

MINUTES

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

25TH SEPTEMBER 2025, AT 4.30 P.M.

PRESENT: Councillors H. J. Jones, D. Clarke (Substitute), C. Palmer, D. Munro (Substitute), J. Desayrah (Substitute) (present during Minute No's 14/25 to 19/25), K. Holmes (present during Minute No's 14/25 to 19/25, R. Deller, M. Goodge, T. Onslow (Chairman) and I. Hardiman

Officers: Mr. S. Wilkes, Mr. B. Watson, Ms. K. Lahel, Mr. M. Cox, Mr. D. Mellors, Mrs. M. Patel and Mr. M. Sliwinski

Partner Officers: Mr. I. Edwards, Malvern Hills and Wychavon District Councils; and Mr. I. Miller, Wyre Forest District Council (on Microsoft Teams)

12/25

APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were submitted on behalf of Councillors K. Taylor (Bromsgrove District Council), D. Harrison (Malvern Hills District Council), J. Spilsbury (Redditch Borough Council), M. Dormer (Redditch Borough Council), and A. Scott (Worcester City Council).

Councillor D. Clarke (Malvern Hills District Council) attended the meeting as a substitute for Councillor D. Harrison; Councillor D. Munro (Redditch Borough Council) attended as a substitute for Councillor J. Spilsbury; and Councillor J. Desayrah (Worcester City Council) attended as a substitute for Councillor A. Scott.

13/25

DECLARATIONS OF INTEREST

There were no declarations of interest.

14/25

TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD HELD ON 26TH JUNE 2025

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 26th June 2025 were submitted for Members' consideration.

RESOLVED that the minutes of the Worcestershire Regulatory Services Board held on 26th June 2025 be approved as a correct record.

15/25

WORCESTERSHIRE REGULATORY SERVICES REVENUE

MONITORING APRIL - JUNE 2025

The Deputy Chief Executive and Chief Finance Officer, Bromsgrove District Council (BDC) and Redditch Borough Council (RBC) introduced the report and in doing so drew Members' attention to the report Recommendations as detailed on pages 19 and 20 of the main agenda pack.

Members were informed that at quarter 1 2025/26 the projected outturn for 2025/26 was a £2k surplus. It was noted that Worcestershire Regulatory Services (WRS) was now receiving income from all partner councils in respect of temporary event licence applications.

A 3 per cent pay award had been included in this report's projected outturn figures, as per the original budget. The final agreed pay award for 2025-26 was 3.2 per cent, creating additional salary pressure for WRS of £9k. This would be included in quarter 2 figures and was expected to be managed through existing financial allocation.

It was noted that work had already begun on preparing the WRS budget for 2026-27.

RESOLVED that the Board

1.1 Note the final financial position for the period April-June 2025.

1.2 That partner councils are informed of their liabilities for April-June 2025 in relation to Bereavements:

Council	Apr-June 25 Actual for Bereavements £000
Bromsgrove District Council	3
Redditch Borough Council	1
Worcester City Council	9
Total	13

1.3 That partner councils are informed of their liabilities for 2025-26 in relation to Pest control:

Council	Estimated Projected Outturn 2025/26 Pest Control £000
Redditch Borough Council	8
Wychavon District Council	10

Total	18
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- 1.4 That partner councils are informed of their liabilities for 2025-26 in relation to additional Technical Officers:

Council	Estimated Projected Outturn 2025/26 Tech Officer Animal Activity £000	Estimated Projected Outturn 2025/26 Gull Control £000
Bromsgrove District Council	9	
Malvern Hills District Council	7	
Redditch Borough Council	2	
Worcester City Council	3	41
Wychavon District Council	16	
Wyre Forest District Council	10	
Total	47	41

16/25

REPORT ON FUNERAL DIRECTOR INSPECTIONS IN WORCESTERSHIRE

The Environmental Health and Trading Standards Manager, WRS, provided a report on the Funeral Director Inspections in Worcestershire. It was stated that unlike many other sectors that deal with public welfare, the funeral industry remained largely unregulated and there was no statutory requirement for funeral directors to be inspected.

Following an incident uncovering serious failings at a funeral director business in Hull and East Riding, the Ministry of Justice (MoJ) issued the Local Authority Funeral Director Visits Guidance Pack in May 2024 which provided guidance for local authorities to conduct inspections of funeral directors within their regions.

The report before Members detailed the process of inspections of funeral directors across Worcestershire that was undertaken by WRS between December 2024 and April 2025 on behalf of its partner authorities. The Environmental Health and Trading Standards Manager, WRS, reported that most funeral director businesses in the county demonstrated good standards of care, with those identified as requiring areas for improvement being suitably advised. No formal action had been required from WRS in response to inspections.

In response to a question from a Board Member as to whether a programme of inspections would continue, it was explained that this was

a single reassurance exercise commissioned by the Ministry of Justice without funding support for local authority activities, and that local authority Environmental Health Officers had limited regulatory powers in this sector. The Director of WRS explained further that there was no legislation in place enabling local authorities to undertake inspections of funeral directors and the inspection exercise detailed in the report was undertaken under the Health and Safety at Work Act 1974. Any change to a regular inspection regime would require the Government to introduce appropriate regulations to empower local authorities and come with new burdens funding. Members were reassured that the inspection exercise demonstrated good standards of care across the sector in Worcestershire.

It was clarified that residents should report concerns with funeral directors to the appropriate agencies, for example the Police if the concern was in relation to human remains, and the Worcestershire County Council (WCC) Trading Standards in relation to the mis-selling of funeral plans, although this may of itself be a fraud that the Police would also investigate.

Board Members expressed surprise at the lack of regulation of the funeral industry and it was remarked that the public would assume the sector was regulated more strongly. It was noted in relation to this that there were two professional bodies for funeral directors in England. Within Worcestershire, the professional bodies were supportive of the inspection programme and cooperated fully with WRS throughout the inspection programme.

A Board Member asked if the WRS monitored whether common areas for improvement identified as part of the inspection programme were being addressed by those establishments in which issues were identified. In response, a Board Member was advised that actions which were requested by WRS in response to inspections had been completed by the establishments in question.

RESOLVED that the report be noted.

17/25

ACTIVITY AND PERFORMANCE DATA QUARTER 1 2025/6

The Technical Services Manager, Worcestershire Regulatory Services (WRS), presented the report which set out the Activity and Performance Data for Quarter 1 2025/26. and in doing so drew Members' attention to the following activity areas of the report:

Activity Data

There were 329 programmed interventions undertaken during quarter 1, slightly below the 392 and 391 respectively in the previous two periods. 5% of the 329 interventions resulted in businesses being rated as "non-compliant" (issued a rating of 0, 1, or 2 FHRS score). As with previous quarters a significant proportion of non-compliant ratings were issued to the hospitality sector (such as takeaways and pubs) or small retailers.

The number of health and safety at work cases remained on trend with 56 at quarter 1, compared to 63 last year and 49 two years ago for quarter 1. The service continued to deal with varied and sometimes complex cases in this area.

The number of complaints and enquiries about dog control was the lowest for many quarters at only 29. The figure was below all the quarterly figures reported in the last 3 years, with only the 33-figure in Q2 of 2023/4 being close.

However, the number of reported strays was high at Q1 2025/26 at 426, compared with 304 last year, and 402 the previous one. Around 94% of cases were reports of lost or stray dogs with most, as usual categorised as "contained strays", with dogs found and held by members of the public. Officers remained concerned at the notable increase in the number of dogs picked up with welfare concerns and subsequently requiring veterinary treatment or examination.

A Board Member expressed concern at the rise in the number of stray dogs and it was responded that addressing this remained one of the priorities for WRS and the communications officer was currently working on preparing a communications initiative to focus on this issue.

In Licensing, the number of complaints and enquiries followed the previous slightly downward trend, with 651 at Q1 2025/26 compared to 828 and 740 for the same period in the last two years for quarters 1, and well below the peak of 1026 in the final quarter of 2023/24. It was stated that this was positive and reflected the work done within the service on automation and communications.

Planning support work continued an upward trend, with Q1 figures again exceeding those at the same point in the previous two years, with 977 requests compared to 808 and 763 respectively. There had been a steady increase in the number of planning applications being submitted across Worcestershire and there had been a general increase in enquiries.

This year's hot summer had led to more reports of nuisance, and it was expected the number of nuisance complaints for Q2 2025/26 to be significantly higher than the previous two summer periods.

Board Members were asked to promote the work undertaken by WRS across six partner authorities to all elected members as it was apparent from recent meetings attended by WRS officers that some district/borough councillors remained unaware of the remit and work being carried out by WRS.

A Board Member asked about the licensing of vapes and vape shops. The Director of WRS responded that the proposed Tobacco and Vapes Bill, when passed, would provide powers to introduce a licensing

scheme for the retail sale of vapes and tobacco products, but it remained unclear which body would be responsible for the licensing regime or its enforcement. The existing regulatory regime that addresses illegal tobacco and vapes was the responsibility of Worcestershire County Council (WCC) and its Trading Standards service. There was no clarity at this stage as to whether district or county councils would be responsible for licensing.

Question was raised as to whether the increased number of Environmental Information Requests (EIRs) received was placing operational pressure on WRS. The Technical Services Manager, WRS, stated that a review of WRS approach to responding to EIRs was being undertaken, it being acknowledged that there was increased demand from the public for this kind of information. It was highlighted that the WRS tried to publish information relating to common types of queries on its website.

It was asked by a Board Member if a breakdown by district could be provided in relation to the taxi licensing complaints and enquiries being received by WRS. The Officers undertook to check if this information could be compiled in this format and would provide a response. It was also clarified that most of the contacts relating to taxi licensing were simple enquires, but that some were true 'complaints' and that these could relate to a range of issues from driver behaviour to the quality of vehicles and go outside of this regime to things like pubs making too much noise or trading outside of their licensed hours. If Officers identified that an enquiry contained the substance of a serious complaint, this could then be referred to the appropriate district council for consideration at a licensing sub-committee meeting, particularly if, for taxi drivers, the accusation went to the root of whether the driver met the "fit and proper person" test.

A Board Member referred to several districts within Worcestershire reporting large presence of 'Uber' vehicles which were not licensed within that district and queried what powers WRS had to address this. The Director of WRS responded that WRS had limited powers in this area as when Government introduced the Devolution Act in the mid-2010s, private hire vehicles were allowed to be licensed by one council but operate in another area, and local licensing authorities were not in a position to demand that 'Uber' registered taxi drivers or vehicles be licenced with a specific district area.

It was recognised that many taxis operating within Worcestershire were now licensed by City of Wolverhampton Council, and that this was true for many parts of the country, particularly urban areas. It was reported that officers had been engaging with colleagues at Wolverhampton to arrange joint enforcement and compliance visits at night, allowing taxis licensed in Wolverhampton to be in scope of the enforcement operations.

RESOLVED that the Activity and Performance Data Quarter 1 to 2025/26, be noted and that Members use the contents of the report in their own reporting back to their respective partner authority.

18/25

BRIEFING ON FIREWORK CONTROLS

The Director of WRS introduced the report on fireworks control and stated that this report was in response to a range of issues experienced by councillors at both district and county level in relation to fireworks. The report before the Board was intended to provide support for elected members in dealing with these questions as it was highlighted that the legal position provided local authorities with very limited influence over the use of fireworks by members of the public.

It was noted that Worcestershire County Council (WCC) was the licensing authority for the storage of explosives. Going back 10-20 years, around 100-120 premises would be licensed annually to store fireworks, but this number had been falling with only 63 premises submitting applications for this fireworks season. Most premises sell fireworks for limited periods only around Bonfire Night, (usually 3 weeks before and 1 week after) and for a short time around the New Year period. Only two businesses in the county held a license to sell fireworks all year round.

WCC Trading Standards team was also responsible for enforcing the legal provisions requiring that fireworks sold in the county be manufactured to the relevant standard and that fireworks were not sold to minors (under 18s).

The use of fireworks was not a licensable activity under the Licensing Act 2003, so public firework displays were not licensed by district councils. People undertaking public displays must ensure the health and safety of those attending and also observe any civil law duty of care they might have to those in the vicinity, but beyond this, controls were limited, and councils had few powers to address activities.

Most firework displays were one-off events and, because of the transitory nature of noise from such displays, it was likely that a single display, by itself, could not constitute a statutory nuisance that could be dealt with under the Environmental Protection Act 1990, especially if the terminal hours outlined in law are observed. Currently there was a noise limit for fireworks sold via retail of 120dB, although pressure groups were campaigning to have this reduced to 90dB.

The law specified cut-off (curfew) times for the use of fireworks which was 11pm for all nights except for bonfire night, when the cut off was midnight and 1am for New Year, Diwali and Chinese New Year celebrations, and this was enforced by the Police.

It was stated that the County Council issued licenses to premises through its Trading Standards service. Where a premise applied for a

fireworks license, and it had not held one previously, that premise would be visited to ensure that it was suitable. Appropriate conditions would also be attached to the licence. Following the initial visit, Officers would only license the premises for 12 months and, following this, the applicant could apply for longer, but Officers would undertake a risk assessment of the premises to determine whether it was suitable for a further licence of between one to five years.

It was reported that the County Council's Trading Standards team had not been made aware of significant issues with the misuse of fireworks in recent years. Only one incident, a referral from the Police, was raised with the Trading Standards during the last firework season. Many of the issues raised by members of the public relate to what was currently the legitimate use of fireworks by other residents in their gardens, or the noise from one-off organised displays.

The Parliamentary Petitions Committee looked at the issue of fireworks in 2018 with input from a range of experts from the Health and Safety Executive, Trading Standards, Environmental Health, the National Police Chiefs Council and the National Fire Chiefs Council, as well as those calling for changes to the law. The Committee felt that an outright ban on sales of fireworks to the public risked unintended consequences including a black market in the products, however it did make recommendations, including that legislation be introduced to allow local authorities to tackle the issues in relation to fireworks. The onset of the covid pandemic had meant that Government had not taken any action in this area since the Parliamentary Petitions Committee met.

A Board Member asked whether any testing of fireworks was undertaken. The Director of WRS responded that testing of firework products for compliance was expensive, with only a small number of testing facilities in the UK, which meant that trading standards officers relied primarily on product labelling checks to establish compliance and whether legal fireworks were being sold. Paperwork, such as receipts and invoices, would also be reviewed to establish the source of fireworks to help assess the likelihood of them complying.

In response to a comment about restaurants or similar establishments breaking the curfew on fireworks, it was stated that this would breach the law and Police could be alerted in such cases.

It was requested a briefing note be developed from this paper and that action be taken to circulate this to all elected members across the six partner authorities. It was also requested that the potential effect of fireworks on ex-service personnel be added to the report alongside the potential detriment to animals and others. Officers undertook to complete this action.

RESOLVED that the report be noted.

BEEN NOTIFIED TO THE HEAD OF LEGAL, EQUALITIES AND DEMOCRATIC SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING.

There was no Urgent Business on this occasion.

Councillor I. Hardiman (Wyre Forest District Council) commended Worcestershire Regulatory Services (WRS) Officers on recently providing an excellent presentation, detailing the work of WRS, to Overview and Scrutiny Committee at Wyre Forest. It was suggested that presenting at Overview and Scrutiny meetings at partner authorities was a useful part of engagement with elected members for WRS, allowing elected members to become familiar with the work being undertaken by WRS.

The Director of WRS explained that the service had used this as a route to speak to a broader group of local authority members, with recent engagement also with both Wychavon and Malvern Hills Overview and Scrutiny Committees, and it was something the service would continue where the Cabinet and Scrutiny model was in operation.

The meeting closed at 5.30 p.m.

Chairman

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