

Guildhall Gainsborough
Lincolnshire DN21 2NA
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AGENDA

This meeting will be webcast live and the video archive published on our website

Regulatory Committee

Thursday, 4th June, 2026 at 6.30 pm

Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA

Members:

Councillor Jim Snee (Chairman)
Councillor Maureen Palmer (Vice-Chairman)
Councillor Eve Bennett
Councillor Stephen Bunney
Councillor Karen Carless
Councillor Mrs Angela Lawrence
Councillor Paul Lee
Councillor Mrs Lesley Rollings
Councillor Mrs Mandy Snee
Councillor Trevor Young

1. Apologies for Absence

2. Public Participation

Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.

3. Declarations of Interest

Members may make declarations of Interest at this point or may make them at any point in the meeting

4. Minutes of Previous meeting

(PAGES 3 - 5)

To confirm as a correct record the Minutes of the meeting held on 4 December 2025.

5. **Public Reports for approval**

- i) Dog Fouling Public Space Protection Order - Extension (PAGES 6 - 15)
- ii) Food, Health and Safety Work Plan 26/27 (PAGES 16 - 39)
- iii) Review of Pavement Licensing Sub Delegation (PAGES 40 - 45)
- iv) Removal of Taxi Driver Knowledge Test (PAGES 46 - 50)

Paul Burkinshaw
Head of Paid Service
The Guildhall
Gainsborough

27 May 2026

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Regulatory Committee held in the Council Chamber - The Guildhall on 4 December 2025 commencing at 6.31 pm.

Present: Councillor Jim Snee (Chairman)
Councillor Maureen Palmer (Vice-Chairman)

Councillor John Barrett
Councillor Eve Bennett
Councillor Stephen Bunney
Councillor Mrs Angela Lawrence
Councillor Paul Lee
Councillor Peter Morris
Councillor Mrs Mandy Snee

In Attendance:
Andy Gray Housing and Enforcement Manager
Ele Snow Senior Democratic and Civic Officer

Apologies: Councillor Karen Carless
Councillor Mrs Lesley Rollings
Councillor Trevor Young

Membership: Councillor P Morris was appointed substitute for Councillor K Carless

6 PUBLIC PARTICIPATION

There was no public participation.

7 DECLARATIONS OF INTEREST

There were no declarations of interest at this juncture.

8 MINUTES OF PREVIOUS MEETINGS

RESOLVED that the Minutes of the Meeting of the Regulatory Committee held on Thursday 5 June 2025 be confirmed and signed as a correct record.

9 CONTAMINATED LAND STRATEGY - REVIEW

The Committee considered the report of the Housing and Environmental Enforcement Manager outlining an updated contaminated land strategy and seeking approval of the

strategy.

A Member highlighted that there were a number of airfields in the district and asked if the Ministry of Defence kept the council advised of any aircraft, fuel supplies and underground pipes that may be on the sites. In response it was acknowledged that this was an issue and individual sites would need full investigation. If development was planned on any site then the Planning Department would look at any issues. Clarification was given that they would not necessarily be dealt with as contaminated land and it was believed that all land that might be registered as contaminated was known to officers.

A query was raised regarding the regeneration of brown field sites and whether applicants were given recommendations on steps to bring it back in to use. It was explained that from a planning perspective, when that site came in for development, planning would receive all the relevant information, and as part of the application any remediation work would be dealt with through the planning process and conditions.

On being put to the vote it was unanimously

RESOLVED that the Contaminated Land Strategy Review 2025 – 2030 as attached at appendix 1 to the report be approved.

10 FOOD, HEALTH AND SAFETY WORK PLAN - MID YEAR UPDATE

A report providing the Committee with a mid-year update on food hygiene inspections was received and considered.

It was reported that after the previous update additional resources were in place and the situation was more positive with 60% of planned inspections having been undertaken. There was a significant number of other activities going on as well including prosecutions and written warnings.

A Member referred to section 4.2 of the report and the lack of food sampling that had been undertaken. In response it was explained that schedules were set by the Food Standards Agency in respect of sampling. However it may also arise following a complaint. This would be picked up in this period but there had been additional health and safety interventions coming through which meant that food inspections came first, then complaint checking, and finally food sampling.

A Councillor highlighted inspections at The Lincolnshire Show and the challenges of the hot weather for vendors in regard to adequate refrigeration and lack of generator strength. In response it was indicated that a pragmatic approach had been taken and whilst there had been no major concerns, traders had been given advice. There had been no mandated closures or stock disposed of. The team had been on site when stands were being set up and there had been effective communication with traders.

A question was raised regarding the inspection of mobile traders at 'pop up' events and whether this was undertaken by the council. It was clarified that the council concentrated on larger events where there were more traders. Any business registered with West Lindsey would be inspected but often vendors were registered elsewhere. Any breaches could be

dealt with, but not scheduled inspections. The registering authority would be advised of any concerns raised. It was acknowledged that the inspection of mobile traders could be difficult as they often operated out of hours but officers worked in the evenings to cover this. It was also necessary to inspect businesses operating from home.

A Member highlighted the professionalism of officers and indicated that a number of verbal warnings were given at the Lincolnshire Show but not recorded. In response it was indicated that a judgement call was made by officers at the time and an amicable solution was found where possible. Any serious contraventions were recorded and written warnings issued as required.

Members were advised that the council was meeting its requirements and highlighted that 98% of premises had a 3* rating or above and officers would concentrate on the 2% not meeting standards.

The Committee welcomed the positive report and expressed support for the resources that had been allocated to meet targets. In response it was acknowledged that having a full-time officer had made a significant difference and meant there was greater resilience within the team and a more proactive approach could be taken.

A Member asked if any premises closures were reported to Members. It was clarified that such decisions were taken by officers under delegated powers and would not be put in the public domain, however all premises ratings were publicly available. Officers did not name 0* or 1* premises in communications but highlighted those with a 5* rating. Members acknowledged the response and suggested that Members could be advised, in an exempt report, of any action taken so that they could keep an overview. It was agreed that voluntary closures could be included as part of future update reports.

With no further comments or questions, and having been moved, seconded, and voted upon, it was

RESOLVED that

- a) the update report and progress made to date be noted; and
- b) a further update, including voluntary closure information, be presented to committee with the annual food, health and safety work plan for 2026/27 in May or June 2026.

The meeting concluded at 7.11 pm.

Chairman

Agenda Item 5a



Committee - Regulatory

Thursday 4th June 2026

Subject: Extension of District Wide Dog Fouling Public Space Protection Order (PSPO)

Report by:

Chief Executive

Contact Officer:

Andy Gray – Head of Environmental Services

Executive Summary:

In June 2023 the Council designated its “Dog Fouling Public Space Protection Order”, which is in place until the 6th of June 2026. This PSPO focused on dog fouling and disposal and applied across the whole district. It also included a provision for individuals to carry and have available a means to remove dog fouling. It is now proposed to extend this order until 2029.

Appendices to Report

- Appendix 1 – PSPO FAQs
- Appendix 2 – Public notice advising of extension

RECOMMENDATION(S):

- a) **That Regulatory Committee Approve that the Dog Fouling PSPO, be extended for a three-year period from 7th June 2026 to 6th June 2029.**

1 Introduction

- 1.1 In June 2023 the Council designated its “Dog Fouling Public Space Protection Order”, which is in place until the 6th of June 2026. This PSPO focused on dog fouling and disposal and applied across the whole district. It also included a provision for individuals to carry and have available a means to remove dog fouling.
- 1.2 The impact of dog fouling on both the natural environment and on public health is well known. It is essential for the Council to promote responsible dog ownership and to ensure that where this is not the case there is provision, in law, for addressing it.
- 1.3 This report proposes that the existing PSPO is extended for an additional three years. The existing order and information on dog fouling can be found here:

<https://www.west-lindsey.gov.uk/communities-safety/community-safety/dog-fouling>

2 Legal Position

- 2.1 PSPOs are made under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014. Orders can be extended and varied under sections 60 and 61 of the Act.
- 2.2 These Orders can be made on any land open to the air that the public has a right or entitlement of access to
- 2.3 To make an Order, the local authority needs to be satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space:
 - Have had, or are likely to have a detrimental effect on the quality of life of those in the locality
 - Is, or is likely to be persistent or continuing in nature
 - Is, or is likely to be unreasonable
 - Justifies the restrictions imposed

3 Consultation

- 3.1 The legislation requires that the local authority must carry out the necessary consultation and the necessary publicity, and the necessary notification (if any) before extending the period for which a PSPO has effect.
- 3.2 The necessary consultation means consulting with the chief officer of police, and the local policing body for the police area that includes the restricted area; whatever community representatives the local authority thinks it appropriate to consult; the owner of land within the restricted area.

- 3.3 Consultation has been sent directly to the Police and to all Parish and Town Councils seeking their views on the matter.
- 3.4 Public notices have been produced for both the extension and the variation. These have been available to view in the Guildhall, Marshall's Yard and on the Council website.
- 3.5 A summary of comments received is shown below;

Police – a letter of support has been received from Chief Constable Paul Gibson. Formal support has also been submitted by the Local Police Inspector.

Parish Councils – support in writing received from Kexby.

Town Councils – support in writing received from Market Rasen.

4 Context

- 4.1 A list of frequently asked questions is shown in appendix 1.
- 4.2 Dog fouling continues to go relatively unreported to the Council and between 2024 and April 2026 there 30 complaints received. During this period the following activity has occurred:
- 30 complaints received
 - 14 dog fouling warning letters issued
 - 1 local letter drop
 - Weekly patrols at hotspots throughout the district
 - 1 verbal warning given
 - 1 Fixed Penalty issued
- 4.3 The Enforcement approach to dog fouling has been a combination of proactive patrols and reactive responses to reported incidents. Officers have targeted known hotspot areas during peak times, using visible presence to deter offending behaviour. Where appropriate, informal engagement/education is given to dog owners. Signage is also placed in hotspot areas to act as a deterrent and educate members of the public on the Public Spaces protection order for Dog Fouling in West Lindsey.
- 4.4 Enforcing dog fouling offenses continues to present several challenges, primarily due to the difficulty in directly witnessing offenses and obtaining sufficient evidence to take formal action. Members of the public remain reluctant to report offenses or provide enough evidence for formal action.
- 4.5 Enforcement activity and targeted patrols have contributed to a visible deterrent effect in key hotspot areas, with some locations showing a reduction in reported incidents over time. The combination of community engagement like coffee mornings, proactive patrols, being reactive to reports/complaints and our work with West Lindsey's comms team on new Dog Fouling social media assets have helped us

improve public awareness and encourage more responsible dog ownership.

- 4.6 The dog fouling PSPO is seen as a very effective deterrent across the district and enables the Council to enact formal powers as required to deal with the issue. Whilst there is still a real challenge in regard to catching individuals who are in breach of the PSPO, it is still deemed to be necessary in order to combat the issue given the impact that it has or is likely to have on the quality of life for our residents.

5 Future Work

5.1 The following sets out the future approach to target dog fouling:

- Future activity will focus on maintaining a targeted Enforcement presence in identified hot spot areas, with increased patrols during peak times where resources allow.
- Further emphasis will be placed on public education and engagement to promote responsible dog ownership, PSPO signage and coffee mornings.
- Continuation of work with West Lindsey's Comms team.
- Attend any community groups to educate on our Enforcement activities to help spread awareness and help gain more intelligence.
- Continue to work with Parish Councillor's for intel on problem areas in the district.
- A stronger emphasis on getting members of the public to report incidents with as much information and evidence as possible.

6 Proposed Order

- 6.1 It is proposed that Members approve the extension of the order for a further three-year period. Members must be satisfied that the conditions within the Act are met as referred to in 2.3 above.

- 6.2 There is general acceptance that the Council should take enforcement action in relation to dog fouling, and it is clear that the PSPO acts as a deterrent for this.

- 6.3 The public notice for the proposed extension is shown in Appendix 2. The order will be made available on the Council's website.

7 Enforcement

- 7.1 Officers will continue to patrol the district and respond to reports of dog fouling where they are made to seek to identify the perpetrators.

- 7.2 Signage will be placed in any hotspot areas as necessary. Signage will also be made available to Parish and Town Councils and community groups who may wish to be proactive within their area.

- 7.3 Alongside the PSPO, at Prosperous Communities Committee in March 2023, Councillors approved the Environmental Crime Commitment, which includes dog fouling as one of the key areas to address.

	Option	Rational for not recommending
1	Do nothing	There would then be no provision for enforcement of dog fouling and no ability for the Council to seek to deter the issue.

ASSOCIATED IMPLICATIONS

Legal:

PSPOs are made under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014. A minimum 30 day consultation period is required by Legislation. The Council intends to consult for its minimum 6 week period.

The Council can vary, extend or discharge a PSPO in line with section 72 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Breach of a PSPO may be dealt with by a fixed penalty notice or prosecution. Delegated powers are in place for service of fixed penalty notices.

Appeals against the making of a PSPO can be made in the High Court within 5 weeks of the PSPO being made, on the grounds that the process has not been followed, or that the council did not have the authority to make the Order or put certain restrictions in the Order.

Financial: FIN-26-27-MT-JT

No financial implications arising from this report.

Fixed penalty notices (FPN's) for breach of a PSPO are set at £100 with a £75 early payment incentive within fees and charges. Income from fixed penalty notices may be used to support the service issuing the FPN.

Staffing:

The Council already has provision in place to monitor and enforce the PSPOs in place and it is not proposed that any subsequent approval will affect this as it is an extension of an existing order.

LGR implications:

This designation, if approved, will be in place until 2029. Any LGR implications on designations such as this will be considered at the appropriate time and will be commonplace across the Local Authorities involved.

Equality and Diversity including Human Rights:

The proposed extension of this PSPO will not disadvantage any social groups over another, and the process will be applied fairly. The Council's approach to fixed penalties is outlined in its Corporate Enforcement Policy.

Data Protection Implications:

None noted

Climate Related Risks and Opportunities:

None noted.

Section 17 Crime and Disorder Considerations:

This legislation and approach allows the Council to take enforcement action in the form of a fixed penalty against any persons found to be in breach of the PSPO.

Health Implications:

Dog fouling has a detrimental impact on health, with the main concern being Toxocariasis <https://www.nhs.uk/conditions/toxocariasis/prevention/>

Risk Assessment:

Challenge in the High Court – the risk of this is reduced by following process and considering reasonableness throughout the process.

Title and Location of any Background Papers used in the preparation of this report:

These are not appendices – you should list here any supporting information used to inform your report – e.g. government guidance –

Call in and Urgency:**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes**No****X****Key Decision:**

A matter which affects two or more wards, or has significant financial implications

Yes**No**

District Wide Dog Fouling Public Space Protection Order

Frequently Asked Questions

What is a PSPO?

Public Space Protection Orders (PSPOs) relate to activities taking place which are or may be detrimental to the local community's quality of life. The PSPO for dog fouling and dog control is aimed at preventing and reducing this anti-social behaviour and to help promote responsible dog ownership

What does the Dog Fouling PSPO involve?

The order requires people in charge of dog(s) in any public open space in West Lindsey to:

- Pick up immediately after the animal has fouled.
- Dispose of the waste appropriately - in a public bin, or at home.
- Carry something to pick up dog waste with, showing it to the enforcement officer if asked, regardless of whether the dog has fouled

How will the PSPO be enforced?

Any individual observed by an authorised officer breaching the PSPO will be issued with a fixed penalty notice of £100. Residents will be able to report issues with dog fouling to the Council, who will then carry out targeted patrols of that area.

How will the enforcement work in practice?

The PSPO is not aiming to "catch out" responsible dog owners. Any officer enforcing the PSPO will take a common sense approach and base this on the risk to the public. For example, we may choose to approach dog owners who are walking dogs in areas on the same open land as children's play parks.

Will signs be erected across the District?

Only in problematic areas. Electronic copies of signs will be provided to all Parish Councils or community groups who will be able to put them up in any areas they wish.

How many dog bags should I carry?

There is no set limit. You should carry enough to ensure that you can clean up after your dog. We believe that most responsible dog owners carry a supply of bags. Running out of bags or forgetting to pick one up will not be deemed as a reasonable excuse for failing to comply with the Order.

What does carry a device or other suitable means to remove dog waste mean?

Usually this will mean that you carry dog bags to remove waste, however other pieces of equipment are available and may be carried by dog owners. Suggesting that you would use your hands would not be deemed a reasonable excuse for failing to comply with the order.

Where should I dispose of dog waste?

If your dog defecates on public land, the bagged waste can be placed in any public litter bin, dog waste bin or household waste bin. It is always the responsibility of the owner or person in control of the dog at the time to dispose of the waste responsibly.

I've bagged my dog's mess but there is no bin nearby. What should I do?

If there are no bins nearby you must keep hold of your bagged dog waste until you reach a public litter bin or dog waste bin, alternatively it can be taken home and put into your household waste bin.

Can I come back and clear the mess later or collect the bag I have hidden or left?

No, the mess deposited by your dog must be cleared immediately and any bag containing that mess must be removed without any delay.

I did not see my dog foul, is it still an offence?

When you are out walking your dog it will be your responsibility to watch your dog at all times and to ensure you clean up after it. Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), will not be deemed as a reasonable excuse for failing to comply with the Order.

WEST LINDSEY DISTRICT COUNCIL

Anti-Social Behaviour, Crime and Policing Act 2014, section 59 Public Space Protection Order

Notice is hereby given that West Lindsey District Council (“the Council”) in exercise of its powers under section 59 of the above Act and under all other enabling powers, proposes to make an order to extend the current PSPO relating to Dog Fouling across the District:

- The order will cover the whole district of West Lindsey (subject to any exceptions in line with the legislation).
- The order requires that;
 1. Dog fouling occurring on any land which is open to the air, and to which the public have a right or entitlement of access to, whether paid or unpaid, within the District of West Lindsey (see map appended), must be removed immediately by the person at that time in control of the dog.
 2. Dog fouling must be properly disposed of in a general waste bin or dog waste bin
 3. A person in charge of a dog on land, if directed by an authorised officer, must produce a device or other suitable means of removing dog faeces and transporting it to a bin (whether or not the dog has defecated)
- The order would be in place for a further period of three years

Failure to comply will be an offence with liability to a fine up to a maximum £1000 or prosecution.

The draft of the proposed order is published on the Council website here <https://www.west-lindsey.gov.uk/council-democracy/public-notices> or can be viewed in reception at the Guildhall, Marshalls Yard, Gainsborough.

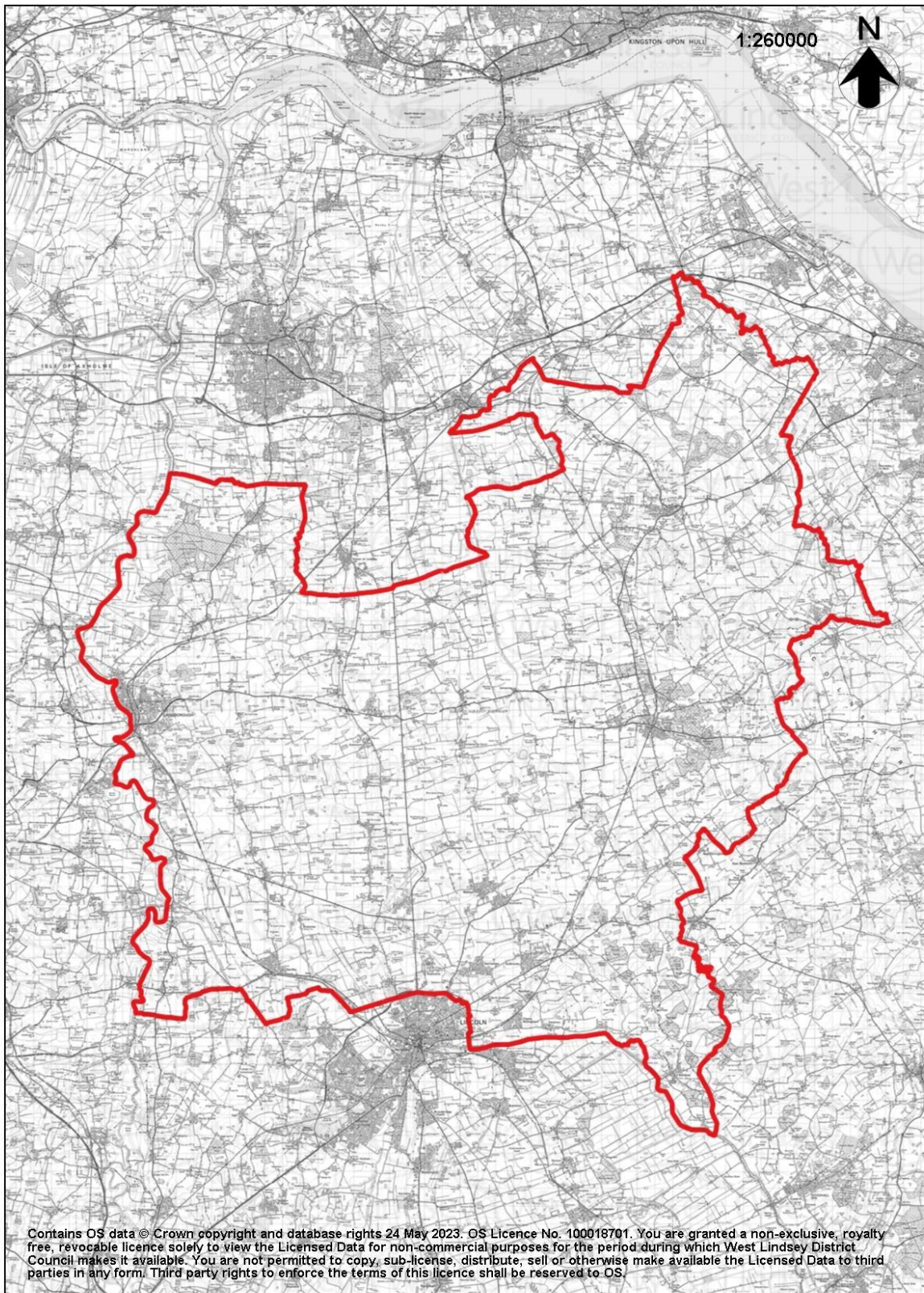
If you wish to make representations concerning the proposed order, you should make queries in writing to the ASB Team at WLDC, Guildhall, Marshalls Yard, Gainsborough DN21 2NA or by email to ASBTeam@west-lindsey.gov.uk. Comments should be submitted by the 22nd May 2026.

The responses will determine whether the PSPO is made, and whether the proposed conditions will be agreed, amended or removed.

Please note that all representations may be considered in public by the Council and could become available for public inspection.

Dated this day 30th April 2026

Map of area designated under Public Space Protection Order



Agenda Item 5b



Committee - Regulatory

Thursday 4th June 2026

Subject: Food, Health and Safety Work Plan 2026/2027

Report by:

Chief Executive

Contact Officer:

Andy Gray – Head of Environmental Services

Executive Summary:

The Council is required to produce and approve a work plan that is in line with the Food Standards Agency Framework Agreement and the Statement of Commitment agreed nationally between Local Authority Representatives and the Health and Safety Executive (HSE). This plan covers all work undertaken within the Housing and Environmental Enforcement work area relating to Food and Health and Safety.

The purpose of the work plan is to set out how the Council delivers its official controls and fulfils its duties under food, health and safety, public health and drinking water legislation.

Appendices to Report

- Appendix 1 – The Food, Health and Safety Work Plan 2026/2027

RECOMMENDATION(S):

Regulatory Committee are asked to:

- a) Approve the Food, Health and Safety Work Plan as detailed at Appendix 1.
- b) Approve that an update on progress against the plan is brought to Regulatory Committee at its December 2026 meeting.

1. Introduction

- 1.1. The Council is required to produce and approve a work plan that is in line with the Food Standards Agency Framework Agreement and the Statement of Commitment agreed nationally between Local Authority Representatives and the Health and Safety Executive (HSE). This plan covers all work undertaken within the Housing and Environmental Enforcement work area relating to Food and Health and Safety.
- 1.2. The purpose of the work plan (shown in appendix 1) is to set out how the Council delivers its official controls and fulfils its duties under food, health and safety, public health and drinking water legislation.

2. Context

- 2.1. As can be seen in the service demand table below, the Council has performed excellently over the last twelve months in terms of the number of inspections it has delivered.
- 2.2. There are currently 961 food businesses registered within the district, a small decrease from 981 in 2025. Since 2010/11 the average number of registered food businesses annually has been 950.
- 2.3. The work area has also been seeking to meet the Council's obligations in regard to proactive health and safety inspections and the additional temporary capacity within the team has enabled this to occur.

3. Service Demand in 25/26

- 3.1. The table below shows the demand placed on the service over the last 4 years.

	2022/23	2023/24	2024/25	2025/26
Total Routine Planned Food Hygiene Inspections (A to D, & Unrated)	447	228	376	290
Completed Food Hygiene Inspections	418 (91%)	229 (100%)	336 (89%)	421 (118%)
Food Inspection Visits (inc abortive)	542	355	433	557
Food Inspection Revisits (additional)	131	50	91	126
Request for Revisit (FHRS)	17	3	9	21
Health & Safety Intervention Visits	32	5	10	6
Health & Safety Targeted Interventions	20	0	16	0
Funeral Parlour Inspections			9	0
Total			25	0
Food / H&S Complaints and Service Requests (note 2020/21 figure includes covid related complaints and service requests)	247	247	180	164
Service Requests Requiring a		51	51	50

Premises Visit (additional)				
Accident Investigations	1	0	6	1
RIDDOR Reports	50	51	43	62
Infectious Disease Reports	47	29	22	24
Sampling Undertaken	24	1	14	5

3.2. The figure of 290 total routine planned food hygiene inspections (A to D) reflected the number of inspections required from the FSA. Alongside this in 25/26 there were unplanned and non-routine inspections meaning that the true figure for scheduled inspection was 354. The Council also proactively sought to revisit a number of Category E rated premises, that do not require physical inspection, however had not been visited for some time.

3.3. There is a level of uncaptured demand that relates to general advice and queries that arise as part of the day-to-day work relating to food and health and safety. The total number of visits in 25/26 was 557, an increase of over 100 from the previous year. The offering of advice provides additional value and support to businesses in the district and help to ensure that strong relationships are in place and maintained.

3.4. Officers also continued to carry out targeted health and safety interventions at the relevant premises to check for compliance following on from the previous regime. Alongside this the work area responds to health and safety incidents that require investigation and also had a proactive presence across the 3 operational days of the Lincolnshire Show.

4. Approach to Food Hygiene Inspections in 26/27

4.1. The Food Law Code of Practice (March 2021) provides the opportunity for a range of interventions in relation to food premises. The approach that the Council takes regarding these interventions is linked to its Corporate Enforcement Policy, which officers have regard for when making any decision. The planned programme of intervention is shown in the table below:

Category	Inspection Frequency	No of Premises
A	6 months	3
B	12 months	37
C	18 months	89
D	24 months	150
E	36 months	35
UNRATED		36

4.2. The above table represents the scheduled normal routine inspection program for the 26/27 financial year of 350. Of these, 315 require a

physical food hygiene inspection in the current financial year, and 35 category E are inspected via an Alternative Enforcement Strategy. The alternative enforcement strategy is a paper-based exercise for premises that do not require a physical inspection due to their E rating.

4.3. There are currently 22 Category E establishments whose most recent physical food hygiene inspection was prior to the end of 2019. These have been allocated for inspection in the current financial year. These category Es are not a priority for inspection, however form part of our requirement to demonstrate our strategy for low risk premises.

4.4. Food hygiene inspections undertaken, which do not form part of the routine inspection program, are estimated to increase this number by 20 to 30% to these figures.

Non-routine inspections include: -

- Paid for food hygiene inspections undertaken as part of the Food Hygiene Rating Scheme.
- Food hygiene inspections undertaken as part of a complaint investigation.
- New food businesses opening after 1st April 2026.
- Changes to the risk rating, resulting in more frequent inspection.

4.5. Therefore, the true food inspection program, comprising of both the routine planned and unplanned inspection programme is estimated at between 400 and 432 food hygiene inspections required in the current financial year. This is a similar number to the previous years achieved inspections.

4.6. These will be delivered alongside the Council's other obligations for sampling, health and safety and accident investigation.

5. Resources

5.1. There are currently 5 officers authorised to undertake food and/or health & safety related work within the Council. This relates to 4 FTE posts to deliver the food and health & safety service plan. This translates to:

- 1 FTE Senior Environmental Health Practitioner
- 3 FTE Food and Health & Safety operational inspecting officers

A further 0.3 FTE, towards delivery of the food and health & safety function, is provided by administrative support.

5.2. It is evident that since the introduction of the additional FTE, initially temporarily and now permanently the service performance has improved significantly.

6. Service Risks

6.1. As we have moved into the 26/27 inspecting year, there are a number of risks within the service, which are expected to have an impact on its delivery moving forward. These risks are outlined below:

- The intended target of 90% of inspections appears likely to be met, however there is always a risk that this does not occur for a variety of reasons. If it is not met, the Council will liaise with the FSA to ensure that an improvement plan is in place.
- The service system transition to CRM is likely to have an impact on inspection numbers and role efficiency. It is too early to understand this impact, however it is under continual review and will certainly reduce the number of inspections that are carried out within 26/27.
- There is one scheduled retirement within the work of an experienced officer and the potential for a further retirement before the end of the financial year. One post is due to be recruited to during Summer 2026.
- Additional demand on Senior EHOs reducing availability to complete inspections.

ASSOCIATED IMPLICATIONS

Legal:

The Council is required to produce and approve a work plan that is in line with both the Food Standards Agency Framework Agreement, and the Statement of Commitment agreed nationally between Local Authority Representatives and the Health and Safety Executive.

The Food Act 1990 as amended by the Food Safety act 1990 provides the legal background for the provision of these services by the Council.

Financial: FIN/27/27/MT JT

This report seek approval for the Food, Health and Safety Work Plan as detailed in Appendix 1, which is funded by the Medium-Term Financial Plan (MTFP) budget for Food Safety approved by Committee in March 2026. See summary table below:

6011 - Food, Health & Safety	2026/27 Base Budget	2027/28 Base Budget	2028/29 Base Budget	2029/30 Base Budget	2030/31 Base Budget	2031/32 Base Budget
Employees	271,300	280,000	288,100	298,400	307,300	314,700
Supplies & Services	6,000	6,300	6,600	6,900	6,900	6,900
Support Services	93,400	94,700	96,900	99,300	101,300	101,300
Transport	200	200	200	200	200	200
Income & Fees	(7,400)	(7,400)	(7,400)	(7,400)	(7,400)	(7,400)
Grand Total	363,500	373,800	384,400	397,400	408,300	415,700

Staffing:

The report identifies the staffing resource available to the service and how they are deployed in order to meet the Council's statutory responsibilities.

LGR implications:

The provision of the annual food, health and safety work plan is a statutory responsibility.

Equality and Diversity including Human Rights:

None noted.

Data Protection Implications:

None noted

Climate Related Risks and Opportunities:

In relation to the climate, this work plan seeks to deliver a number of the Council's statutory obligations focussed on food and health and safety. Within this there are opportunities to positively impact climate related risks through advice and engagement that can be provided to food businesses. Officers will also provide advice and guidance in regard to minimising food waste.

This mainly relates to advice and guidance in regard to waste and the appropriate practices for its disposal and storage.

Section 17 Crime and Disorder Considerations:

There are no direct implications within this report. In line with the Council's Corporate Enforcement Policy this work area seeks to ensure that other agencies are engaged where necessary to address specific concerns.

Health Implications:

The delivery of an effective Food and Health and Safety Work Plan has a clear and direct impact on the health of the Districts residents. The plan seeks to ensure that Food Hygiene Standards are maintained in line with legislation and that Health and Safety incidents are investigated accordingly.

Risk Assessment:

Maintaining Food Hygiene Inspection Requirements – the inability to deliver the required number of inspections could lead to intervention from the Food Standards Agency, who would require improvements to be made in line with a clear plan of action.

Title and Location of any Background Papers used in the preparation of this report:

None noted.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

Food, Health and Safety Work Plan 2026/2027

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1. Introduction

- 1.1. The Council is required to produce and approve a work plan that is in line with both the Food Standards Agency Framework Agreement, and the Statement of Commitment agreed nationally between Local Authority Representatives and the Health and Safety Executive (appendix A). It covers all work undertaken within the Housing and Environmental Enforcement work area relating to Food and Health and Safety.
- 1.2. The purpose of the work plan is to set out how the Council delivers its official controls and fulfils its duties under food, health and safety, public health and drinking water legislation.
- 1.3. The Service has now returned to a normal operating model following the Covid-19 Pandemic and is now working back in line with the Food Standards Agency Routine Planned Inspection Programme, which commenced in April 2022 and is ongoing. Specifically, local authorities should be planning to:
 - Carry out due interventions for establishments that are back in the routine programme of interventions in accordance with the frequencies set out in the Food Law Code of Practice (the Code). This is in line with the expectation in the Recovery Plan that establishments should revert to Code frequencies once subject to an intervention as part of the Plan.
 - Continue to exercise a risk-based approach to the requirements set out in the Code based on available resource. Please note, services should be resourced to ensure they can meet the requirements of the Code.
- 1.4. The Food and Health & Safety Team will continue to provide the Council's response to any future public health pandemic, should it return. Providing advice, education and ultimately, enforcement, to both businesses and residents.
- 1.5. Current resources identified at 10.1 (as of 1/04/2026) are sufficient to meet most of the obligations of this service plan subject to the uncertainty of future service demand over the current financial year. The current resources have been increased by one permanent full time employee during the previous 12 months which has contributed to a significant improvement in performance figures.
- 1.6. The retirement of up to two inspecting and experienced officers, in the current financial year, has the potential to impact on service delivery. Exacerbated by a very challenging market for recruitment.
- 1.7. Introduction of a new management information system at the start of the financial year has the potential to impact on service delivery, whilst Officers become familiar with its implementation.

2. Service Aims and Objectives

- 2.1. The Food and Health & Safety work areas play a key role in ensuring that the district is safe and healthy.

The work of the service:

- Protects and improves the health, wellbeing and safety of all persons who live in, work in, or visit the district
- Enables economic development and prosperity
- Protects and improves the local environment
- Ensures that a proportionate and risk-based approach to enforcement is delivered

3. Links to the Corporate Plan and Other Functions

- 3.1. The Councils Corporate Plan 2026 – 2030 has the following vision: “To be a trusted provider of good quality services that strive to improve the lives of people and communities across the district, and enhance our places and spaces..”

In order to deliver the Councils vision, it will focus on three key areas: Thriving People, Thriving Places and Thriving Council..

- 3.2. This work plan supports this vision and specifically contributes to a number of key strategic aims such as:
- To create a safer, cleaner, and greener district in which to live, work and socialise.
 - To reduce health inequalities, promote healthy lifestyle and improve wellbeing across the district.
 - To create strong, resilient communities and promote positive life choices for disadvantaged residents.
- 3.3. The Councils Corporate Enforcement Policy was reviewed and updated in 2022 and provides the framework under which these functions operate.
- 3.4. The work across the wider Housing and Environmental Enforcement service area seeks to broaden the scope of the food and health and safety work areas. This particularly relates to food premises that may present wider issues relating to housing or environmental health.
- 3.5. The work areas also contribute and influence work relating to development management and policy, growth, licensing, and community safety.

4. Authority Profile

- 4.1. The West Lindsey District is one of the largest and most rural in England. It covers 1,156km² (446 square miles), with the administrative center in Gainsborough on the River Trent to the west, and the market towns of Caistor and Market Rasen to the east.
- 4.2. The 2021 Census revealed that the population of West Lindsey is at its highest ever recorded level having grown from 89,300 in 2011 to 95,200 in 2021. This is an increase of 6.7%, which is a higher increase than the national average. The districts population is ageing and continues to age at a faster rate than the population nationally.
- 4.3. Across the district there are wide variations in the levels of deprivation. Some areas experience the highest levels of deprivation in the country, while others are amongst the most affluent.

5. Scope of the Service

- 5.1. The Food and Health & Safety functions sit within the wider Housing and Environmental Enforcement work area. The main functions of the work area are as follows:
 - Inspection of registered food premises
 - Investigation of food poisoning and infectious disease notifications
 - Investigation of food related complaints
 - Responding to national and local food alerts
 - Inspection of businesses in relation to health and safety compliance
 - Investigation of statutory reportable incidents
 - Provision of advice and guidance in relation to the matters above
 - Maintenance of a register of cooling towers and food premises
- 5.2. Some functions within the food safety work area come with an associated fee. These fees are reviewed annually and detailed on the Councils website.

6. Service Delivery

- 6.1. There are a number of elements within the service delivery aspect of this plan:

6.1.1. Staff Development / Internal Monitoring

We are committed to ensuring that we have a high standard of competency for Authorised Officers working within the Food / Health and Safety Team. We will ensure that resources are available to allow Authorised Officers to meet their obligations of Continued Professional Development. Training needs will be reviewed as part of the Workforce Plan & Development process to identify any competency deficiencies and further staff development.

Internal monitoring of food interventions / complaints / service requests will be conducted by the Food Team Manager / Lead Food Officer. Verification of

the above will be undertaken at regular Workforce Plan & Development meetings with Authorised Officers. Review of Competency Assessments, required under the Food Law Code of Practice / Practice Guidance will form part of the Workforce Plan & Development process. Subject to the findings of the internal monitoring at Workforce Plan & Development meetings accompanied food hygiene inspections will be undertaken as a minimum, yearly.

6.1.2. Food Complaints

We will investigate all complaints about food / complaints about food premises received, where we have the authority and jurisdiction to do so. Food complaints will be investigated by Authorised Officers, demonstrably competent to do so, in accordance with the requirements of the Food Law Code of Practice: Statement of Competence for Authorised Officers. Officers will use their Professional Judgment, coupled with available guidance, to determine the nature and scope of the investigation. Advice may also be obtained from colleagues. All complaints may trigger a food hygiene inspection, at the professional discretion of the Authorised Officer.

6.1.3. Home Authority Principle & Primary Authority Scheme

The Council supports the Primary Authority Scheme and Home Authority Principle. However, the Food Service does not have any formal Home Authority arrangements with individual businesses. Currently there are no food related Primary Authority relationships in place.

6.1.4. Advice to Businesses

The Council provides advice and education to food businesses, to support them in complying with their legal requirements, whilst also helping them to adopt good practices. The Council supports businesses by providing information on the Council webpage. Advice is readily available by contacting Officers directly. The Council also operates one to one advice visits for the benefit of food businesses, although this is a paid service.

6.1.5. Control of Infectious Disease

The service will investigate all outbreaks of food or water borne disease. All suspected cases will be followed up and confirmed cases will be contacted by telephone or by questionnaire to try and ascertain if there are any common factors.

6.1.6. Food Safety Incidents

Food safety alerts notify the public and food authorities of incidents concerning food which does not meet food safety or composition standards.

Alerts are received via the FSA alert system into the Commercial Team shared e-mail inbox which is monitored during office hours. Any alert marked "for action" is referred to the Team Leader to determine the most appropriate course of action.

6.1.7. Sampling

West Lindsey District Council shall comply with all relevant UK and assimilated EC legislation to ensure food within the district is appropriately sampled for microbiological safety. Each year a food sampling policy and programme will be produced and published to be available to local businesses and consumers. This will outline our general sampling strategy and approach relating to specific local situations.

Sampling within the district will be carried out in accordance with this policy, programme and following a set documented procedure.

West Lindsey District Council has access to Senior Microbiologists from the Food, Water and Environmental Microbiology Laboratory (York) Laboratory as Food Examiners.

West Lindsey District Council aims to participate in all sampling programmes organised nationally through the Food Standards Agency and UK Health Security Agency. As agreed through Lincolnshire Environmental Health Manager's Group all programmes organised through Lincolnshire Food Sampling Group will be participated in.

Locally, West Lindsey District Council will have regard to sampling from food businesses and manufacturers, particularly those premises producing high risk foods of animal origin. The Council will also sample businesses which produce and distribute foods outside the area. Food sampling and swabbing of food premises may be included as part of food hygiene inspections to help assess hygiene standards and processes. Food sampling will also be used as an important tool, when appropriate, in the investigation of food complaints and food poisoning incidents.

6.1.8. Food Sampling Policy

This policy will set out West Lindsey District Council's general approach to food sampling and its approach in specific situations such as process monitoring, Home Authority Principles, inspections, complaints, special investigations, and national, regional, and locally co-ordinated programmes.

Sampling makes an important contribution to the protection of public health and the food law enforcement function of the Local Authority. It is a useful tool for:

Investigating complaints

Investigating food poisoning or food contamination incidents

Assisting in measuring compliance with food safety legislation when undertaking food hygiene inspections.

These matters are demand driven and samples will be taken as required.

Local Authorities have a duty to ensure food meets legally prescribed standards and routine sampling will monitor compliance.

West Lindsey District Council will ensure appropriate action on non-compliance with food safety legislation is taken in accordance with relevant Food Safety Legislation, Food Standards Agency Codes of Practice, and the Enforcement Policy.

A procedural document details the method for taking samples, continuity of evidence and preventing deterioration or damage to samples whilst under the Authority's control.

Samples for examination are sent by courier to UK Health Security Agency, Food Water and Environmental Microbiology Laboratory (York). Other accredited laboratories may be used for specialist projects.

West Lindsey District Council's sampling programme will reflect the manufacturing, retail, and catering premises within the district to ensure locally produced foods meet legal requirements and to assist those businesses in monitoring compliance. This will also reflect our Home Authority and any future Primary Authority responsibilities.

West Lindsey District Council will participate in UK Health Security Agency and local co-ordinated sampling programmes with other Local Authorities.

Figures relating to food sampling undertaken by the Authority will be returned to the Food Standards Agency via the Food Surveillance System and LAEMS returns.

West Lindsey District Council will follow documented procedures to ensure consistency following results of sampling and consider the Enforcement Policy before deciding what action to take.

During routine sampling if unsatisfactory results are found the manufacturer or if relevant the local retailer/caterer will be notified of the results to discuss the proposed course of action.

If formal samples are taken in accordance with the FSA Code of Practice the local business will be notified and action taken in accordance with the Code of Practice, the Council documented Food Sampling Procedure and the Enforcement Policy in consultation with the Senior Environmental Health Officer/Environmental Health Manager as appropriate.

The sampling programme will be reviewed and updated annually and as required to reflect local and national priorities.

7. Profile

7.1. The current profile of food premises and timescales for inspections are as follows:

Category	Primary Producers	Manufacturers & Packers	Importers / Exporters	Distributors / Transporters	Retailers	Restaurants & Caterers	Totals
A (6 months)	0	1	0	0	0	2	3
B (12 months)	0	8	0	0	2	27	37
C (18 months)	0	15	0	0	12	110	137
D (24 months)	0	3	0	2	29	266	300
E (36 months)	7	10	0	30	97	303	447
Unrated	0	0	0	1	4	32	37
Total	7	37	0	33	144	740	961

The total number of food premises is 961 and there are currently 11 approved premises.

7.2. The food hygiene rating system (FHRS) extends to businesses supplying food directly to consumers. The overall aim of the scheme is to reduce the incidence of food borne illness and the associated costs of this to the economy. The system helps to inform members of the public in regard to places they wish to eat or purchase food from. This in turn helps to raise food hygiene standards. The rating of premises across the district as of March 2026 is shown below;

FHRS Rating	Description	Number	%
5	Very Good	582	84.4%
4	Good	52	7.5%
3	Generally Satisfactory	36	5.2%
2	Improvement Necessary	0	0%
1	Major Improvement Necessary	18	2.6%
0	Urgent Improvement Necessary	2	0.3%

** Please note. These figures come from the Food Standards Agency website and includes premises that may have been rated but that may no longer require rating

8. Service Demand

8.1. The table below shows the demand placed on the service over the last 4 years

	2022/23	2023/24	2024/25	2025/26
Total Routine Planned Food Hygiene Inspections (A to D, & Unrated)	447	228	376	290
Completed Food Hygiene Inspections	418 (91%)	229 (100%)	336 (89%)	421 (118%)
Food Inspection Visits (inc abortive)	542	355	433	557
Food Inspection Revisits (additional)	131	50	91	126
Request for Revisit (FHRS)	17	3	9	21
Health & Safety Intervention Visits	32	5	10	6
Health & Safety Targeted Interventions	20	0	16	0
Funeral Parlour Inspections			9	0
Total			25	0
Food / H&S Complaints and Service Requests (note 2020/21 figure includes covid related complaints and service requests)	247	247	180	164
Service Requests Requiring a Premises Visit (additional)	39	51	51	50
Accident Investigations	1	0	6	1
RIDDOR Reports	50	51	43	62
Infectious Disease Reports	47	29	22	24
Sampling Undertaken	24	1	14	5

- 8.2. There is a level of uncaptured demand that relates to general advice and queries that arise as part of the day-to-day work relating to food and health and safety. The offering of advice provides additional value to businesses in the district and help to ensure that strong relationships are in place.
- 8.3. Further uncaptured demand relates to technical advice provided to the wider Council, as the technical lead to the Council for both food and health & safety.
- 8.4. Additional uncaptured demand is generated from attendance, by the service, at site specific events throughout the year. For example. Three Officer attendance at the two-day Lincolnshire Show to ensure public safety at the event.

- 8.5. There is a specific charging schedule in place for various aspects of food safety work such as food hygiene re-inspections, under the food hygiene rating scheme, and advice and guidance provided to new businesses.

9. Planned Inspection Programme

- 9.1. An inspection programme is established and maintained for all food premises within the district. Inspections are undertaken in accordance with the Food Safety Act 1990, Code of Practice. The frequency of inspection is determined by the risk that is presented. The Council has no formal Home/Lead/Primary Authority Agreement with any business operating in the district.

In 2026/27 the service aims to:

- Provide advice and support to businesses and residents.
 - Maintain an effective food inspection program, comprising both routine planned & unplanned inspections seeking to achieve a total of 100%, in line with the requirements of the Food Law Code of Practice.
 - To investigate and instigate an action plan should this figure fall below 90%.
 - Ensure that any high-risk complaints are addressed.
 - Maintain a level of 97% of premises rating 3* or above.
 - Maintain and improve service delivery of health & safety provision within the district to capitalise on advances made in the 2022/23 financial year.
 - Maintain and improve service delivery at site specific events within the district.
 - Respond to and implement the proposed changes to the Food Law Code of Practice (and Practice Guidance), and their effect on food service delivery.
- 9.2. The Food Law Code of Practice, and Practice Guidance (October 2025) provides opportunity for a range of interventions in relation to food premises. The approach that the Council takes regarding these interventions is linked to its corporate enforcement policy, which officers have regard to when making any decision. The planned programme of intervention is shown in the table below.

Category	Inspection Frequency	No of Premises
A	6 months	3
B	12 months	37
C	18 months	89
D	24 months	150
E	36 months	35
UNRATED		36

- 9.3. The above table represents a normal routine inspection programme for the Year 2026/27 of 350. Of these, 315 require a physical food hygiene inspection in the current financial year, and 35 category E are inspected via an Alternative Enforcement Strategy.

- 9.4. Competent Authorities that decide to subject low-risk establishments to Alternative Enforcement Strategies must set out their strategies for maintaining surveillance of such establishments in either their service plan or enforcement policy.
- 9.5. There are currently 22 Category E establishments whose most recent physical food hygiene inspection was prior to the end of 2019. These have been allocated for inspection in the current financial year
- 9.6. Food hygiene inspections undertaken which do not form part of the routine inspection programme are estimated to add a further 20 to 30% to these figures. Non-routine inspections include: -
- Paid for food hygiene inspections undertaken as part of the Food Hygiene Rating Scheme.
 - Food hygiene inspections undertaken as part of a complaint investigation.
 - New food businesses opening after 1st April 2026.
 - Changes to the risk rating, resulting in more frequent inspection.
- 9.7. The true food inspection programme, comprising of both the routine planned, and unplanned inspection program, is estimated at between 400 and 432 food hygiene inspections required in the current financial year. This is calculated as follows:-
- | | |
|---|--------------|
| Routine Planned Inspections 315 + 20% | = 378 |
| Category E included in the inspection programme | = 22 |
| Total | = 400 |
| | |
| Routine Planned Inspections 315 + 30% | = 410 |
| Category E included in the inspection programme | = 22 |
| Total | = 432 |
- 9.8. Food sampling is an important aspect of food safety enforcement, providing information about the microbiological safety of food available within the district. Sampling will be undertaken in accordance with the relevant guidance and may be taken during a routine inspection, in response to a complaint or as part of a national sampling programme.
- 9.9. The Council ensures that a risk-based approach to inspections occurs in regard to its health and safety obligations. Reference is made to targeting advice produced by the Health and Safety Executive contained within Local Authority Guidance LAC 67/2 version 12, ensuring we are aligned with wider national priorities, and other relevant guidance. Programmed work focuses on reports that are received from members of the public or reports that are received via the Health and Safety Executive.
- 9.10. The Council is required to undertake accident investigations relating to fatalities and life changing injuries as a result of poor health and safety

practice. We also investigate cases of occupational ill health and dangerous occurrences as defined by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013.

9.11. The Council works in partnership with the UK Health Security Agency to identify, control and prevent the spread of infectious diseases.

10. Resources

10.1. There are currently 5 officers authorised to undertake food and/or health & safety related work within the Council. This relates to 4 FTE posts to deliver the food and health & safety service plan. This translates to:

- 1 FTE Senior Environmental Health Practitioner
- 3 FTE Food and Health & Safety operational inspecting officers

A further 0.3 FTE, towards delivery of the food and health & safety function, is provided by administrative support.

10.2. There is sufficient support officer resource in place to assist with the administrative functions relating to food and health and safety. These resources are shared across the broader work areas.

10.3. All relevant officers are delegated and authorised to carry out their functions. The level of authorisation is determined by their specific role, responsibility and competency level. Specific competency assessments for individual officers are in place relating to the work areas.

10.4. Financial Allocation - Food Safety Budget 2026- 2027

6011 - Food, Health & Safety	2026/27 Base Budget	2027/28 Base Budget	2028/29 Base Budget	2029/30 Base Budget	2030/31 Base Budget	2031/32 Base Budget
Employees	271,300	280,000	288,100	298,400	307,300	314,700
Supplies & Services	6,000	6,300	6,600	6,900	6,900	6,900
Support Services	93,400	94,700	96,900	99,300	101,300	101,300
Transport	200	200	200	200	200	200
Income & Fees	(7,400)	(7,400)	(7,400)	(7,400)	(7,400)	(7,400)
Grand Total	363,500	373,800	384,400	397,400	408,300	415,700

11. Liaison with Other Organisations

11.1. Alongside working within the Council, officers liaise with a number of other local authorities, agencies, and organisations to ensure that consistency is maintained, develop best practice and to share learning. The groups engaged with are as follows:

- Lincolnshire Environmental Health Managers Group
- Lincolnshire Food and Health and Safety Group

- Food Standards Agency (East Midlands, Yorkshire, and Humber Region)
- Health and Safety Executive
- UK Health Security Agency
- Lincolnshire County Council
- Lincolnshire Police
- Drinking Water Inspectorate
- Anglian Water

12. Review

- 12.1. The Food and health and Safety Work Plan will be reviewed on a yearly basis

HSE

Statement of commitment between: Local Authority and HSE Regulatory Services

This joint statement of commitment (SoC), agreed by local authority (LA) representative bodies and the Health and Safety Executive (HSE) in March 2019, sets out our shared vision for an ongoing LA/HSE co-regulatory partnership. Ensuring LAs and HSE work together as effective, modern and professional regulators - delivering the positive benefits of efficient, world leading workplace health and safety, to achieve:

- Sustainable arrangements for the enforcement of work related health and safety.
- Established joint working arrangements resulting in effective engagement, consultation and communication.
- Consistency of high quality regulation across HSE and LA enforced businesses.

This shared SoC is aimed at Councillors, LA Chief Executives and their Heads of Regulatory Services. It outlines how LA senior managers and HSE will work together, to achieve sustainable future delivery of effective workplace health and safety enforcement in Great Britain (GB).

Current position

LAs are a key part of the health and safety system in GB. They have a statutory duty under Section 18 of the Health and Safety at Work etc. Act 1974 to 'make adequate provision' for health and safety enforcement in their area, as set out in the 'National LA Enforcement Code' (the Code) (www.hse.gov.uk/lau/la-enforcement-code.htm).

LAs enforce workplace health and safety in two thirds of all business premises, around half of the total GB workforce. LAs predominantly cover the retail, consumer services, entertainment and warehousing/supply chain sectors.

Currently failures in the management of health and safety in LA enforced business sectors result in around 10 deaths, 5000 major injuries and over 100,000 new cases of ill health a year. Many of those harmed are members of the public/children, or vulnerable workers not provided with reasonable workplace protection.

HSE provides national direction via the Code and its supporting documentation e.g. annually updated targeting advice (www.hse.gov.uk/lau/lacs/67-2.htm) supports LAs to develop locally responsive sustainable delivery plans, using the most current intelligence and regulatory practice.

Effective management of health and safety brings direct benefits to the local community, by:

- Reducing work related death, injuries and ill health.
- Reducing the need for local public health and support for those recovering from injury and ill health.
- Reducing the rate of business failure due to business outages caused by incidents and harm to staff, or the loss of reputation.

This SoC was developed as part of the on-going work of the strategic group overseeing the HSE/LA co-regulatory partnership (HELA) and the supporting Practitioner's Forum. It also has the endorsement of the Local Government Association (www.local.gov.uk/), Welsh Local Government Association (www.wlga.gov.uk/) and Society of Chief Officers of Environmental Health in Scotland (www.socoehs.com/) and recognises that:

- LAs must target and prioritise regulatory resources to meet their legal duty to enforce health and safety;
- Continued delivery of effective co-regulation will require ongoing evolution in both the LA and HSE approaches to regulatory delivery, and
- The HSE and LA co-regulatory partnership plays a vital role in delivering the 'Help GB Work Well' strategy. (campaigns.hse.gov.uk/hgbww/)

This SoC does not relate to an LA's own responsibilities as a health and safety dutyholder. Information to support LAs as employers, service providers and procurers/commissioners of goods and services can be found on the HSE website (www.hse.gov.uk/services/localgovernment/index.htm).

Joint LA/HSE Commitments to Targeted Sustainable Health and Safety Enforcement

What LAs & HSE will do together as co-regulatory partners to #HelpGBworkwell

LAs & HSE will provide an effective regulatory framework by:

- Sharing information, to make sure we take decisions on the best available evidence.
- Delivering risk based, targeted frontline interventions.
- Maintaining liaison and effective two-way communication via joint representation at county liaison groups as well as the joint LA/HSE HELA and Practitioner forums.

LAs & HSE will secure effective management and control of risk by:

- Delivering a consistent approach to the enforcement of work related health and safety across GB in line with the principles of the Regulator's Code (www.gov.uk/government/publications/regulators-code).

LAs & HSE will lead and engage with others to improve workplace health and safety by:

- Promoting the benefits of proportionate health and safety in their frontline engagement.
- Working together as co-regulatory partners to influence businesses as part of a national strategy.
- Using the latest in behavioural insight to develop new ways to change business behaviour.

What LAs will do as independent co-regulators to #HelpGBworkwell

LAs will provide an effective regulatory framework by:

- Providing the competency, capacity, resource and support to fulfil their delivery plans.
- Working with other LAs to peer review activities and promote better health and safety outcomes.

LAs will secure effective management and control of risk by:

- Developing and implementing local delivery plans which clearly link to national and local priorities.
- Using national and local intelligence to effectively target poor performing sectors.
- Annually reporting their health and safety enforcement activity to HSE.

LAs will lead and engage with others to improve workplace health and safety by:

- Leading and engaging with their local business community to promote health and safety priorities and adopting the "Better Business for All" approach where relevant and sustainable.
- Sharing relevant local intelligence with HSE to inform the national perspective.
- Championing their role as health and safety regulators.

What HSE will do as the national policy lead and a co-regulator to #HelpGBworkwell

HSE will provide an effective regulatory framework by:

- Reviewing the effectiveness of GB's occupational health and safety system.
- Providing LA regulators with access to topic specific materials and technical / forensic support.
- Monitoring and reporting on LA regulatory activity to the HSE's Board and other stakeholders.

HSE will secure effective management and control of risk by:

- Setting national regulatory priorities and the overarching strategic direction.
- Sharing expertise, practice and supporting materials to promote consistent/proportionate regulation.
- Supporting LAs to develop effective intervention plans by providing targeting guidance based upon up-to-date information and intelligence via targeting guidance which accompanies the Code.

HSE will lead and engage with others to improve workplace health and safety by:

- Co-ordinating national engagement and promotion of proportionate health and safety and using feedback from LAs to inform the development of national priorities in the LA enforced sectors.
- Providing support for LA local and national regulatory liaison and industry sector working groups.
- Championing the LA role as health and safety regulator.

Agenda Item 5c



Committee - Regulatory

Thursday 4th June 2026

Subject: Pavement Licenses – Extension of sub-delegation to Lincolnshire County Council

Report by:

Chief Executive

Contact Officer:

Andy Gray – Head of Environmental Services

Executive Summary:

In September 2024, Regulatory Committee agreed to delegate the District Councils function under the Levelling Up and Regeneration Act 2023 for “Pavement Licenses” to Lincolnshire County Council for a further 24 months up until the September 2026. This report seeks to further extend that delegation until 2029.

RECOMMENDATION(S):

- a) **Regulatory Committee are asked to approve that the Districts Council’s function in relation to “Pavement Licenses” under the Levelling Up and Regeneration Act 2023 be delegated to Lincolnshire County Council until September 2029.**

1 Introduction

- 1.1 In September 2024, Regulatory Committee agreed to delegate the District Councils function under the Levelling Up and Regeneration Act 2023 for “Pavement Licences” to Lincolnshire County Council for a further 24 months up until the September 2026.
- 1.2 Prior to this Act (and previously the Business and Planning Act 2020) pavement licences (also known as “street café licences” and “tables and chairs licences”) which allow businesses such as cafes, restaurants and bars to place furniture on the highway were determined by Lincolnshire County Council (LCC) under the Highways Act 1980.
- 1.3 The revised legislation within the Act now enables the Local Authority to charge an increased fee for the issuing of and the renewal of a Pavement Licence. These fees are set at £500 for a new application and £350 for renewal. As it stands LCC are not currently charging a fee for new applications, but this may be reviewed in the future.
- 1.4 Licenses are issued for a two year period unless there is good reason to issue them for a shorter time period. If a licence is issued for a shorter time period then the fee will reflect that pro-rata.

2 Current Licenses - Update

- 2.1 To date there are only three active licenses within West Lindsey, which the County Council have determined. These are shown below.

Establishment	Location	Current Licence Expiry Date/Renewal Date
Cooplunds Bakery	Market Place Gainsborough	19 August 2026
The Plough	The Green Nettleham	18 October 2026
Alfies Deli	Market Place Gainsborough	11 April 2027

- 2.2 When the report was presented to Regulatory Committee in September 2024 there were also three active licenses.
- 2.3 The District Council and other stakeholders (i.e., The Police and Ward Councillors) are consulted with as part of any new application and the Council is responsible for notifying parties that an application has been received. Any comments on the application are made directly to LCC.
- 2.4 The new streamlined process detailed in the Act means that applications are subject to 14 days (previously 7) of consultation and then a decision has to be taken within a further 7 days, otherwise the licence is deemed to have been granted.

- 3.1 It is believed that the Council have two options in relation to pavement licenses.
- Continue with and extend the sub-delegation.
 - Cease the sub-delegation and deliver the service in house.
- 3.2 Given the extent of the licenses issued and the role the LCC already play in regard to pavement licenses (they are the statutory enforcement body), it is not believed to be viable to deliver the service in house. The Licensing work area currently covers all of the Councils statutory licensing functions, alongside dealing with Public Health Funerals and elements of the cemetery's operation. Pavement licensing would be an additional and new function for the team and additional resource would be required to be allocated if it were to be set up as a new service. If the demand increased significantly it could potentially be implemented at a future point in time.
- 3.3 This would also be a new function for the Council there are currently no processes in place, limited knowledge or experience of this function. If the above provisions are not in place there is a risk of deemed licences as a result of non-determination.
- 3.4 With Local Government Reorganisation looming in the near future, this service will be least impacted if the delegation remains with the LCC
- 3.5 The Council will retain the ability to review and amend this delegation as required during this time period. Officers will also continue to monitor the application levels to enable continual consideration of whether the service could be delivered in house. At this moment in time it is not considered to be feasible.

Legal:

The Business and Planning Act 2020, in relation to Coronavirus, gave powers to District and Borough authorities to determine and issue pavement licenses. This power was not a power that had been previously held by those authorities and had always previously been a power held by County Council's.

The original regulations came into effect until September 2021, were extended until September 2022 and were further extended until September 2023 here. The process for this is set out here

<https://www.gov.uk/government/publications/pavement-licences-draftguidance/draft-guidance-pavement-licences-outdoor-seating-proposal>

The Levelling Up and Regeneration Act 2023 came into effect in October 2023 [Levelling-up and Regeneration Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2023/55/enacted#schedule-22)

The Act and made the provisions within the Business and Planning Act 2020 permanent. The schedule for the modification of the Business and Planning Act can be found here

<https://www.legislation.gov.uk/ukpga/2023/55/enacted#schedule-22>

The Levelling Up and Regeneration Act also included provision for the administering authority to charge a fee of up to £500 for a new application and £350 for a renewal.

Financial: FIN/28/27/MT JT

There are no direct financial implications for the Council.

In June 2024, the Council agreed to continue to delegate its power to the County Council for this function for a two-year period.

If the Council chose not to delegate authority and administer the function itself, there would be staffing costs associated with setting up and administering the function. The volume of applications is currently minimal and can be difficult to predict in terms of determining how to resource a service.

Therefore, it is not possible to quantify the financial implications at this time if this option was taken forward, but it is suggested that the resource implication is one factor that will be taken into consideration when determining the preferred solution.

Staffing:

None noted.

LGR implications:

This delegation, if approved, will be in place until 2029. Any LGR implications on designations such as this will be considered at the appropriate time and will be

commonplace across the Local Authorities involved.

Equality and Diversity including Human Rights:

No equality implications have been identified as this report relates to the implementation of legislation, which concerns the licensing of businesses.

Data Protection Implications:

None noted

Climate Related Risks and Opportunities:

None noted.

Section 17 Crime and Disorder Considerations:

The approval of pavement licences with appropriate local conditions provides a framework for enforcement (remediation notices and revocation provisions) should poor behaviour associated with the licence be experienced.

Health Implications:

None noted.

Risk Assessment:

Non-renewal of sub delegation: there are limited resources within the authority to set up and deliver the pavement licenses provision. Even with the additional fee, there is still not believed to be a viable business case given the number of licenses issued and renewed annually.

Existing Expertise: The County Council already determine licenses such as this therefore have the required resource and expertise to deliver the function.

Title and Location of any Background Papers used in the preparation of this report:

Delegated Decision: Dated 21 July 2020 "Street Licenses"

[Officer decisions | West Lindsey District Council \(west-lindsey.gov.uk\)](https://democracy.west-lindsey.gov.uk)

Regulatory Committee Report: Dated September 16th 2021:
<https://democracy.west-lindsey.gov.uk/ieListDocuments.aspx?CId=262&MId=2907&Ver=4>

Regulatory Committee Report: dated Dated September 22nd 2022:
<https://democracy.west-lindsey.gov.uk/ieListDocuments.aspx?CId=262&MId=3340&Ver=4>

Regulatory Committee Report: Dated June 2023: <https://democracy.west-lindsey.gov.uk/ieListDocuments.aspx?CId=262&MId=3438&Ver=4>

Regulatory Committee Report Dated June 2024: <https://democracy.west-lindsey.gov.uk/ieListDocuments.aspx?CId=262&MId=3677&Ver=4>

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

Agenda Item 5d



Committee - Regulatory

Thursday 4th June 2026

Subject: Removal of Knowledge Test Requirement for Taxi Drivers

Report by:

Chief Executive

Contact Officer:

Andy Gray – Head of Environmental Services

Executive Summary:

It is proposed that the existing knowledge test, required to be passed by taxi drivers as part of their licence application is removed and not replaced. It is believed that the knowledge test is no longer required as the existing "out of area" policy on its own, now allows the Council to effectively manage and enforce against any risks of drivers predominantly operating out of area.

Appendices to Report

- No appendices

RECOMMENDATION(S):

(a) That Regulatory Committee agree to remove the requirement for a knowledge test to be carried out by any driver applying for a hackney carriage vehicle license within West Lindsey.

1. Introduction

- 1.1 A knowledge test for taxi drivers was introduced at West Lindsey in September 2013 due to the sudden increase in out of area applications, individuals wanting to obtain a drivers badge with West Lindsey, licence a vehicle and then use it in other parts of the country. Whilst this was legal and within the legislation it resulted in a heightened risk to the council, as we were still responsible for any enforcement activity on individual drivers licensed by the Council, wherever they were operating. The knowledge test was intended as a blunt tool to effectively discourage individuals with no intention of operating within our area from applying for a driver's badge.
- 1.2 After the knowledge test the Council also implemented an 'out of area policy' with the clearly defined expectation that applicants for hackney carriage vehicle licences ply for hire predominately within the administrative area of West Lindsey District Council.
- 1.3 It is now believed that the knowledge test is no longer required as the "out of area" policy on its own allows the Council to effectively manage and enforce against any risk in this area. The knowledge test appears to be having unintended consequences and is affecting the pass rate of local residents when applying.

2 The Knowledge Test

- 2.1 New applicants applying for a taxi/private hire driver's badge are at a financial disadvantage as they currently have to undertake a knowledge test at the current fee of £44.50, with a re-sit fee of £42.50. They can only take the test 3 times and then they have to wait 12 months to start the process again.
- 2.2 On average it takes at least 2 attempts for potential drivers to pass the test causing an extra burden on the trade. Very few applicants pass first time, which is preventing local people from working and prospering in our district. An example of this is that an applicant, intending to work solely on the rank in Gainsborough, has to pass a knowledge test that requires they demonstrate knowledge across the whole district such as the name of a public house in Keelby or location of a GP's surgery in Bardney. Individuals intending to operate solely in and around other areas in the district such as Market Rasen are similarly disadvantaged by having to demonstrate their knowledge of Gainsborough where they will never work.
- 2.3 This unintended outcome was never the intention of the knowledge test when it was introduced as it was aimed at preventing drivers who had no intention of operating in the area from obtaining a licence. It is also accepted that drivers now extensively use devices such as satellite navigation systems or in phone apps on journeys, which significantly reduces the level of local knowledge needed for journeys. Any issues around reports from customers about an individual driver's navigation knowledge can be effectively dealt with through existing enforcement tools. Although reports such as **Page 47** very infrequent.

2.4 From the 1st of April 2025 to the 30th March 2026 17 knowledge tests were carried out (including retests), providing an income of £725. This income would no longer be received if the knowledge tests were removed. However, the requirement for staff to carry out and support the administrative elements of the test and for the Council to process these tests and fees would also be removed.

3 Summary

3.1 There is no legal requirement for the Council to have a knowledge test and in the latest guidance from the Governments Department of Transport in 2023 it suggest that topographical knowledge tests are no longer necessary.

3.2 The removal of the knowledge test will help to aid driver retention and give local people the opportunity to work within the taxi industry. It will also remove the financial burden on any applicant and reduce the timescales for becoming a licensed driver.

3.3 The Council is still able to effectively manage any risk presented by the geographical operation of a taxi driver through its “out of area” policy. The policy can be found here [West Lindsey Out of Area Taxi Policy | West Lindsey District Council](#)

(No.) Alternative Options

	Option	Rational for not recommending
1	Do nothing	As per the report. The knowledge test in its current form is not fit for purpose and is not of benefit to local persons wanting to become licensed taxi drivers.
2	Amend the knowledge test to make it more “local.”	Government guidance suggests that knowledge tests are no longer required. Retaining a more local test will still require applicants to pay a fee and will carry the same administrative burden.

Legal:

There are no legal implications. The provision of a knowledge test is not a legal requirement,

Financial: FIN/34/27/JT/JT

The removal of the knowledge test will mean that a small amount of income is lost to the Council (c£725 IN 25/26, c£1,000 ongoing pressure on the MTFP from 26/27).

This is expected to be offset by non-cashable efficiency savings of staff time time (estimated at 2.5hrs per test) from the reduction in administration and processing of the tests.

Staffing:

None noted.

LGR implications:

None noted.

Equality and Diversity including Human Rights:

None noted.

Data Protection Implications:

None noted

Climate Related Risks and Opportunities:

None noted.

Section 17 Crime and Disorder Considerations:

The Council's existing "out of area" policy still provides the framework for any enforcement required.

Health Implications:

None noted.

Risk Assessment:

There is very little risk to the Council in approving the removal of the knowledge test. The report sets out that the Council still has tools available to ensure effective enforcement should it be required.

Title and Location of any Background Papers used in the preparation of this report:

These are not appendices – you should list here any supporting information used to inform your report – e.g. government guidance –

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

X

No