



**WYRE FOREST  
DISTRICT COUNCIL**

**LICENSING AND ENVIRONMENTAL  
COMMITTEE**

**A G E N D A**

**Date: Monday, 23<sup>rd</sup> May, 2005**

**Time: 10.30 a.m.**

**Venue: Earl Baldwin Suite  
Duke House  
Kidderminster**

**Where there is a site visit, Members of the Committee are asked to note the arrangements as set out in a separate memorandum.**

## LICENSING AND ENVIRONMENTAL COMMITTEE

### Members of Committee:

**Please note that the members of the Committee and its Chairman and Vice-Chairman will be appointed at the Council's Annual Meeting on the 18<sup>th</sup> May 2005.**

### Information for Members of The Public:-

**Part I** of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

**Part II** of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

**Delegation** - All items are presumed to be matters which the Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply an appropriate indication will be given at the meeting.

### DECLARATIONS OF INTEREST - GUIDANCE NOTE

#### Code of Conduct

Members are reminded that under the Code of Conduct it is the responsibility of individual Members to declare any personal or personal and prejudicial interest in any item on this agenda. A Member who declares a personal interest may take part in the meeting and vote, unless the interest is also prejudicial. If the interest is prejudicial, as defined in the Code, the Member must leave the room. However, Members with a prejudicial interest can still participate if a prescribed exception applies or a dispensation has been granted.

#### Section 106 of the Local Government Finance Act 1992.

If any Member is two months or more in arrears with a Council Tax payment, they may not vote on any matter which might affect the calculation of the Council Tax, any limitation of it, its administration or related penalties or enforcement.

### For further information:-

**If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Mrs. S.A. Fleming, Elections/Committee Officer, Civic Centre, Stourport-on-Severn. Telephone No: 01562 732739 or email [stella.fleming@wyreforestdc.gov.uk](mailto:stella.fleming@wyreforestdc.gov.uk).**

# **A G E N D A**

## **PART 1**

### **Open to the Press and Public**

#### **1. APOLOGIES FOR ABSENCE**

#### **2. APPOINTMENT OF SUBSTITUTE MEMBERS**

To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Head of Legal and Democratic Services together with the name of the Councillor for whom he/she is acting.

#### **3. DECLARATION OF INTERESTS**

In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any personal or personal and prejudicial interests in the following agenda items. Members should indicate the action they will be taking when the item is considered.

Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992.

(See guidance note on cover.)

#### **4. MINUTES**

To confirm the Minutes of the meeting held on 24<sup>th</sup> January, 2005.

(Pages 1 – 3)

#### **5. PUBLIC ENTERTAINMENTS LICENCES – APPLICATION FOR RENEWAL – BAR ST MARTIN'S, YORK STREET, STOURPORT ON SEVERN**

To consider the report of the Head of Planning, Health and Environment.

(Pages 4 - 57)

#### **6. HEALTH AND SAFETY SERVICE PLAN**

To consider the report of the Head of Planning, Health and Environment.

(Pages 58 - 67)

#### **7. TO CONSIDER ANY OTHER BUSINESS, DETAILS OF WHICH HAVE BEEN COMMUNICATED TO THE HEAD OF LEGAL AND DEMOCRATIC SERVICES BEFORE THE COMMENCEMENT OF THE MEETING, WHICH THE CHAIRMAN BY REASON OF SPECIAL CIRCUMSTANCES CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING.**

## **8. EXCLUSION OF THE PRESS AND PUBLIC**

If necessary, to consider passing the following resolution:

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in the relevant paragraph(s) of Part 1 of Schedule 12A to the Act”

## **PART 2**

There are no items in this part of the Agenda.



Members raised questions relating to the value of the services and the charges made and were informed by officers that all fees are based on administration and enforcement costs. It was also confirmed that a Local Authority should not make a profit from such charges.

**RECOMMENDED to Council that the proposed increased in fees and charges as proposed for the year 2005/2006 be approved.**

**CM.677 APPLICATION FOR GRANT A HACKNEY CARRIAGE VEHICLE LICENCE – MR. P.C.R. YARDLEY**

The Committee considered the report of the Head of Planning, Health and Environment with regard to an application that had been received from Mr. P.C.R. Yardley, for the grant of a hackney carriage vehicle licence. This application related specifically to the use of such a vehicle as a taxi bus.

The applicant was not present at the meeting.

The Committee considered this application in light of the fact that this Council has a policy of restricting the number of hackney carriage vehicle licences that it issues and that a survey of unmet demand was currently being undertaken. The results of this survey would be received by the 31<sup>st</sup> March 2005.

There was a general discussion among members of the committee and it was felt that no further additional licences should be issued because of the current policy and it was noted that the Council had recently commissioned a survey of unmet demand to bring its policy up to date.

The Solicitor gave verbal and written advice with regard to the Council's policy and the need to take into account such policy when making a decision.

Members requested that information be provided on the proportion of hackney carriage and private hire vehicles licensed by authorities within Worcestershire and other neighbouring authorities.

**DECISION: the application be refused in accordance with current Council Policy, the Committee being satisfied that there was no evidence of significant demand which was unmet.**

**CM.678 APPLICATION FOR GRANT A HACKNEY CARRIAGE VEHICLE LICENCE – MESSRS. S. AHMED, T. JEAUVONS AND M. HUSSAIN**

The Committee considered the reports of the Head of Planning, Health and Environment on the applications received from Messrs. S. Ahmed, T. Jeavons and M. Hussain for the grant of a hackney carriage vehicle licence.

**DECISION: the applications be refused in accordance with current Council Policy, the Committee being satisfied that that there was no evidence of significant demand which was unmet.**

The meeting ended at 11.20 a.m.

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WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

23<sup>RD</sup> MAY 2005

**Application to Renew a Public Entertainment Licence**

<b>RESPONSIBLE OFFICER:</b>	<b>DEAN of Planning, Health and Environment</b>
<b>CONTACT OFFICER:</b>	<b>Brian Kent Ext. 2593 Brian.Kent@wyreforestdc.gov.uk</b>
<b>APPENDICES</b>	Public Entertainment Licence (Appendix A) Letter received from Mrs Arrowsmith (Appendix B) Letter from Mr G (Appendix C) Letter from Mr M Crump (Appendix D) Complaint from Mrs D (Appendix E) Plan of Bar St Martin's (Appendix F) Site Plan of Bar St Martin's/York St. (Appendix G) Summary of Acoustic Report (Appendix H) Officers Inspection Report (Appendix I) Copy of Advertisement (Appendix J) Copy of Police Report (Appendix K) Communication from Mr G (Appendix L)

**1. PURPOSE OF REPORT**

- 1.1 To consider an application made by Mr Martin Crump to renew a Public Entertainment Licence in respect of Bar St Martin's York Street, Stourport on Severn.

**2. RECOMMENDATION**

**The Committee is asked to DECIDE:**

- 2.1 That the committee considers the Application.

**3. BACKGROUND**

- 3.1 Mr Crump was granted a Public Entertainment's Licence on the 13<sup>th</sup> December 2004 which permits the provision of music, singing, and dancing, and entertainment of a like kind at Bar St Martins, York Street, Stourport on Severn.

- 3.2 The premises operate on:

- Mondays, Tuesdays and Wednesdays between 11.00 am and 12.00 midnight.
- On Fridays including (Good Fridays) and Saturdays between 11.00 am – 2.00 am



- On Sundays 12.00 noon – 12.00 midnight.

3.3 A copy of the Public Entertainment Licence is attached (Appendix A).

3.4 The Public Entertainment Licence expired on The 31<sup>st</sup> March 2005, and Mr Crump has applied to renew it from the 1<sup>st</sup> April 2005, in accordance with administrative procedures approved by the Council.

3.5 The premises may operate with entertainment until the Licence is determined.

#### **4. FACTORS TO BE CONSIDERED**

##### **Objection**

4.1 An objection to Mr Crump renewing the Public Entertainment Licence has been made by Mrs Arrowsmith a resident of Waterfront View, York Street.

4.2 She lives in an apartment located near Bar St Martin's.

4.3 She complains of noise after midnight from the premises and finds the loud music very disturbing. (Letter at Appendix B)

#### **5. COMPLAINTS**

5.1 Mr G has an apartment which is situated at the rear of Bar St Martin's.

5.2 He has written various letters of complaint to the Council about noise pollution from these premises since the grant of Licence in December 2004. (Letter at Appendix C).

5.3 He is particularly concerned about loud music on Friday and Saturday nights, which continues until after midnight.

5.4 He is also concerned about the use of a ground floor Pool Room within Bar St Martin's, where table tennis is played, and noise is transmitted to his bedroom.

5.5 **NB.** Mr G is not opposing the renewal of the Public Entertainment Licence

5.6 Mr Crump has been made aware of Mr G's problems and has agreed to supply and fit insulation inside his Apartment. This work has already started (Letter at Appendix D).

5.7 Mrs D is a lady resident at the rear of Bar St Martins.

5.8 Since December 2004, she has complained about noise from Bar St Martins, usually arising when the side door fire exit is opened during times of Public Entertainment allowing breakout of loud music.

5.9 She also complains about customers on leaving the premises (File Note Appendix E).

#### **6.0 LOCATION OF BAR ST MARTIN'S RELATIVE TO RESIDENCES**

6.1 A plan of Bar St Martins is attached (Appendix F).

6.2 A site plan plotting the location of residences is attached Appendix G.

## **7.0 RELATIVE COUNCIL POLICY**

7.1 This Council has a policy which requires Officers to refer Objections received from the Public in respect of Public Entertainment Licences to the Licensing and Environmental Committee.

## **8.0 RELEVANT ISSUES**

8.1 Prior to the grant of the Public Entertainment Licence being determined, a Noise Impact Assessment in respect of the premises was commissioned by Mr Crump and published by Consultants SPL Acoustics, from tests made on the 12<sup>th</sup> May 2004. A Summary is attached at Appendix H.

8.2 This assessment did not recognise the existence of the apartment in York Street owned by Mr G and assumed that all the property above the bar belonged to the applicant.

8.3 Mr G spends considerable time abroad and was not residing at York Street during the time of the original application.

## **9.0 NOISE IMPACT ASSESSMENT SUMMARY**

9.1 The assessment showed that the current construction needed to be improved in order to hold live entertainment in the bar.

9.2 The report stated that remedial treatment at the premises should include: -

- Lobby door system at the front of the premises.
- Minimise all areas of glazing.
- Double-glaze all windows including those at the front of the bar as well as the proposed skylight. A glazing specification of 10mm laminated glass. A 10mm gap followed by another glass pane of 6mm is recommended.
- All existing ventilation conduits should be removed and bricked up (alternative means of ventilation should be considered).
- All fire exit doors must be well fitted with rubber gaskets to achieve a good seal all around the doors.
- The bar ceiling attenuation should be improved by incorporating an independent ceiling system.
- The lobby in between the toilet area and the live entertainment area should have a higher specification walls as well as good fitting door separating the two areas.
- A distributed sound system will allow focused lower sound levels over the entire venue without recourse to single large high volume source of amplification.

9.3 Mr Crump commenced the schedule of work and completed the programme in December 2004.

9.4 On the 10<sup>th</sup> December 2004, Environmental Health Officers visited the premises and approved the work, and reported such progress that there was no objection to the grant of the Public Entertainment Licence listed for hearing before the Licensing and Environmental Committee. (Inspection Report Appendix I)

## **10.0 ENTERTAINMENT AT BAR ST MARTIN'S**

10.1 An example of entertainment available at Bar St Martin's is advertised in the Kidderminster Shuttle and is typical of that usually provided at the week ends (Copy of Advertisement at Appendix J).

## **11.0 POLICE RECOMMENDATIONS**

11.1 The Police Licensing Officer reports that there are no grounds to oppose the renewal of the Public Entertainment Licence at Bar St Martin's and they are not objecting to the renewal of the licence. (Copy of report at Appendix K).

## **12.0 NOISE POLLUTION ASSESSMENT**

12.1 Following complaints of noise pollution, Officers have visited Bar St Martin's to assess noise impact during times of Entertainment.

12.2 The noise levels within Mr G's apartment have given rise for concern but Mr Crump has agreed a schedule of works to mitigate the effect of any entertainment noise.

12.3 This would have been asked for as part of the original application had officers been aware that part of the property was in separate ownership.

12.4 Observations to date have indicated no evidence of any serious noise breakout into the street.

12.5 Remedial work asked for as part of the original application, as recommended by the acoustic consultant was carried out and appears to have been generally effective.

12.6 The effectiveness of the noise attenuation work to Mr G's property will be assessed upon his return from Zambia.

12.7 Council Officers have found no evidence that the side fire exit is regularly open and with respect to noise and disturbance from customers.

12.8 The Police have not objected.

12.9 Mrs Arrowsmith's objection is currently unsubstantiated, but is being treated as an ongoing complaint. The problems highlighted have not been confirmed by Council Officers.

12.10 Whilst Mr G's problems are substantiated, he has withdrawn notice of objection. (Copy of Instruction at Appendix L).

12.11 Mrs D's complaint is unsubstantiated with respect to doors being left open resulting in noise breakout.

## **13.0 MEDIATION WITH LICENSEE**

13.1 Mr Crump has been informed of all complaints after they have been reported to the Council.

13.2 Licensing Officers have visited to investigate all complaints at various times during performance.

13.3 Mr Crump has been informed that an objection has been made in respect of the renewal application for Public Entertainment Licence.

#### **14.0 ANALYSIS'S OF ISSUES**

14.1 Mr G has now left his home on a temporary basis to take up work.

14.2 Mr Crump has agreed to insulate Mr G's apartment whilst he is away to provide an acceptable standard of noise attenuation.

14.3 When Mr G returns if the insulation work is not acceptable Mr G may take up his complaint again and if it is found to be justified further action can be taken either through the licensing conditions, or under Noise Nuisance, Environmental Protection Act 1990.

14.4 The Police Licensing Officer has researched the operational data for Bar St Martins and report that there are no grounds of concern to oppose the renewal of the Public Entertainment Licence.

#### **15.0 LEGAL ASPECTS**

15.1 Mr G's complaint is the only complaint which can be substantiated, but he has stated that he does not wish to oppose the renewal of the Public Entertainment Licence.

15.2 He is awaiting the completion of works to his property and an assessment will be made by him upon his return from abroad.

15.3 Complaints of noise in the street, and of areas in the Bar St Martin's not connected with the Entertainment, (Noise from the use of the table tennis table, and noise from the electric beer coolers are not a subject of control under the terms of the Public Entertainment Licence.

15.4 Strictly speaking Mrs. D's complaint is not an objection to the Licence and the matter could have been dealt with by officers under delegated powers. However, considering the number of complaints and the location of the property officers consider it appropriate that committee has the opportunity to consider the application and if approved consider what extra conditions, if any, they may wish to apply if in their opinion evidence indicated that noise problems are occurring.

#### **16.0 CONCLUSION**

16.1 There are no grounds to refuse the renewal of the Public Entertainment Licence at bar St Martin's.

#### **17.0 CONSULTEES**

17.1 Director of Planning Health and Environment.

17.2 Head of Legal and Democratic Services.

## 18.0 **BACKGROUND PAPERS**

18.1 None.

12.5.05

WYRE FOREST DISTRICT COUNCIL  
**HEALTH AND SAFETY SERVICE PLAN**  
**TO APRIL 2006**

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13. REVIEW

1. **SERVICE AIMS AND OBJECTIVES**

- 1.1 To meet statutory responsibilities in a cost effective and responsible manner in accordance with the Health and Safety Commission (HSC) guidance to local authorities on section 18 (4) of the Health and Safety at Work Act 1974 and advice given by the Health and Safety Executive (HSE) and Local Authorities Enforcement Liaison Committee (HELA).
- 1.2 It is the council's aim to protect the health, safety and welfare of people at work in Wyre forest and to safeguard others, principally members of the public, who may be exposed to risks from the way the work is carried out.

- 1.3 To advise and educate businesses, employers and employees and other service users on Health and Safety matters. This includes assisting businesses to comply with legal obligations.
- 1.4 To respond to complaints about workplaces and to investigate workplace accidents.
- 1.5 To increase public awareness of health and safety Issues through training, campaigns and advice in line with The Health and Safety Commissions campaign on revitalising health in the workplace.

## 2.0 **LINKS TO CORPORATE AIMS**

- 2.1 The council has developed a vision statement, which is to build a better future.  
To help achieve the vision the Health and Safety section have identified the need to raise health and safety awareness across business sectors and so meet the HSC revitalising strategy to reduce workplace accidents.  
This service plan cross links to other plans that support the corporate aims and priorities including:

- The food team Service Plan
- Divisional Business Plan
- Health objectives of the Council's Local Strategic Partnerships Community Strategy
- Wyre Forest Primary Care Trust Local Health Delivery Plan
- Wyre Forest District Council Corporate Plan
- The Council's Policies on Equal Opportunities and Race

## 3.0 **BACKGROUND**

- 3.1 **Profile of the Local Authority**  
The Wyre Forest District lies at the northern most tip of Worcestershire to the south and west of the West Midland conurbation. South Staffordshire, Dudley, Bromsgrove, Wychavon, Malvern Hills, Herefordshire and South Shropshire bound it.
- 3.2 The district covers a large rural area of 19,571 hectares and has a population of approximately 98,000 with the main towns being Kidderminster 54,600, Stourport on Severn 18,700 and Bewdley 9000.
- 3.3. The Wyre Forest District is a mixed urban and rural district with the majority of the population living within the 3 main towns. Kidderminster is an industrial centre, which was once almost entirely based on carpet manufacture.

- 3.4 Much diversification has take place over the last 10 – 15 years; in part brought about by the decline in carpet manufacture and the need for alternative employment.

#### 4.0 **ORGANISATIONAL STRUCTURE**

4.1 Health and Safety Services are delivered by the Food and Health and Safety team based within the Environmental Health and Licensing section located within the Planning, Health and Environment Division. A chart showing the organisational structure is shown at appendix 1.

#### 4.2 **Scope of the Health and Safety Service**

- Inspect commercial premises according to H.S.C. guidance to ensure compliance with the Health and Safety at Work etc Act 1974 and its associated regulations.
- Respond to complaints and requests for advise relating to Health and Safety and to any complaints, which may be lodged against members of staff or the LA itself.
- Investigate complaints regarding poor health and safety and Safety Standards.
- Provide advice and where appropriate training to businesses in relation to health and safety.
- Raise public awareness of Health and Safety through advice and promotions.
- Investigate accidents in local authority enforced premises and keep suitable records.

Some parts of the service are non-statutory, such as health and safety education and promotion. The 'discretionary' services do, however, complement and reinforce the Council's overall objectives of protecting public health and therefore add value to the service as a whole.

The Health and Safety Service is delivered by the Planning, Health and Environment Division which has a complementary enforcement role to that of HSE. The service also works in association with the Local Authority Liaison Officer at HSE and other local authorities within Hereford and Worcester to deliver local and national initiatives.

In certain circumstances the Health and Safety Service has a complementary enforcement role with other agencies such as the Fire Brigade and the Police, and we will work together pro-actively to minimise risks to public health and safety, and in a reactive manner to find the most appropriate way of securing a remedy for any infringement.



## 5.0 **DEMANDS ON THE HEALTH AND SAFETY SERVICE**

5.1 As of February 2005 there were a total of ...2,163...premises within the district subject to local authority inspection. HELA 67/1 (rev2) fall into the high hazard/risk categories of A to B4 with C being the lowest hazard/risk group. Category A requires inspection at 12 month intervals, Categories B1-B4 at 2 yearly to 5 yearly respectively Category C premises require inspecting every 6 years and should be kept under review to ensure their risk rating is maintained, but they can be effectively targeted using other contact techniques such as mail shot, telephone or seminars. The district currently has:

A = 12 months

B1 = 18 months

B2 = 24 months

B3 = 36 months

B4 = 48 months

C = every 5 years with special consideration given to targeted approach to specific sectors.

Unclassified = Will be inspected, targeted to get them all on system with a risk rating.

5.2 The service deals with Health and Safety at a large part of the West Midlands Safari Park, Bewdley.

5.3 The service is delivered through the Planning, Health and Environment Division based at Duke House, Clensmore Street, Kidderminster and operates 9.00 am to 5.00 p.m. Monday to Friday. In the event of a major incident or accident, there are arrangements for contacting senior officers outside of normal office hours.

## 6.0 **ENFORCEMENT POLICY**

6.1 The Authority's Health and Safety Enforcement Policy was approved in January 2003 and is reviewed annually.

6.2 The HSC expects local authorities to ensure that their approach to enforcement is consistent with current H.S.C. policy, which includes:

- Prioritised Inspection Planning
- The production of a service plan including the investigation of accidents and complaints
- The requirement to undergo audit and develop an action plan
- The provision of a trained and competent inspectorate
- Use of the Enforcement Management Model
- Requirement in respect of lead authority partnership schemes.

## 7.0 **SERVICE DELIVERY**

### 7.1 **Health and Safety Inspections**

It is our policy to attempt to inspect premises as they become due for inspection in accordance with the section's inspection programme. The HELA Inspection rating system is used to prioritise and determine the frequency of planned inspections.

The HSE/HELA Strategic Plan 2001 – 2004 sets out in detail the issues to which Local Authorities should have regard when carrying out their preventative inspections and should also provide a consistent inspection Agenda for both HSE and Local Authority Inspectors.

HELA advice (LAC 40/5) is that programmes should be developed to tackle the following priority hazards:

- Slips and trips
- Workplace transport
- Musculoskeletal disorders
- Work related stress
- Falls from heights

For the Commission's other priority programmes Local Authorities are asked where appropriate to target:

- asbestos management in buildings
- asbestos stripping operations
- Health and Safety in catering
- Royal Mail

### 7.2 The Key objectives of the Environmental Health team in relation to health and safety enforcement during 2005/ 2006 are:-

- To undertake 100% of A and B1 programmed health and safety inspections, in accordance with the Hela Lac 67/1 rev2.
- To investigate all fatal and major accidents (where selected as requiring investigation in accordance with Hela selection criteria within 3 working days. All other accidents to be investigated within 10 days.
- To ensure 90% of requests for service and other statutory notifications are responded to within 3 working days

- To provide advice to businesses and members of the public in Wyre Forest with respect to workplace health and safety.

## 8.0 **HEALTH AND SAFETY COMPLAINTS**

- 8.1 The section receives approximately ...100... complaints a year relating to Health and Safety together with approximately ...60.... Requests for advice and information.
- 8.2 Up until March 2004 from March 2005 there were a total of ...76...workplace accidents reported to the section. All reported accidents are investigated a decision is made as to whether a full investigation needs to be carried out based on the priority topics the seriousness of the incident and the premises history, Any decisions not to investigate are recorded on file along with supporting evidence.

## 9.0 **LEAD AUTHORITY PRINCIPLE**

- 9.1 We currently have no premises in the Wyre Forest Area, which we have adopted lead authority with. However, we have adopted the principal in our approach to complaints, and accidents in dealing with head offices we will notify the Lead authority.

## 10.0 **ADVICE, LIAISON AND PROMOTION**

- 10.1 We encourage businesses to contact us for advice and whenever possible we will help them by:

- Issuing general advice
- Providing verbal advice during routine visits and inspections
- Answering questions
- We have engaged stakeholders in joint initiatives with the Health and safety Executive

The Division carries a range of guidance booklets and leaflets, which are available and freely distributed to businesses on request and at the time of inspections.

- 10.2 All advice and enforcement is carried out with due regard to the guidance published by HSE and HELA. In addition to this officers attend the Hereford and Worcester Health and Safety Liaison group which represents the other District and Unitary Authorities and the Health and Safety Executive.
- 10.3 Resource constraints are such that Health and Safety promotion is largely confined to the point of service delivery

and mostly at the time of health and safety premises inspection.

10.4 The Council's web site contains Health and Safety information including a list of useful contacts.

## 11.0 **RESOURCES**

11.1 **Staffing Allocation** – The Food and Health and Safety team has a total of 7 staff as follows:

Principal Environmental Health Officer	35 hours
Environmental Health Officer x 2	37 hours
Environmental Health Officer	27 hours
Food Safety Officer	37 hours
Food Safety Officer	28.5 hours
Food and Safety Technician	37 hours

The team covers all areas of food safety including sampling and Training and the proportion of time devoted to Health and Safety is as follows:

Principle Environmental Health Officer	20 F.T.E.
Environmental Health Officer x 3	30 F.T.E.
Food Safety Officer	30 F.T.E.
Food Safety Officer	0 F.T.E.
Food and Safety Technician	30 F.T.E.
Total	1.1 FTE

## 11.2 **Staff Development**

The Council operates a staff appraisal scheme (Employee Development Review) that includes an agreed personal development programme and each year training needs are identified. EDR's are carried out every 12 months with a 6 monthly review.

Environmental Health Officers are required to undertake a 20 hours per year Continuing Professional Development (CPD) if they wish to remain corporate members of the Chartered Institute of Environmental Health (CIEH). Records are kept of training undertaken by individuals and CPD records are open to scrutiny by the CIEH.

## 12.0 **QUALITY ASSESSMENT**

12.1 The quality of the service is assessed using the following tools and reported through Departmental Management Team and Cabinet.

- Inter authority audit
- Local Performance Indicators
- Customer Satisfaction Questionnaires
- The Enforcement Management Model
- Monitoring by The Principal EHO

Any newly recruited officer will be assessed on an accompanied visit to ensure conformity to standards and consistency of approach. Team meetings within the section give opportunity to address consistency issues between the team members. The competency of officers is to be based on NVQ level 5 with officers being encouraged to carry out The Health and Safety Occupational Health Diploma.<sup>1</sup>WFDC

### 13.0 **REVIEW**

13.1 This service plan will be reviewed in October 2006.

13.10.04

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<sup>1</sup> K.James 2005

**WYRE FOREST DISTRICT COUNCIL**

**LICENSING AND ENVIRONMENTAL COMMITTEE**

**23<sup>RD</sup> MAY 2005**

**Health and Safety Service Plan**

<b>RESPONSIBLE OFFICER:</b>	<b>Head of Planning, Health and Environment</b>
<b>CONTACT OFFICER:</b>	<b>Mark Kay Ext. 2580 Mark.Kay@wyreforestdc.gov.uk</b>
<b>APPENDICES</b>	<b>Appendix 1 Health and Safety Service Plan</b>

**1. PURPOSE OF REPORT**

- 1.1 To introduce a Health and Safety Service Plan which will assist in delivering an efficient Health and Safety Service.

**2. RECOMMENDATION**

**The Committee is asked to DECIDE:**

- 2.1 **The Committee is asked to RECOMMEND that Cabinet formally adopt the Health and Safety Service Plan (2005-6).**

**3. BACKGROUND**

- 3.1 A two tier system of Health and Safety Enforcement is currently in place in this country with the Health and Safety Executive (a national body) dealing with the larger processes such as oil refineries and large manufacturers and local authorities dealing with officers, recreation, hotels, restaurants etc.
- 3.2 Local Authorities are increasingly being asked to take on increasingly more complicated industries and processes and the number of small businesses is growing rapidly.
- 3.3 The Health and Safety at Work Act etc 1974 and other associated legislation places a duty on local authorities to enforce the provisions of the act in premises under its control and this involves regular programmed inspections and investigation of accidents.
- 3.4 The Council does not currently employ any staff to exclusively carry out Health and Safety duties but uses Environmental Health Officers and Technical Officers within its Food and Health and Safety Section to carry out these functions. All officers must be suitably trained.
- 3.5 There are currently 2160 premises for which the Council is responsible for the enforcement of Health and Safety within the District. It is the Council's aim to protect the Health, Safety and Welfare of people who work in these premises and to safeguard others, principally Members of the public who may be exposed to the way the work is carried out.

3.6 This Service Plan has been produced to help meet the Council's statutory responsibilities in a cost effective and responsible manner in accordance with the Health and Safety Commission (HSC) guidance to local authorities on Section 18(4) of the Health and Safety at Work Act 1974 and Health and Safety Executive (HSE) and Local Authorities Enforcement Liaison Committee (HELA).

#### **4. KEY ISSUES**

4.1 There are no key issues arising from this report.

#### **5. FINANCIAL IMPLICATIONS**

5.1 This Service Plan will help the Council carry out its Health and Safety function in an efficient and cost effective manner.

#### **6. LEGAL AND POLICY IMPLICATIONS**

6.1 The adoption of this Service Plan would help towards showing compliance with Section 18(4) of the Health and Safety at Work Act 1974.

#### **7. CONCLUSION**

7.1 The adoption of a Health and Safety Service Plan would assist in running a cost efficient and effective service.

#### **8. CONSULTEES**

8.1 Head of Legal and Democratic Services.

8.2 Head of Financial Services.

#### **9. BACKGROUND PAPERS**

9.1 Health and Safety at Work Act 1974.

5.5.05