

Cabinet

Wednesday, 9 September 2020

Additional Information

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Public Question Time

Cabinet

9th September 2020

Mr Roy Worman, Swindon resident, has submitted the six questions to the Cabinet Member for Housing and Public Safety.

The Cabinet Member has responded

Thank you for your questions. I have provided my answers with each question for ease of reference.

A). How many people are engaged in checking social distancing and other preventative measures to prevent the spread of the virus?

Swindon Borough Council has taken a corporate response to ensuring that prevention messages around Covid-19 are communicated to its communities. This includes efforts of many officers including public health, public protection, education teams and wider council colleagues.

The Council has also worked with over 600 businesses to promote the current guidance and policies to protect workforces and customers. Similarly, officers have worked with schools across the borough to assist them in complying with the current guidance and are safe environments for both children and teaching staff. The Council has worked jointly with community policing teams and fire and rescue services to ensure 'feet on the street' engagement with communities to reinforce the preventative measures.

In-line with our 'Swindon: it's up to all of us' Covid-19 campaign, it is for all residents and those working across the borough to ensure they understand and apply the guidance on how to reduce the risk of Covid-19.

Two Licensing Officers and Licensing Manager worked six consecutive weekends from 4 July and last two weekends covered. Ongoing and also inspections and certification at the football ground.

B) How many checks have taken place?

Officers have undertaken 46 Covid-19 related public health related inspections along with 61 Covid-19 checks by licensing officers

C) What agencies are involved and what powers do they have?

There have been 3 specific sets of Regulations; commonly called the Coronavirus Restriction Regulations Numbers 1, 2, and 3. (SI 2020:350, SI 2020:648, SI 2020:750)

Numbers 1 and 2 Regulations give restrictions around the opening of businesses, around gatherings, and around movements. From the Local Authority perspective; the closure of businesses is our function to enforce, and the Police enforce others. The No.2 Regulations simply update the No.1 Regulations with different businesses etc that must close; as decided by Central Government.

Under each of these Regulations, Council Designated Officers could serve Prohibition Notices, issue Fixed Penalty Notices, and/or commence prosecution proceedings for non-compliance.

The very great majority of businesses and venues are of course now permitted to open, and so this work has reduced now.

The most recent, No.3, Regulations are different in that they give the Local Authority the power to issue a 'Direction' which imposes local closures or restrictions or requirements on specific premises, or events, or spaces if the following 3 conditions are met:

- (a) that giving such a direction responds to a serious and imminent threat to public health,
- (b) that the direction is necessary for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus in the local authority's area, and
- (c) that the prohibitions, requirements or restrictions imposed by the direction are a proportionate means of achieving that purpose.

Guidance for Local Authorities on the 'No.3 Regulations' may be found here:

<https://www.gov.uk/government/publications/local-authority-powers-to-impose-restrictions-under-coronavirus-regulations/local-authority-powers-to-impose-restrictions-health-protection-coronavirus-restrictions-england-no3-regulations-2020>

In common with the Number 1 and Number 2 Regulations; Council officers would enforce the terms of any Direction issued with relation to either premises or events, and the Police have enforcement powers for other spaces. Again; similarly to those arrangements in previous Regulations, Council officers can serve prohibition notices and/or fixed penalties, or commence prosecutions for failing to comply with the terms of any Direction issued.

It is an important point to note that the number 3 Regulations are different to previous Regulations in that they are contingent on a Direction being issued in the first instance, in consultation with the Director of Public Health and with the Secretary of State being notified. The Secretary of State can also require the Local Authority to issue a Direction, or to amend or withdraw a Direction.

Other agencies that can be involved include: Police, Public Health England and Health and Safety Executive

Any powers that any agency has rely on enforcement of legislation. Some Covid-19 guidance is only guidance and not enforceable although officers do try to encourage and persuade people to comply.

D) Have any outlets been closed down due to lack of interpretation of guidelines?

None.

E) How many warnings have issued?

Officers have provided verbal advice, which has been checked and adhered to. There is one ongoing complaint that is being dealt with but we cannot divulge more information at this stage.

F) Using Card payment methods are these sufficient to enable track and Trace?

No as card payment methods would not have sufficient information to contact the individual if required. You would require a name and at least a contact telephone number / email.

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