

<u>HEADING</u>	Environmental Health annual performance and enforcement report
<u>Submitted by:</u>	Head of Environmental Health Services
<u>Portfolio:</u>	Operational
<u>Ward(s) affected:</u>	All

Purpose of the Report

To inform Members of the key issues and activities undertaken by the Environmental Health Service in 2016-2017.

Recommendations

That Committee receives the report and supports the priorities for 2017-2018 work plan.

Reasons

To enable Committee to be informed of the nature and extent of routine and enforcement work undertaken by environmental health services and endorse the priorities for 2017-2018.

1. Background

- 1.1 The Environmental Health Service makes a fundamental contribution to the maintenance and improvement of public health, quality of life and wellbeing. Our national priorities are to:
 - Protect the public, businesses and the environment from harm
 - Support the local economy to grow and prosper

We determine our activities each year by assessing the needs of local people and our local business community, and considering the risks that require addressing, in light of local needs and of national priorities.
- 1.2 The Environmental Health Service is divided into five teams: Food & Safety; Environmental Protection; Licensing & Enforcement; Dog & Pest Control and Licensing Administration. The Licensing Administration function was transferred to Environmental Health Services within 2016. The service also delivers the Corporate Health & Safety function. Some licensing Admin and enforcement and Corporate Health & Safety are not included within this report, as this is reported separately to Licensing Committee and Audit & Standards Committee respectively
- 1.3 Each Team undertake statutory enforcement activities and provides a range of regulatory and advisory services to the council, local businesses, members of the public, residents and visitors to the Borough.
- 1.4 The work of the teams comprises both programmed planned activities and reactive work in response to service requests or complaints. The activities are diverse and wide ranging and therefore some activities are undertaken only a reactive or infrequent basis. This report details the principal activities and associated enforcement activities undertaken by the teams over the past year.
- 1.5 Data for the previous year has been provided as a comparison. All activities or service requests that are reactive are marked with a *.

2. **Report**

2.1 **Food and Safety:**

The team undertakes the following activities: Inspection of food premises, Sampling of foodstuffs, Investigation of complaints regarding foodstuffs and food premises, Registration/licensing of food premises, organising and participating in Food Safety campaigns and giving advice. Improvement of private water supplies, monitoring of private water supplies. Investigation of infectious disease cases and outbreaks. Inspection and registration of tattooing, acupuncture, ear piercing and electrolysis premises. Sampling of swimming baths, spa, and Water. Inspection of health and safety premises, investigation of serious accidents and complaints, health and safety advice and campaigns. Sunday trading, public health advice and advising on, and enforcement of smoke free legislation.

The team fulfils the Councils statutory role as a 'Food Authority' for the enforcement of food law. This work is carried out in partnership with the Governments Food Standard Agency (FSA) The team comprises 7.25fte.

The objectives of the service are:

- Ensure food produced and sold in Borough is fit for human consumption
- Reduce the incidence of food borne infectious disease
- Help consumers make informed choices about where they eat & shop

The team also fulfils the Council's role as a Health & Safety Enforcement Authority. This work is carried out in partnership with the Health & Safety Executive (HSE). While the Health & Safety team is the enforcing authority for retail, wholesale, warehousing, caterers, entertainment and leisure premises within the Borough, The HSE is the enforcing authority in higher risk workplaces such as construction, manufacturing and chemical industries. The objective of the service is to ensure business owners fulfil their duties to protect the health, safety & welfare of their employees and members of the public who may be affected by their activities.

Where advice and guidance has not been effective other enforcement options include statutory notices, seizure of food, closure of premises, prohibition of activities and/or prosecution.

Activity	2014-2015	2015-2016	2016-2017
Food Safety			
Inspections Food premises	514	495	443
% high risk food premises inspected	100%	100%	100%
Supplementary Visits	248	258	157
Complaints about food / premises*	336	339	312
Total number of Service Requests/advice*	991	836	718
Samples taken			
• Food	141	117	112
• Private water	5	18	7
• Swimming pool	117	117	113
Written warnings	538	503	434
Improvement notices	3	4	4
Prohibition / closure	0	0	0
Voluntary closure	-	1	2
Prosecution	0	0	0
Infectious disease notifications	175	131	157

Health & Safety			
RIDDOR accident notifications*	73	77	69
Complaints investigated*	78	71	98
Improvement notices	0	1	2
Prohibition notices	0	0	0

Some of the main projects or investigations undertaken in the previous year include:

- Participation and promotion of the National Food Hygiene Rating Scheme;
- Event safety inspections with a number of event organisers;
- Participation in local Health and Safety projects e.g. National Workplace Transport project

2.2 Environmental Protection:

The team undertakes the following activities; Monitoring smoke control areas, issuing, monitoring and regulating environmental permitted processes. Assessment and monitoring of local air quality, investigating atmospheric pollution complaints. Monitoring, investigating noise complaints, investigating other statutory nuisance complaints including premises, accumulations, smoke, fumes and gases, odour, noise, light, dust, fumes, animals or insects. Dealing with asbestos removal notifications and answering queries, or dealing with complaints of damaged asbestos in both commercial and residential premises. Consultee to borough council and county council planning departments for applications and enforcement including environmental impact assessments. Investigation and remediation of contaminated land.

The team fulfils pollution control activities for maintaining and improving air quality and contaminated land. This work is carried out in partnership with DEFRA and Environment Agency (EA). The team comprises 5.5fte.

The objectives of the service are:

- Protection of the air and land within the Borough
- Maintain the health and wellbeing of residents within the Borough
- Monitor, Maintain and where needed reduce pollution and any adverse health affects
- Proactively prevent detriment to the amenity of the area of proposed new developments

Activity	2014-15	2015-16	2016-17
Risk based inspections of permitted processes	15	27	18
Notices to permitted processes	3	8	2
Complaints about noise*	650	721	783
Noise APP subscribers active during period (Application introduced Autumn 2015)	-	43	68
Number of noise incidents reported by Noise APP		364	1146
Number of occasions sound monitoring equipment deployed	70	70	47
Complaints about dust*	5	7	2
Complaints about smoke*	114	106	28
Complaints about artificial light*	15	10	14
Number of abatement notices served	14	9	9

Activity	2014-15	2015-16	2016-17
for noise			
Number of deferred action notices for noise	0	1	1
Number of abatement and other notices served	14	17	18
Seizure of noise making equipment	0	1	2
Number of Community Protection Warning Notices served	-	9	3
Number of Community Protection Notices served	-	6	3
Number of fixed penalty notices served and paid for breach of community protection notice	-	5	0
Injunctions obtained under Anti-Social Behaviour Crime and Policing Act 2014	-	1	1
Prosecutions	0	0	1
Planning consultations*	575	613	525
Environmental Information Requests (fee paying)	26	20	22
Air Quality monitoring samples	480	480	480
Contaminated land - the amount of land that has been remediated and is now in use	4.34 Ha	5.9 Ha	8.6 Ha
Contaminated Land – Phase 2 Investigations concluded and sites determined as <u>NOT</u> meeting statutory definition of Contaminated Land		3	2
Contaminated Land -sites determined as <u>meeting</u> statutory definition of Contaminated Land following investigation	0	0	0

Some of the main projects or investigations undertaken in the previous year include:

- Worked on developing Air Quality Action Plans for the Air Quality Management Area's.
- Undertook a number of contaminated land desk studies for land owned by the Council.
- Active involvement in HS2 Phase 2A meetings concerned with noise and environmental issues
- Active involvement with Highways England on A500 corridor improvements
- Active involvement with Stoke on Trent City Council on Etruria Valley proposals
- Seized noise making equipment under warrant from two residential properties within the Borough.
- Continued to work with a number of partner organisations (Staffordshire Local Authorities, Aspire Housing, Staffordshire Housing, Staffordshire Police, Staffordshire Fire & Rescue, Mental Health, Social Services, Environment Agency, Health and Safety Executive, Victim Support, ADSIS)

2.3 Licensing Administration Team:

The team undertakes the following activities: The administration of all applications made for Private Hire and Hackney Carriage legislation and policy development.

The objectives of the service are:

- Protection of the public in relation to taxi licensing
- To ensure all applications are dealt with efficiently and within legislative timescales where necessary

Activity	2016-2017
Number of dual driver licenses issued.	355
Number of dual driver licenses referred to Committee	25
Number of hackney carriage vehicle licenses issued	198
Number of private hire vehicle licenses issued	465

Some of the main projects undertaken in the previous year include:

- To make Safeguarding Training compulsory for all existing and new taxi and private hire drivers
- To scan historic files in line with the Council's drive to be 'paperless'.

2.4 Licensing & Enforcement:

The team undertakes the following activities; Enforcement activities in relation to hackney carriage and private hire. Monitoring and regulation of Private Hire Marshalling Scheme. Use of covert surveillance systems and investigation of fly tipping, fly posting, littering, public nuisance and noise from licensed premises. Planning (Town and Country Planning Act) and building control enforcement including high hedges and untidy land complaints. Issuing fixed penalty notices and enforcement of clean neighbourhood legislation. Operation of the litter enforcement scheme.

The team fulfils licensing enforcement and acts as the responsible body to the licensing authority. A corporate enforcement role is undertaken providing investigations, advice and support to other Council teams along side their own environmental enforcement activities. The team comprises 5.5fte.

The objectives of the service are:

- Prevention of public nuisance through licensable activities
- Protection of the public using taxis
- Ensure that anti-social activities and littering is deterred.

Activity	2014-2015	2015-2016	2016-2017
Taxi Inspections	165	163	161
Taxi/Driver Complaints*	96	106	134
Complaints about fly tipping*	153	298	326
Complaints about condition of land or property*	211	245	239
Complaints of illegal eviction*	6	4	0
Other complaints*	76	96	87
Prosecutions	110	177	73
Fixed Penalty notices	504	500	355

Some of the main projects or investigations undertaken in the previous year include:

- Taxi Rank Permit Project
- Investigation of taxi drivers to ensure protection of public

- Partnership working - an effective cross border link with the Stoke railway station drivers association, who responded positively towards the approach.
- Advice Role for the Town Centre ASB Action Group' on Direct Debit, Face to Face Fund Raisers and Street Charity Fund Raisers.

2.5 Dog & Pest Control:

The team delivers the councils Dog Warden and Pest Control functions

Dog Wardens are responsible for:

- Seizing stray dogs
- Enforcing dog fouling controls and other dog control orders
- Promoting responsible dog ownership – including microchipping
- Resolving dog related nuisance complaints such a barking
- Investigating dangerous dog related complaints
- Inspecting and licencing animal related businesses including Riding Establishments, Pet Shops, Animal Boarding and Dog Breeding Establishments.

Pest Control Officers deliver a variety of insect and rodent treatments to homes and businesses across the Borough. They also monitor and treat sewers to manage rodent populations. The team offers both advice and treatment services.

The objectives of the service are:

- Protection of the public from public health pests
- Delivery of a high quality commercial and domestic pest control service
- Control of dogs throughout the Borough

The team currently comprises 2 dog wardens, 2 pest control officers and a team leader, totalling 4.8fte

Activity	2014-2015	2015-2016	2016-2017
Pest Control clients served *			
• Rats & Mice (treatments)	776	744	467
• Insects treatments inc Wasps, ants, cockroaches, bedbugs, fleas	784	589	509
• Advice requests/complaints	361	330	357
• Other including 'commercial services'	98	137	112
Total Pest Control Requests	2,019	1,800	1,441
Pest Control commercial client retention	92%	94%	87%
Dog warden complaints*	1,191	1,205	1,049
Stray dogs seized*	159	134	105
Dog & Pest related enforcement notices			
• Fixed penalty notices issued	12	17	3
• Microchipping	0	0	41
• Other	8	13	5
Total Enforcement Notices	20	30	49
Pet Shop licensing	4	3	3
Riding establishment licensing	4	4	5
Dog breeding licences	3	3	3
Kennels & Cattery licences	20	20	26
Zoo / Dangerous wild animal licence	0	0	0

Some of the main projects or investigations undertaken in the previous year include:

- Adjusting fees and charges to manage demand on service and maximise income
- Ceasing acceptance of cash payments and moving to electronic payment prior to service delivery
- Using Antisocial Behaviour powers to resolve dog related nuisance, through the issue of Community Protection Notices and fixed penalties on breach
- Enforcing microchipping requirements for dogs
- Consulting with businesses to revise licencing conditions for animal boarding establishments
- Taking enforcement actions where residents are not taking appropriate action to control infestations
- Revising working practices to follow the Campaign for Responsible Rodenticide Use (CRRU) code of practice to safeguard wildlife and implement new Stewardship obligations

2.6 Customer Satisfaction & Corporate Complaints

The Council operates a Corporate Complaints, Comments and Compliments policy. In 2016/17 a total of 21 stage 1 (investigated by Service) complaints were received. The service also received 13 compliments.

The service also had 2 complaints investigated by the Ombudsman, one complaint was dismissed and the other is still ongoing.

3. Priorities for 2017-2018

3.1 The service plan has been created for the new financial year, the planned pre-programmed activities and reactive duties as detailed within this report are to continue. However in addition to the activities, the service is directed by a number of government department as to priorities and work to be undertaken. In addition, some of the work, projects or enforcement action commenced in 2016-17 will continue in 2017-18.

3.2 The additional projects or priorities are listed below:

- Progress mobile and agile working, adopt corporate record retention policies
- Review business continuity arrangements
- Review Corporate Enforcement Policy
- Review Taxi Licensing Policy
- Review Sexual Entertainment Venue Policy
- Participate in public health agenda and undertake specific projects
- Development of Air Quality action plans and engagement with public health to achieve improvement in Newcastle's Air Quality.

4. Proposal

4.1 That Committee receives the report and supports the priorities for 2017-18 work plan.

5. Reasons for Preferred Solution

5.1 The service plan and priorities for 2017-18 supports both statutory requirements and also the national and local priorities for Environmental Health Services.

6. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

- 6.1 The proposals relate to the delivery of environmental health services which would contribute to the following:
- A clean, safe and sustainable borough
 - The negative impacts that the Council, residents and local businesses have on the environment will have reduced.
 - A borough of opportunity
 - Fair, proportionate and consistent regulation and enforcement creates an equal opportunity for business to thrive.
 - A healthy and active community
 - Fair, proportionate and consistent enforcement creates an environment for prevention, maintenance or improvement in health and well being.
 - A co-operative Council delivering high quality, community driven, services.
 - High performing services will be delivered for all residents, businesses and customers.
7. **Legal and Statutory Implications**
- 7.1 All activities are in line with the statutory duty of the Council and in accordance with the advice and guidance of the relevant Government bodies.
8. **Equality Impact Assessment**
- 8.1 No issues have been identified.
9. **Financial and Resource Implications**
- 9.1 There is an income derived from Pest Control activities, environmental information requests, licensing and sampling activities. There are also statutory fees set in relation to fixed penalty notices and permits for prescribed processes.
- 9.2 All the services fees and charges are published annually in the Councils fees and charges register.
10. **Major Risks**
- 10.1 Environmental Health services undertake statutory duties, failure to deliver these duties adequately, competently or thoroughly would be a risk to the Authority.
11. **Background Papers**
- Environmental Health Service Plan 2014-2015
Environmental Health Service Plan 2015-2016
Environmental Health Service Plan 2016-2018
Environmental Health Service Plan 2017-2019