

Following my post on 25th June in regards - Somewhat Disappointed - No Enforcement @ FDC

Yesterday Friday @ 09:47 I wrote on their behalf to The Chief Executive of Fenland District Council – Mr Paul Medd.... See below the reply @ 11:23

Dear Paul Medd,

I have been asked by several members of the electorate and a similar number of Neighbourhood Watch Coordinators in Whittlesey & District

(I am Chairman of the NHW Group), concerning the statement recently about there being 200 alleged infringements of the COVID-19 rules within Fenland and that no enforcement had taken place.

The concern raised with me is the disappointment to say the least of the lack of enforcement when the public/electorate/NHW have reported ongoing incidents of breaches of the regulations (some businesses allegedly carrying on throughout the whole period)

Whilst I fully appreciate the 'limitations' of both the Local Authority and the Police to deal with alleged incidents – the public/electorate/NHW must be confident that all is being done to keep them safe.

As has been witness in the press and TV – beaches and mass gatherings are extremely difficult to control.

With the easing of restrictions come 04th July – I need to reassure those who are contacting me that FDC has the ability to deal in a timely way reports and alleged infringements.

I would ask you to give these assurances and that 'if' reports are being made – that they are being processed.

Finally, I did ask Cllr Boden some time ago, what was the remit of FDC's Environmental Services in respect to COVID-19 infringements, unfortunately I have not had an answer.

(I am conversant with various parts of PACE regulations)

Thank you for your valued time and I look forward to your reply.

Sincerely,

F Roy Gerstner.

Chairman Whittlesey & District NHW Group.

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Good Morning Councillor Gerstner

Thank you for your email, Paul Medd has asked me to respond to you. I hope you are well.

Firstly, please may I assure you the 200 reports of non-compliances were initial reports to the Council that were investigated, they were not confirmed breaches of legislation or guidance. It was really positive these reports were received as it shows the trust customers, staff and businesses have that the council will respond and offer support. I hope I can add some context to those numbers though.

Out of the 200 issues reported these included situations such as; businesses alleged to be breaching the closure regulations, staff concerns about social distancing, public concerns about businesses being open and their trading practices and customers who were seeking clarification on the meaning of the closure regulations. All of these reports were individually investigated, and the vast majority were found to be compliant. Occasionally advice was offered where improvements could be made. Business grant advice was also given, and a number of businesses were passed on to colleagues to further their grant funding enquiries.

Out of the issues reported there were however a small number of interventions undertaken. There were 2 advisory notes sent to businesses where improvements could be made, these changes were implemented immediately and following repeat visits to one establishment a prohibition notice was served. In this case the business proprietor accepted he should not have been trading and closed the businesses that day.

As you know the Council has been proactively supporting businesses to remain open where possible and to meet Covid compliant requirements. This is something the council continue to do as wider business sectors open through the summer.

I would also like to set out the powers allocated to local councils to address community issues and control the virus.

The changes in legislation introduced by the Covid 19 situation included powers for environmental health staff to close businesses, to prohibit businesses from opening and to serve fixed penalty notices or to prosecute those who do not comply. There is guidance to this act which sets out which businesses and which products (such as essential items) could be sold.

The existing health and safety powers given to the council also enable environmental health staff to ensure safe practices are being followed in workplaces that are permitted to be open.

Existing public health powers also enable environmental health staff to investigate outbreaks of Covid 19 and we are working with colleagues in public health services to develop and implement plans for local issues to be managed.

The management of public gatherings is a police matter and we have an agreed protocol in place with regard to the application of our various powers. We are working closely with our police colleagues at a strategic and local level and will continue to do so as these issues often cross over.

I do hope this provides enough information to explain the situation. Apologies however I have not been able to cc all of the original copy addresses as I do not have those contacts in my contacts list.

Please do let me know if you have further queries.

Best regards

Annabel

Annabel Tighe
Head of Environmental Health and Compliance