



AGENDA ITEM:

**LICENSING & APPEALS
COMMITTEE:**

9 OCTOBER 2018

Report of: Director of Leisure and Environment

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SUBJECT: HEALTH AND SAFETY REGULATORY SERVICE PLAN 2018/19

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

- 1.1 To seek Members agreement of the Health and Safety Regulatory Service Plan 2018/19.

2.0 RECOMMENDATIONS

- 2.1 That the Health and Safety Regulatory Service Plan for 2018/19, attached at Appendix 2 to this report is approved.

3.0 BACKGROUND

- 3.1 Every local authority is required to make adequate arrangements for the enforcement of the Section 18 of the Health & Safety at Work etc Act 1974 (the Act) and associated legislation. The Act also places a duty on local authorities to perform that duty in accordance with such guidance as the Health and Safety Executive (HSE) provides.
- 3.2 This guidance is principally contained within HSE Circular LAC 67/2, which sets out the HSE's priorities for local authority regulation the given year. In previous years, the HSE has moved away from routine proactive inspections towards targeted sector specific interventions. As many of these sectors were not present within the Borough, this reduced the number of interventions that were available to the Council. This, coupled with significant operational pressures placed on the Commercial Safety Service during previous years, meant that it was agreed that a formal service plan would not be published during this time. That said,

operational plans have been put in place and the requirements of those plans have been implemented and submitted to the HSE.

4.0 CURRENT POSITION

- 4.1 In contrast to previous years, the LAC 67/2 for 2018/19 provides greater opportunity for the Council's Officers to undertake interventions within the Borough. The means by which this will be achieved is contained in the Health and Safety Regulatory Service Plan 2018/19 (the Plan), which is attached to this report at Appendix 1.
- 4.2 The delay in presenting this report to Members was due to the finalised data submitted to the HSE for 2017/18 not being available in sufficient time prior to the summer recess. Future reports will be submitted to Members at the earliest opportunity, outlining the requirements of the Plan [without finalised data if necessary], so that approval can be obtained earlier in the relevant financial year (i.e. April or June).
- 4.3 Whilst the subject of this report is not directly related to the routine business of the Licensing and Appeals Committee, the authority to approve the Plan is contained within the delegations to this Committee.

5.0 SUSTAINABILITY IMPLICATIONS

- 5.1 The Plan provides an expression of the Council's ongoing commitment to the development of the Health and Safety Service. Accordingly, the service has an impact on the health, safety and welfare of residents, businesses and employees within West Lancashire and contributes significantly towards improving the health of the local communities.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 The costs associated with production of the Plan and the work detailed in the Plan for 2018/19 can be met within existing resources.

7.0 RISK ASSESSMENT

- 7.1 The Health and Safety Regulatory Service Plan describes the financial and resource implications for the service, which will be met from existing budgets. If adequate resources were not available, the Council may not be able to deliver an effective health and safety enforcement service as required by Government and the HSE.

Background Documents

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

- Guidance Section 18 Guidance to Local Authorities
- HSE Local Authority Circular 67/2

Equality Impact Assessment

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

1. Equality Impact Assessment.
2. Health and Safety Regulatory Service Plan 2018/19.

Appendix 1

Equality Impact Assessment Form



Directorate: Leisure and Environment

Service: Health & Safety Enforcement

Completed by: Paul Charlson

Date: 09/10/18

Subject Title: HEALTH AND SAFETY REGULATORY SERVICE PLAN 2018/19

1. DESCRIPTION

Is a policy or strategy being produced or revised:

No **delete as appropriate*

Is a service being designed, redesigned or cutback:

No

Is a commissioning plan or contract specification being developed:

No

Is a budget being set or funding allocated:

No

Is a programme or project being planned:

No

Are recommendations being presented to senior managers and/or Councillors:

Yes

Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (**Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations**):

No

Details of the matter under consideration:

*If you answered **Yes** to any of the above **go straight to Section 3***

*If you answered **No** to all the above **please complete Section 2***

2. RELEVANCE

Does the work being carried out impact on service users, staff or Councillors (stakeholders):

Yes **delete as appropriate*

If **Yes**, provide details of how this impacts on service users, staff or Councillors (stakeholders):

*If you answered **Yes** go to **Section 3***

The proposed service plan dictates the nature and frequency of health & safety interventions due to be carried out during 2018/19.

If you answered **No** to both Sections 1 and 2 provide details of why there is no impact on these three groups:

You do not need to complete the rest of this form.

3. EVIDENCE COLLECTION

Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?

Regulated businesses, HSE, service users, members of the public.

If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?

Regulated businesses, service users, members of the public.

Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	No
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Regulated businesses, service users, members of the public.
What will the impact of the work being carried out be on usage/the stakeholders?	The proposed service plan dictates the nature and frequency of health & safety interventions due to be carried out during 2018/19.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	Compliance with H&S legislation is mandatory, so the Council is not currently seeking public views.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	See above. N/A.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	None.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	No actions <i>If no actions are planned state no actions</i>

7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	The plan is to be reviewed annually and will be submitted to the Licensing and Appeals Committee for approval.