

25 August 2020

## Coronavirus and Business Compliance

Ward(s): All

Portfolios: Communities Leisure and Culture

### 1. Aim

To provide an update to members on business compliance and coronavirus.

### 2. Recommendations

For members to consider the contents of the report.

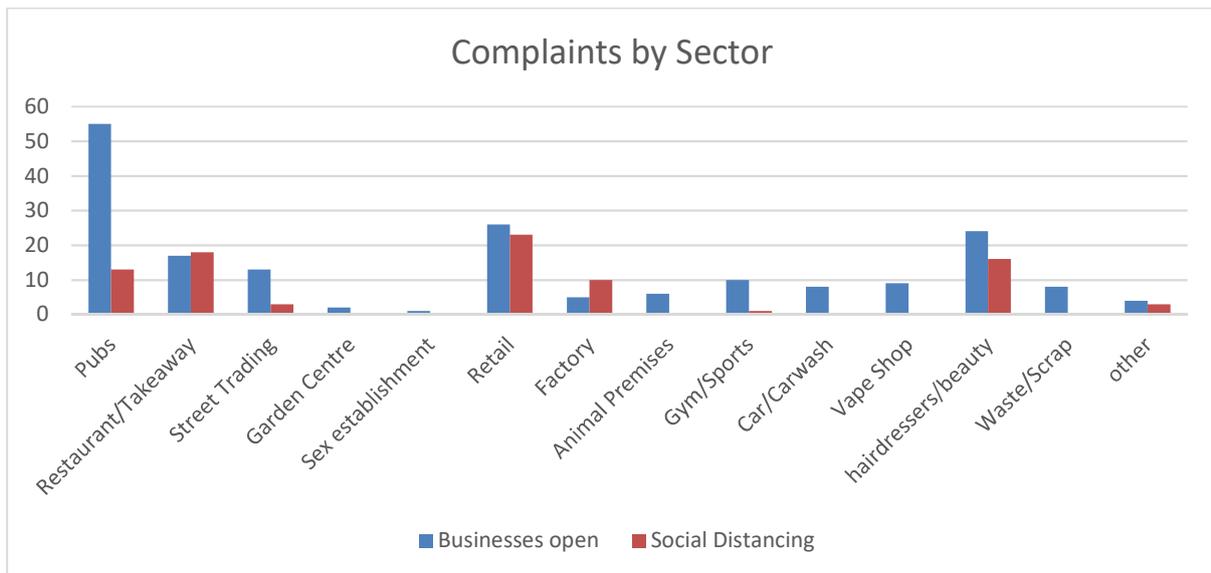
### 3. Report detail – know

3.1 The following three questions have been asked in relation to the Regulatory Services response to Coronavirus regulations to restrict business activity during the emergency period.

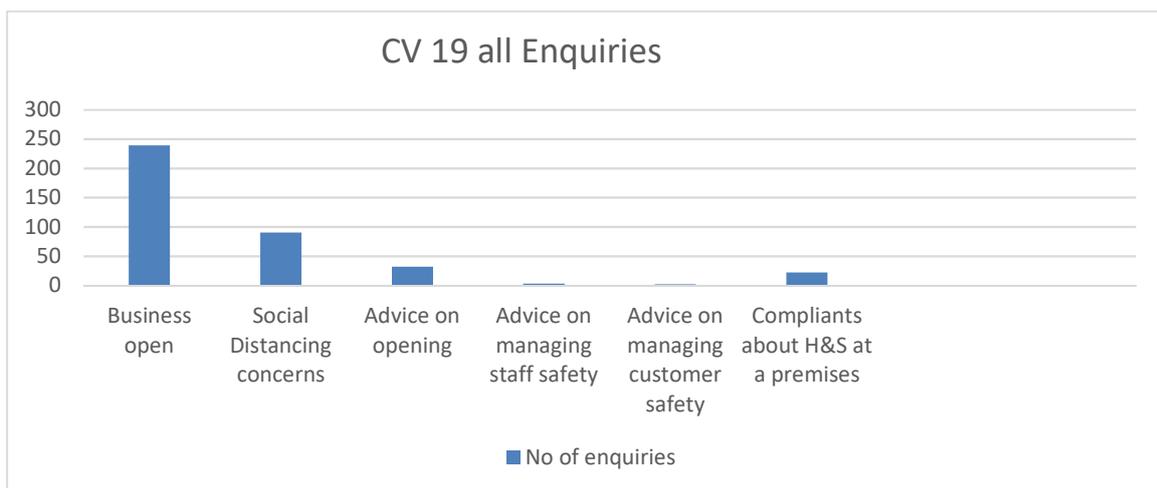
#### 3.2 How many complaints/enforcements have been undertaken whilst in lockdown?

3.3 From the date restrictions were imposed upon businesses due to the Coronavirus emergency period (21<sup>st</sup> March 2020) Environmental Health have received 342 complaints across a number of different sectors.

The distribution of complaints by sector can be seen below



Overall taking all calls to Environmental Health into account the distribution of complaint type is as follows



As can be seen businesses opening when they should not has been the main source of complaint over the emergency period. However as the government has allowed more businesses/sectors to open the complaints with regard to social distancing and general health and safety within premises have risen more steeply (52% since June).

3.4 In terms of the period during which most businesses were required to be closed Environmental conducted the following out of hours activity.

|          |  |   |  |   |   |                             |
|----------|--|---|--|---|---|-----------------------------|
|          | <b>3 &amp; 4<sup>th</sup> April</b><br>1 <sup>st</sup> weekend after lock down | <b>10-13<sup>th</sup> April</b><br>4 day Easter weekend | <b>16<sup>th</sup> May</b><br>escalation in complaints | <b>5<sup>th</sup> – 6<sup>th</sup> June</b><br>escalation in complaints | <b>26<sup>th</sup> &amp; 27<sup>th</sup> June</b><br>escalation in complaints |                             |
| Resource | 12 EH staff patrolling hotspots  | 24 EH & TS staff on call on a rota of 6 hr shifts       | 6 EH staff patrolling hot spots                        | 10 (EH/TS) Staff patrolling hot spots                                   | 6   | <b>58 staff attendances</b> |

|                        |             |            |             |                               |                    |  |
|------------------------|-------------|------------|-------------|-------------------------------|--------------------|--|
|                        |             |            |             |                               |                    |  |
| Hours worked           | 12 hours    | 36 hours   | 9 hrs       | 13 hrs                        | 3 hrs x 2 = 6hrs   | <b>76 hours</b>                          |
| No of premises visited | 24 premises | 2 premises | 32 premises | 21 premises (some visited x2) | 13 each night = 26 | <b>92 premises (some more than once)</b> |

Much of the work recorded in the above table was a direct result of intelligence passed by Walsall Police Partnerships team, local residents, elected members and others.

- 3.5 The visits resulted in four Closure Notices served on the owners/managers of premises to ensure they remain closed and therefore not pose a risk to health.

These premises were

- Swaggas Barbers, WS1 3LX.
- Walsall Arms Public House, WS1 2EP.
- Star Above Barbers, WS2 8EA.
- The Hungry Hippo café, WS1 1RE

A number of other premises were asked to close voluntarily or sent written warnings advising them of concerns raised by residents, partners or the service itself. These premises were subsequently monitored to ensure they abided by the warnings given

- 3.6 Proactive daytime patrols and initiatives have included

**May 19<sup>th</sup>/20<sup>th</sup>** 10 Officers (EH) working in pairs visited 114 Businesses in Caldmore, Palfrey, Pleck, Birchills, Stafford Street all areas of high retail density and mortality from Covid19. Posters and written and verbal advice were given to small and independent retailers around safeguarding staff and customers from Covid19

**June 4<sup>th</sup> - 6<sup>th</sup>** Approximately 400 visits made by 15 Officers (EH/TS/LN) to retail premises in Bloxwich, Leamore, Blakenall, Darlaston, Willenhall, Beechdale, Streetly, Aldridge, Brownhills, Pelsall, Walsall Wood. A two hour visit was also made to Bescot Sunday Market to check arrangements for social distancing

**3.7 What interaction have council dept's had with premises to make them COVID Secure ahead of the 4<sup>th</sup> July opening?**

- 3.8 The 4<sup>th</sup> July reopening was notable for the following sectors being allowed to trade – hospitality such as pubs and restaurants and hairdressing salons.

On or around the 29<sup>th</sup> June the Environmental Health team working with Public Health, Walsall Police Partnerships and Community Protection sent 450 licensed

premises (premises selling alcohol) a letter providing advice and assistance in complying with Coronavirus safety requirements.

Walsall Police Partnership team identified a list of 14 premises which they had concerns over in terms of reopening – the premises were distributed across the Borough. The Police had made attempts to contact the Designated Premises Supervisors of these premises to gauge what level of compliance to expect.

These premises had the Environmental health letter personally delivered so as to avoid any postal delays or issues.

- 3.9 There has been a significant amount of social media publicity from Environmental Health supported strongly by Public Health and The Councils Communications Team. The Twitter data for the emergency peiord is as follows

|               | March | April  | May    | June   | July   | Total           |
|---------------|-------|--------|--------|--------|--------|-----------------|
| Tweets        | 3     | 19     | 18     | 34     | 44     | <b>118</b>      |
| Impressions   | 3331  | 26,100 | 25,100 | 20,900 | 23,500 | <b>98,931</b>   |
| Likes         | 9     | 244    | 157    | 172    | 82     | <b>664</b>      |
| Retweets      | 8     | 95     | 70     | 72     | 119    | <b>364</b>      |
| Engagements   | 1.1%  | 3.8%   | 1.7%   | 2.2%   | 1.6    | <b>2 % av</b>   |
| New Followers | 4     | 21     | 16     | 5      | 5      | <b>51 (922)</b> |

- 3.10 Hairdressing salons posed their own risk and challenges which led to Environmental Health, Trading Standards and Licensing visiting over 200 hairdressers and barbers across the Borough during July 2020. The teams provided businesses with advice on social distancing and health and safety regulations as well as assessing levels of compliance during visits. On the whole the service was reasonably satisfied with levels of compliance with the exception of barbers in some areas who were either deliberately or genuinely struggling to comply with PPE and track and trace requirements.

- 3.11 Environmental Health have been contacting farms in the Borough to update records relating to the keeping of livestock and employment of migrant workforces to assist with livestock and arable work. Visits will also be conducted to gyms across the Borough shortly to ensure they are compliant with reopening guidance.

- 3.12 One of the key issues from the visits is that visiting prior to opening gives good opportunity to discuss issues but once premises have actually reopened the reality of coping with the changes can be significantly different and therefore visits to see control measure 'in action' are extremely useful.

**3.13 How many incidents/warnings/visits have we undertaken since the re-opening of the hospitality sector?**

- 3.14 In terms of restaurants and takeaways Environmental Health have responded to four concerns raised with regard to safety measures and social distancing at three premises. Three of the issues were resolved informally the fourth relates to

a premises previously issues with a closure notice and further evidence is being gathered around the way in which they are conducting their business now they are allowed to open.

As the enforcement of licence conditions is undertaken by the Community Protection service they have lead on dealing with complaints regarding to pubs and similar premises. This is clearly a matter that requires strong partnership working with Police colleagues and other partners as the powers to deal with non-compliance are varied depending on the nature of the issue being complained about.

- 3.15 The first weekend of 4-6/7/20 was relatively quiet with many establishments not yet opened and those that were open appeared to have very limited footfall. Other than a couple establishments that were already on the police radar.
- 3.16 Over the course of the next fortnight CP continued to liaise with Police and Licensing colleagues and visited the 21 pubs that the Police had initially identified are their biggest causes of concern. The overall level of compliance with the Covid19 guidance was generally very good and it was evident that the majority of the premises visited had taken note of the government advice and put a number of precautionary measures in place.

However, it was not all perfect. A small number of the visits highlighted instances of non-compliance with the guidance. Additional advice was given at the time as and when it was appropriate and safe to do so. Since the start of these visits a number of additional complaints have now been received (via EH, CP, Police, members etc) where potential issues with other licensed premises have been raised.

- 3.17 On the 30<sup>th</sup> July a meeting of Responsibility Authorities (Police, Fire, Environmental Health, Licensing, Community Protection) was held to discuss and agree a process for engaging, supporting and levering toward compliance licensed premises who are struggling to implement Coronavirus control measures.
- 3.18 As an example of our approach we have put in place a concentrated effort on a town centre pub which had been the subject of numerous complaints and concerns had an extremely positive outcome. This multi agency model will be used in other similar circumstances where premises are considered high risk or non-compliant. For premises where there is a lower risk or complaints are fewer and more sporadic the standard approach to sending advisory/warning letters and monitoring activity will continue.

#### **4. Decide**

This report has been written as a briefing note for members.

#### **5. Respond**

As measures put in place during lockdown are relaxed there is a need to ensure focus is maintained on the key priority of ensuring business premises are COVID-

19 secure for staff and members of the staff. The vast majority of our businesses act responsibly but the volumes and risk require continued attention. Partnership working is key both with other council teams and external partners.

## **6. Review**

Progress against COVID-19 will be reviewed through the Outbreak Management Plan.

### **Background papers**

There are no additional papers to accompany this report

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