and few going up so objections are not likely.	Green (tolerable)
B	Legal challenge to fee setting process	As above	Green (tolerable)
C			
D			
E			

# Appendix A

## **FEEES FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS, VEHICLES AND OPERATOR LICENCES**

<b>DRIVER LICENCES</b>	<b>CURRENT FEE</b>	<b>PROPOSED FEE</b>
Combined driver grant in full (incl. DBS (criminal record check), medical, badge, licence, DVLA D796 check and one knowledge test)	£306	£321
Combined driver renewal one year in full (incl. licence, badge and DVLA D796 check)	£140	£136
Combined driver renewal three year in full (incl. DBS (criminal record check), licence, badge and 3 DVLA D796 checks)	£282	£272
Medical Examination	£55 at cost	£55 at cost
DBS Criminal Record Check	£44 at cost	£54 at cost
Knowledge Examination (per test)	£60 at cost	£60 at cost
Theory element re-test	New charge	£15
DVLA D796 – drivers entitlement to drive	£5 at cost	£5 at cost
<b>OPERATOR LICENCES</b>	<b>PROPOSED FEE</b>	<b>PROPOSED FEE</b>
One year licence 1 <sup>st</sup> to 5 <sup>th</sup> vehicle	£65 per vehicle	£65 per vehicle
One year licence 6 <sup>th</sup> + vehicle	£35 per vehicle	£35 per vehicle
<b>REPLACEMENT ITEMS</b>	<b>PROPOSED FEE</b>	<b>PROPOSED FEE</b>
Replacement driver licence certificate	£15	£15
Replacement drivers licence badge 1	£18	£18
Replacement drivers licence badge 2	£21.80	£21.80
Driver badge 2 holder	£2.50	£2.50
Replacement vehicle licence certificate	£15	£15
Replacement vehicle licence plate	£25	£25
Replacement vehicle passenger side door Identity sticker	£12	£12
Replacement Hackney Carriage Tariff Card	free	Free
<b>VEHICLE LICENCES</b>	<b>PROPOSED FEE</b>	<b>PROPOSED FEE</b>
Grant for Hackney Carriage vehicle licence (incl. licence, plate, vehicle compliance test and Taximeter check)	£195	£195
Grant for Private Hire vehicle licence (incl. licence, plate and vehicle compliance test)	£140	£140
Grant for Private Hire - Special Events vehicle licence (incl. licence, two plates and vehicle compliance test)	£155	£155
Limousine vehicle licence (incl. licence, plate and vehicle compliance test)	£195	£195
One-off backing plate fee	£8.80	£8.80
Vehicle Test Fee (Hackney Carriage/Private Hire)	£16.50 at cost	£16.50 at cost (TBC)
Additional MOT (booked at the same time as above test)	£5 at cost	£5 at cost (TBC)
Vehicle Test Fee (Limousine only)	£60 at cost	£60 at cost (TBC)
Exception Conditions Licence (4 month extension)	£75	£75

## Appendix B

### REVIEW OF FEES AND CHARGES FOR REGULATORY SERVICES HOUSING AND WELLBEING FUNCTIONS 2018 - 19

Activity/service/legislation	Type	Current Fee	Fee/Charge/Fine 2018/19 £
<b>DOG BREEDING LICENCE (BREEDING OF DOGS ACT 1973, etc.)</b> ■ Annual	Licence	Up to 20 breeding bitches Grant £220 Up to 20 breeding bitches Renewal £165 Above 20 breeding bitches Grant £265 Above 20 breeding bitches Renewal £210 (and Vet's fees where applicable)	Up to 20 breeding bitches Grant £220 Up to 20 breeding bitches Renewal £165 Above 20 breeding bitches Grant £265 Above 20 breeding bitches Renewal £210 (and Vet's fees where applicable)
<b>DOG AND CAT BOARDING (ANIMAL BOARDING ESTABLISHMENTS ACT 1963)</b> ■ Annual	Licence	Grant £220 Renewal £165 (and Vet's fees where applicable)	Grant £220 Renewal £165 (and Vet's fees where applicable)
<b>HOME BOARDING (ANIMAL BOARDING ESTABLISHMENTS ACT 1963)</b> ■ Annual	Licence	Grant £200 Renewal £145 (and Vet's fees where applicable)	Grant £200 Renewal £145 (and Vet's fees where applicable)

Activity/service/legislation	Type	Current Fee	Fee/Charge/Fine 2018/19 £
<b>PET SHOPS</b> (PET ANIMALS ACT 1951) ■ Annual	Licence	Grant £220 Renewal £165 (plus Vet's fees where applicable)	Grant £220 Renewal £165 (plus Vet's fees where applicable)
<b>RIDING SCHOOLS</b> (RIDING ESTABLISHMENTS ACT 1964 ETC) ■ Annual - up to 9 Horses  ■ Annual - more than 9 Horses	Licence	£165 + Vet's fee  £210 + Vet's fee	£165 + Vet's fee  £210 + Vet's fee
<b>DANGEROUS WILD ANIMALS LICENCE</b> (DANGEROUS WILD ANIMALS ACT 1976) ■ Annual	Licence	£250 + Vet's fees	£250 + Vet's fee
<b>ZOO LICENCE</b> (ZOO LICENSING ACT 1981) ■ Issued every six years with annual inspections	Licence	Fee is calculated on actual cost basis - full cost recovered including Vet's fees	Fee is calculated on actual cost basis - full cost recovered including Vet's fees

Activity/service/legislation	Type	Current Fee	Fee/Charge/Fine 2018/19 £
<b>SEX ESTABLISHMENTS</b>  LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982  ■ PREMISES	Licence	New £1650 (Inclusive of non-returnable application fee of £1000)  Renewal £930 Transfer £310 Variation £330	New £1650 (Inclusive of non-returnable application fee of £1000)  Renewal £930 Transfer £310 Variation £330
<b>SEXUAL ENTERTAINMENT            VENUE</b>  LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 THE POLICING AND CRIME ACT 2009  ■ PREMISES	Licence	New £1650 (Inclusive of non-returnable application fee of £1000)  Renewal £930 Transfer £310 Variation £330	New £1650 (Inclusive of non-returnable application fee of £1000)  Renewal £930 Transfer £310 Variation £330
<b><u>SKIN TREATMENTS (inc            Tattooists) AND EAR            PIERCING *</u></b>  LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982  ■ Premises  ■ Persons ■ Person (minor amendment) *This is a one off registration fee only	Registration fee	£170  £80 £20	£170  £80 £20
<b><u>TRAINING COURSES</u></b>  ■ CIEH Level 2 Award in Food Safety & Catering per Course (Inc course materials)	Charge	£49 pp for up to 10 people £45pp for over 10 people	£49 pp for up to 10 people

Activity/service/legislation	Type	Current Fee	Fee/Charge/Fine 2018/19 £
<b><u>STRAY DOGS</u></b>			
<ul style="list-style-type: none"> <li>■ Collection charges</li> </ul>	<p>Statutory charge is £25</p> <p>Discretionary Service</p>	<ul style="list-style-type: none"> <li>• Collection charge of £25 plus kennelling</li> <li>• Transportation of dogs on behalf of third parties. 80p per mile or part thereof. Minimum charge £30</li> </ul>	<ul style="list-style-type: none"> <li>• Collection charge of £25 plus kennelling</li> <li>• Transportation of dogs on behalf of third parties. 80p per mile or part thereof. Minimum charge £30</li> </ul>
<b><u>DOG FOULING, WASTE AND LITTERING OFFENCES</u></b>			
<ul style="list-style-type: none"> <li>■ <b>Offence of Dog Fouling (THE FOULING OF LAND BY DOGS (LICHFIELD) ORDER 2009, now a Public Space Protection Order by virtue of the Anti-social Behaviour, Crime and Policing Act 2014)</b></li> <li>■ <b>Offences for dropping of Litter (THE ENVIRONMENTAL PROTECTION ACT 1990)</b></li> <li>■ <b>Offence of duty of care in transporting Waste (THE ENVIRONMENTAL PROTECTION ACT 1990)</b></li> <li>■ <b>Offence of Transporting waste (THE CONTROL OF POLLUTION (AMENDMENT) ACT 1989)</b></li> <li>■ <b>Waste Deposit Offices (The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016)</b></li> </ul>	<p>Statutory</p> <p>Within a range of fines as prescribed by law</p>	<p>£80 (reduced to £70 if paid within 10 days)</p> <p>£80 (reduced to £60 if paid within 10 days)</p> <p>£300</p> <p>£300</p> <p>FPN amount not set, therefore at £200 statutory default level</p>	<p>£80 (reduced to £60 if paid within 10 days)</p> <p>£80 (reduced to £60 if paid within 10 days)</p> <p>£300</p> <p>£300</p> <p>£400</p>
<b><u>THE ENVIRONMENTAL INFORMATION ACT</u></b>			
<b>Environmental Information Search (per site/address)</b>	Admin fee	£67	£67
<ul style="list-style-type: none"> <li>■ <b>Copy Of Public Register</b></li> </ul>	Admin fee	<p>a) free to view on reception</p> <p>b) at cost if greater than £10</p>	<p>a) free to view on reception</p> <p>b) at cost if greater than £10</p>

Activity/service/legislation	Type	Current Fee	Fee/Charge/Fine 2018/19 £
<ul style="list-style-type: none"> <li>■ <b>Copy of Technical Reports inc Health &amp; Safety Accident / Investigation Report For External Bodies / Individuals/Food Purity Certificates/Legal Matters</b></li> </ul>	Admin fee	£ 80 minimum fee for first 2 hours and £40 per hour thereafter	£ 80 minimum fee for first 2 hours and £40 per hour thereafter
<u>RE-USE OF PUBLIC SECTOR INFORMATION REGULATIONS 2005</u> <ul style="list-style-type: none"> <li>■ <b>Re-use of public information for purposes other than its original purpose</b></li> </ul>	Licence fee	Fee charged on a site/information specific basis (in consultation with Chairman of Regulatory and Licensing Committee)	Fee charged on a site/information specific basis (in consultation with Chairman of Regulatory and Licensing Committee)
<u>PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984, PART III</u> <b>Disposal of Dead Bodies</b> <ul style="list-style-type: none"> <li>■ <b>Charge to deceased estate for reasonable administration charges for statutory duty works carried out.</b></li> </ul>	Admin fee	Fee charged on a case specific basis at officers time	Fee charged on a case specific basis at officers time
<u>THE HOUSING ACT 2004</u> <ul style="list-style-type: none"> <li>■ <b>Private Sector Housing enforcement action fee and - recharge of Officer time.</b></li> </ul>	Admin fee	£85 minimum fee (or cost of Officers time cost whichever is greater)	£85 minimum fee (or cost of Officers time cost whichever is greater)
<u>HOUSES IN MULTIPLE OCCUPATION LICENCE</u> <ul style="list-style-type: none"> <li>■ Premises</li> </ul>	Licence	£565 up to 5 bedchambers / units, and thereafter an extra £55 per bedchamber / unit up to a maximum of £4500.	£565 up to 5 bedchambers / units, and thereafter an extra £55 per bedchamber / unit up to a maximum of £4500.
<u>PRIVATE DRAINAGE WORKS</u> <ul style="list-style-type: none"> <li>■ This is for works undertaken in default</li> </ul>	Admin/ service fee	Fee charged at officers time subject to a maximum permitted by statute	Fee charged at officers time subject to a maximum permitted by statute



Activity/service/legislation	Type	Current Fee	Fee/Charge/Fine 2018/19 £																																													
<b><u>PRIVATE WATER SUPPLY WORKS</u></b>  ■ This is for a new work undertaken under the Private Water Supply Regulations 2009	Statutory Within a range of fines as prescribed by law	Cost up to the maximum permitted by statute (currently £500) and as prescribed below:  Risk Assessment - £500  Sampling - £100  Investigation each - £100  Granting per Authorisation - £100  Analysis (each) – <ul style="list-style-type: none"><li>■ Taken under Reg 10 – £25</li><li>■ Taken during checking - £100</li><li>■ Taken during audit monitoring - £500</li></ul>	Cost up to the maximum permitted by statute (currently £500) and as prescribed below:  Risk Assessment - £500  Sampling - £100  Investigation each - £100  Granting per Authorisation - £100  Analysis (each) – <ul style="list-style-type: none"><li>■ Taken under Reg 10 – £25</li><li>■ Taken during checking - £100</li><li>■ Taken during audit monitoring - £500</li></ul>																																													
<b><u>MOBILE HOMES ACT 2013</u></b>  ■ Annual Grant and Renewal of Site Licence	Licence	No change <table><tr><th colspan="3">Annual and Grant Licence Fees</th></tr><tr><th>Banding (number of pitches)</th><th>Grant Fee</th><th>Annual Fee</th></tr><tr><td>1</td><td>£245.00</td><td>Actual Cost</td></tr><tr><td>2-5</td><td>£475.00</td><td>£383.33</td></tr><tr><td>6-24</td><td>£615.00</td><td>£523.33</td></tr><tr><td>25-99</td><td>£1027.50</td><td>£935.83</td></tr><tr><td>100-199</td><td>£1341.67</td><td>£1250.00</td></tr><tr><td>200+</td><td>£1739.17</td><td>£1647.50</td></tr><tr><th colspan="3">Other chargeable fees</th></tr><tr><th>Description of other fee</th><th colspan="2">Fee</th></tr><tr><td>Transfer of Licence</td><td colspan="2">Actual Cost</td></tr><tr><td>Alteration of conditions on existing licence</td><td colspan="2">Actual Cost</td></tr><tr><td>Amendment of existing licence</td><td colspan="2">Actual Cost</td></tr><tr><td>Enforcement Action</td><td colspan="2">Actual Cost</td></tr><tr><td>Depositing, varying or deleting site rules</td><td colspan="2">£60</td></tr></table>		Annual and Grant Licence Fees			Banding (number of pitches)	Grant Fee	Annual Fee	1	£245.00	Actual Cost	2-5	£475.00	£383.33	6-24	£615.00	£523.33	25-99	£1027.50	£935.83	100-199	£1341.67	£1250.00	200+	£1739.17	£1647.50	Other chargeable fees			Description of other fee	Fee		Transfer of Licence	Actual Cost		Alteration of conditions on existing licence	Actual Cost		Amendment of existing licence	Actual Cost		Enforcement Action	Actual Cost		Depositing, varying or deleting site rules	£60	
Annual and Grant Licence Fees																																																
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Enforcement Action	Actual Cost																																															
Depositing, varying or deleting site rules	£60																																															
<b><u>SCRAP METAL DEALERS ACT 2013</u></b>  ■ Site Licence ■ Collectors Licence	Licence	£377 £248 Levels set by Cabinet	£377 £248 Levels set by Cabinet																																													
<b><u>ANTI-SOCIAL BEHAVIOUR, CRIME and POLICING ACT 2014</u></b>  ■ Fixed Penalty Notices	Statutory Within a range of fines as prescribed by law	£100 Levels set by Cabinet	£100 Levels set by Cabinet																																													

Activity/service/legislation	Type	Current Fee	Fee/Charge/Fine 2018/19 £
<b><u>SMOKE AND CARBON MONOXIDE ALARM (England) REGULATIONS 2015</u></b>  ■ Penalty Charge Notice	Statutory Within a range of fines as prescribed by law	1 <sup>st</sup> Offence £2500  Subsequent offence £5000	1 <sup>st</sup> Offence £2500  Subsequent offence £5000
■ <b><u>ENTERPRISE &amp; REGULATORY REFORM ACT 2013- The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014</u></b>  <b>Letting Agent Redress Scheme</b>  ■ Monetary Penalty	Statutory within a range of fines as prescribed by law	1 <sup>st</sup> Offence £2500  Subsequent offence £5000	1 <sup>st</sup> Offence £2500  Subsequent offence £5000
<b><u>WORKS IN DEFAULT OF NOTICE</u></b>  ■ Interest rate applied to charges place on the local land charges register	Debt annual interest	Bank of England base rate plus 2%	Bank of England base rate plus 2%
<b><u>RADAR KEYS</u></b>  ■ Cost per key £3.00	Fee	£10.00	£10.00

Activity/service/legislation	Type	Current Fee	Fee/Charge/Fine 2018/19 £
<b><u>STREET TRADING (Not Market Stalls)</u></b>  <b>LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982</b>  ■ Annual Based on daily fee 5 days worked per week, 50 weeks a year  Seasonal Roaming Trading (e.g. ice cream vans)  ■ Temporary Fee: - per day  ■ Special Event Fee: - per day	Consent  Consent  Consent	£1881.00 (daily equivalent of £ 7.53)  £157 per month  £43 for 1 day. Extra days £22 per day (within same financial year as first day if booked at same time )  £33 for 1 day. Extra days £13 per day (within same special event if booked at the same time)	£1881.00 (daily equivalent of £ 7.53)  £157 per month  £43 for 1 day. Extra days £22 per day (within same financial year as first day if booked at same time )  £33 for 1 day. Extra days £13 per day (within same special event if booked at the same time)
<b><u>Primary Authority</u></b> Cost of providing an officer to administer a Primary Authority Agreement	Fee	Fee is calculated on actual cost basis - full cost recovered	Fee is calculated on actual cost basis - full cost recovered
<b><u>Food Hygiene Rating Scheme</u></b> ■ Re-rating visit	Fee	New Fee	£165

**Charging table for determining the value of Financial Penalties imposed under Housing Act 2004**

<b>Failure to comply with an Improvement Notice (Section 30)</b>		£
1st offence	(note 1)	5000
2nd subsequent offence by same person/company	(note 2)	15000
Subsequent offences by same person/company	(note 7)	25000
<b>Premiums (use all that apply)</b>		
Acts or omissions demonstrating high culpability	(note 8)	+2500
Large housing portfolio (10+ units of accommodation)	(note 3)	+2500
Multiple Category 1 or high Category 2 Hazards	(note 4)	+2500
Vulnerable occupant and/or significant harm occurred as result of housing conditions	(note 5)	+2500
Perpetrator demonstrates Income to be less than £440/week	(note 6)	-50%

<b>Offences in relation to licensing of HMOs under Part 2 of the Act (Section 72)</b>		£
Failure to obtain property Licence (section 72(1))	(note 1)	10000
2nd subsequent offence by same person/company	(note 2)	30000
Perpetrator demonstrates Income to be less than £440/week	(note 6)	-50%
<b>Breach of Licence conditions (Section 72(2) and (3)) - Per licence breach</b>		5000
Perpetrator demonstrates Income to be less than £440/week	(note 6)	-50%

<b>Offences in relation to licensing of HMOs under Part 3 of the Act (Section 95)</b>		£
<b>Failure to Licence (section 95(1))</b>	(note 1)	10000
2nd subsequent offence by same person/company	(note 2)	30000
Perpetrator demonstrates Income to be less than £440/week	(note 6)	-50%
<b>Breach of Licence conditions (Section 95(2)) - Per licence breach</b>		5000
Perpetrator demonstrates Income to be less than £440/week	(note 6)	-50%

<b>Offences of contravention of an overcrowding notice (section 139)</b>		£
1st relevant offences	(note 1)	5000
2nd subsequent offence by same person/company	(note 2)	15000
<b>Premiums (use all that apply)</b>		
Acts or omissions demonstrating high culpability	(note 8)	+2500
Vulnerable occupant and/or significant harm occurred as result of overcrowding	(note 3)	+2500
Perpetrator demonstrates Income to be less than £440/week	(note 6)	-50%

<b>Failure to comply with management regulations in respect of HMOs (Section 234)</b>		£
1 <sup>st</sup> relevant offences	(note 1)	1000/offence

Second subsequent offences by same person/company for the same offence	3000/offence
<b>Premiums (use all that apply)</b>	
Acts or omissions demonstrating high culpability (note 8)	+2500
Large housing portfolio (10+ units of accommodation) (note 3)	+2500
Vulnerable occupant and/or significant harm occurred as result of housing conditions (note 5)	+2500
Perpetrator demonstrates Income to be less than £440/week (note 6)	-50%

## NOTES

### Note 1 – Offences that may be dealt with by way of imposing a financial penalty

The starting point for a financial penalty is based on the number of previous convictions or imposition of a financial penalty for the same type of offence in the previous four years.

After the starting point has been determined, relevant Premiums are added to the starting amount to determine the full financial penalty to be imposed

No single financial penalty may be over £30,000. Where the addition of all relevant premiums would put the penalty above the maximum, it shall be capped at £30,000

### Note 2 - 2nd subsequent offence by same person/company

The Council will take into account any such convictions or financial penalties irrespective of the locality to which the offence relates.

### Note 3 - Large housing portfolio (10+ units of accommodation)

The premium is applied where the perpetrator has control or manages of 10 or more units of accommodation.

For the purposes of this premium, the definition of a person having control and person managing are as defined by Housing Act 2004 Section 263.

### Note 4 - Multiple Category 1 or high Category 2 Hazards

This premium will apply where the failure to comply with the Improvement Notice relates to three or more Category 1 or high scoring Category 2 hazards associated with different building deficiencies. For the avoidance of doubt this means that where two hazards are present but relate to the same property defect, they are counted as one hazard for purposes of this calculation.

For the purpose of this premium, a high scoring category 2 hazard is defined as one scored following the Housing Health and Safety Rating System as “D” or “E”.

### Note 5 - Vulnerable occupant and/or significant harm occurred as result of housing conditions

This premium will be applied once if either the property is occupied by a vulnerable person or if significant harm has occurred as a result of the housing conditions.

For purposes of this premium a vulnerable person is defined as someone who forms part of a vulnerable group under Housing Health and Safety Rating System relating to hazards present in the property or an occupant or group of occupants considered by the Council to be at particular risk of harm that the perpetrator ought to have had regard.

For purposes of this premium, significant harm is defined as physical or mental illness or injury that corresponds to one of the four classes of harm under the Housing Health and Safety Rating System Operating Guidance.

At the time of publication this document can be found at [www.gov.uk](http://www.gov.uk) and a summary table is below.

Hazard	Vulnerable age group (age of occupant)
Damp and mould growth	14 and under
Excess Cold	65 or over
Excess Heat	65 or over
Carbon Monoxide	65 or over
Lead	under 3 years
Personal Hygiene, Sanitation and Drainage	under 5 years
Falls associated with baths etc.	60 or over
Falling on level surfaces etc.	60 or over
Falling on stairs etc.	60 or over

falling between levels	under 5 years
Electrical hazards	under 5 years
Fire	60 or over
Flames, hot surfaces etc.	under 5 years
Collision and entrapment	under 5 years
Collision and entrapment - low headroom	16 or over
Position and operability of amenities etc.	60 or over

**Note 6 - Perpetrator demonstrates Income to be less than £440/week**

This premium will be applied after all other relevant premiums have been included and if applicable will reduce the overall financial penalty by 50%.

To be applicable, the person served by the Notice of Intent must provide sufficient documented evidence of income.

The figure of £440/week is to be calculated after omission of income tax and national insurance.

The Council reserves the right to request further information to support any financial claim, and where this is incomplete or not sufficiently evidenced may determine that the premium should not be applied.

**Note 7 - Previous history of non-compliance with these provisions**

This premium is applied where there has been a conviction or imposition of a financial penalty for the same type of offence in the previous four years.

The Council will take into account any such convictions or financial penalties irrespective of the locality to which the offence relates.

**Note 8 – Acts or omissions demonstrating high culpability**

This premium will be applied where, the person to which the financial penalty applies, acted in a reckless or deliberate manner in not complying with the statutory notice or previous relevant formal advice.

## Licensing Fees - Licensing Act 2003 Premises Licences

Each premises that is licensable will be allocated to a fee band according to rateable value. Please note that exemptions may apply.

RATEABLE VALUE	BAND
No rateable value to £4,300	A
£4,301 to £33,000	B
£33,001 to 87,000	C
£87,001 to £125,000	D
£125,001 and above	E

### Application & Full Variation

BAND	FEE
A	£100
B	£190
C	£315

D	£450
E	£635

A multiplier applied to premises in bands D and E where they are exclusively or primarily in the business of selling alcohol (mainly large town and city centre pubs).

Band	D (x 2)	E (x 3)
City/town centre pub application fee	900	1905
City/town centre pub annual charge	640	1050

## Exemptions

In respect of an application under section 17 (application for new premises licence), section 34 (application to vary premises licence), section 71 (application for new club premises certificate) or section 84 (application to vary club premises certificate) which relates to the provision of regulated entertainment only, no fee shall be payable and accompany the application where the premises is a school or a college and the provision of regulated entertainment on the premises is carried out by the educational institution for and on behalf of the purposes of the educational institution or the application is in respect of premises that are or form part of a church hall, chapel hall or other similar building or a village hall, parish hall or community hall or other similar building. In addition, no annual fee will apply to these premises.

Annual fee – payable one year after the grant of the licence.

BAND	FEE
A	£70
B	£180
C	£295
D	£320
E	£350

## Exceptionally Large Events

Number in attendance at any one time	Additional fee
5,000 to 9,999	£1,000
10,000 to 14,999	£2,000
15,000 to 19,999	£4,000
20,000 to 29,999	£8,000
30,000 to 39,999	£16,000
40,000 to 49,999	£24,000
50,000 to 59,999	£32,000
60,000 to 69,999	£40,000
70,000 to 79,999	£48,000

80,000 to 89,999	£56,000
90,000 and over	£64,000

### Personal Licences, Temporary Events and Other Fees

Application for a grant or renewal of personal licence	£37.00
Temporary event notice	£21.00
Theft, loss, etc. of premises licence or summary	£10.50
Application for a provisional statement where premises being built, etc.	£195.00
Notification of change of name or address	£10.50
Application to vary licence to specify individual as premises supervisor	£23.00
Application for transfer of premises licence	£23.00
Interim authority notice following death etc. of licence holder	£23.00
Theft, loss etc. of certificate or summary	£10.50
Notification of change of name or alteration of rules of club	£10.50
Change of relevant registered address of club	£10.50
Theft, loss etc. of temporary event notice	£10.50
Theft, loss etc. of personal licence	£10.50
Duty to notify change of name or address	£10.50
Right of freeholder etc. to be notified of licensing matters	£21.00
Minor Variation of Premises Licence or Club Certificate	£89.00
Application to vary a Premises Licence to include alternative licence condition where the only variation sought is the inclusion of the alternative licence condition	£23.00



## Gambling Act 2005 Table of Fees

	Fast-Track Application	Non Fast-Track Application	New Application	Annual Fee	Application to Vary	Application to Transfer	Application Provisional Statement	Provisional Application	Notification Of Change	Copy Licence	Re-instatement
<b>Adult Gaming Centre</b>	£300	£1,000	£2,000	£1,000	£1,000	£1,200	£2,000	£1,200	£50	£25	£1,200
<b>Family Entertainment Centre</b>	£300	£1,000	£2,000	£750	£1,000	£950	£2,000	£950	£50	£25	£950
<b>Betting Premises</b>	£300	£1,500	£3,000	£600	£1,500	£1,200	£3,000	£1,200	£50	£25	£1,200
<b>Bingo Club</b>	£300	£1,750	£3,500	£1000	£1,750	£1,200	£3,500	£1,200	£50	£25	£1,200
<b>Tracks</b>	£300	£1,250	£2,500	£1000	£1,250	£950	£2,500	£950	£50	£25	£950

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**REGULATORY AND LICENSING COMMITTEE  
WORK PROGRAMME FOR 2017-18**

<b>Item</b>	<b>4 JULY 2017</b>	<b>2 OCT 2017</b>	<b>6 FEB 2018</b>	<b>Purpose of the Report</b>	<b>Lead</b>
Air Quality Action Plan	✓			To agree Action Plan	GD
Environmental Health 2018/19 Fees & Charges			✓	To agree the schedule of fees and charges for EH functions during 18/19	GD
Street collections 2017		✓			GD
New enforcement measures to tackle 'rogue landlords'		✓			JT
Street Trading Policy - review			✓		GD/JR
Environmental Crime Strategy	✓				GD
Health and Safety Law Enforcement Plan			✓		GD
Taxi Licensing Policy			✓		GD
Food Service Delivery Plan			✓		GD

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