

Worcestershire Regulatory Services Board

Thursday, 26th September, 2019
4.30 pm

Parkside Hall,
Parkside,
Market Street,
Bromsgrove,
B61 8DA

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WORCESTERSHIRE DISTRICT COUNCILS**MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD**

THURSDAY 26TH SEPTEMBER 2019 AT 4.30 P.M.

PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE, B61 8DA

MEMBERS: Bromsgrove District Council: Councillor A. Kent
Bromsgrove District Council: Councillor H. Jones
Malvern Hills District Council: Councillor J. Raine
Malvern Hills District Council: Councillor T. Wells
Redditch Borough Council: Councillor J. Grubb (Chairman)
Redditch Borough Council: Councillor W. King
Worcester City Council: Councillor J. Squires
Worcester City Council: Councillor L. Griffiths
Wychavon District Council: Councillor E. Stokes
Wychavon District Council: Councillor D. Morris
Wyre Forest District Council: Councillor H. Dyke (Vice-Chairman)
Wyre Forest District Council: Councillor P. Dyke

AGENDA

1. Apologies for absence and notification of substitutes
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meeting of the Worcestershire Regulatory Services Board held on 27th June 2019 (Pages 1 - 8)
4. Worcestershire Regulatory Services Revenue Monitoring April - June 2019 (Pages 9 - 16)
5. Activity and Performance Data - Quarter 1 (Pages 17 - 48)
6. Worcestershire Regulatory Services Remit - what does WRS do for the 6 partners? (Pages 49 - 62)
7. Worcestershire Regulatory Services - Information Report - Food Safety Interventions (Pages 63 - 70)

8. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting.

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

17th September 2019

WORCESTERSHIRE DISTRICT COUNCILS

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY, 27TH JUNE 2019, AT 4.30 P.M.

PRESENT: Councillors H. Dyke (Vice-Chairman, in the Chair), A. D. Kent, H. J. Jones, J. Raine, G. Prosser (substituting for Cllr. J. Grubb), W. King, J. Squires, L. Griffiths, E. Stokes, D. Morris and P. Dyke

Partner Officers: Mr. P. Merrick, Malvern Hills and Wychavon District Councils, Mr. L. Griffiths, Worcester City Council and Mr. M. Parker, Wyre Forest District Council

Officers: Mr. S. Wilkes, Ms. C. Flanagan, Mr. C. Forrester, Mr. M. Cox and Mrs. P. Ross

1/19

PREVIOUS CHAIRMAN'S REPORT

Councillor G. Prosser, Redditch Borough Council, Vice-Chairman of the Worcestershire Regulatory Services Board 2018/2019, suggested that as there were a number of new members to the Board, it would be helpful if Members and officers gave brief introductions.

The Vice-Chairman then introduced the report, which provided an overview of the highlights that the Board covered from 1st April 2018 to 31st March 2019.

Councillor Prosser expressed his sincere thanks to the Board and the Head of Regulatory Services.

RESOLVED that Members note the report, as presented by Councillor G. Prosser, Redditch Borough Council, Vice-Chairman of the Worcestershire Regulatory Services Board for the municipal year 2018/2019.

2/19

ELECTION OF CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR

A nomination for Chairman was received in respect of Councillor J. Grubb, Redditch Borough Council.

RESOLVED that Councillor J. Grubb, Redditch Borough Council be elected as Chairman for the ensuing municipal year.

3/19

ELECTION OF VICE-CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR

A nomination for Vice-Chairman was received in respect of Councillor H. Dyke, Wyre Forest District Council.

RESOLVED that Councillor H. Dyke, Wyre Forest District Council be elected as Vice-Chairman for the ensuing municipal year.

The Vice-Chairman took the opportunity to welcome Members and officers to the meeting of the Board.

4/19

APOLOGIES

Apologies for absence were received from Councillors J. Grubb, Redditch Borough Council and T. Wells, Malvern Hills District Council.

It was noted that Councillors G. Prosser, Redditch Borough Council, was in attendance as substitute member for Councillor J. Grubb.

Apologies for absence were also received from Ms. J. Pickering, Bromsgrove District and Redditch Borough Councils.

5/19

DECLARATIONS OF INTEREST

There were no declarations of interest.

6/19

MINUTES

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 14th February 2019, were submitted.

It was noted that Councillor J. Squires, Worcester City Council and Councillor E. Stokes, Wychavon District Council, were present at that meeting and they consecutively proposed and seconded the approval of the minutes.

RESOLVED that the minutes of the Worcestershire Regulatory Services Board held on 14th February 2019, be approved as a correct record.

7/19

WORCESTERSHIRE REGULATORY SERVICES REVENUE MONITORING APRIL - MARCH 2019 & ANNUAL RETURN

The Financial Services Manager, Bromsgrove District Council, introduced the report and in doing so highlighted that Worcestershire Regulatory Services (WRS) managers had set themselves an income budget of £309k for 2018/2019; and that through hard work and the successes that WRS had achieved with generating income this year, that the total income generated from all sources including additional spends by partners was £402k.

Members' attention was also drawn to:

- The purchased particulate monitoring kit for £8k, which would also be used as an income generator.
- Due to the increase in the number of taxi licences and the increase in the cost of raw materials there was a £10k overspend within this service line.

In response to Councillor A. Kent, Bromsgrove District Council, with regard to 'Car Allowances' and if there were any incentives for electric/hybrid vehicles to be used. The Head of Regulatory Services commented that officers worked within the Terms and Conditions of the Host Authority, Bromsgrove District Council and that currently there were no incentives. The Technical Services Manager, WRS, further informed the Board that WRS had four vehicles used by the dog wardens and that due to the mileage used it was not deemed cost effective to switch to electric/hybrid vehicles.

RESOLVED:

- (a) that the final financial position for the period April – March 2019 be noted;
- (b) that the 2018/2019 refund of £63k to the participating Councils be approved, as follows:-

Council	Refund from 2018/19 £'000
Bromsgrove	9
Malvern Hills	8
Redditch	11
City of Worcester	11
Wychavon	15
Wyre Forest	10
Total	64

8/19

WORCESTERSHIRE REGULATORY SERVICES ANNUAL REPORT 2018/2019

The Board considered a report which detailed the Worcestershire Regulatory Services (WRS) Annual Report 2018/2019. The report covered the performance of the service for the period 1st April 2018 to 31st March 2019.

The Head of Regulatory Services informed the Board that under the Shared Services Partnership Service Level Agreement (SLA) the Board was required to receive the annual report at its annual meeting.

The Head of Regulatory Services further informed Members that the report covered the performance of the service for that period, both in

terms of Key Performance Indicators (KPIs) and highlights of activity, with a short summary activity report, as detailed at Appendix 5 to the report. Appendix 5 to the report had been reduced since the Board now received a separate Activity and Performance Data report which provided more detail. Some detail of the performance indicators were also covered in the Activity and Performance Data report.

Generally performance had remained good. Food business compliance rates remained high. Taxi license renewals were dealt with in a reasonable time in the main. The taxi fleet appeared to be generally in good order, although the results from enforcement exercises suggested that some drivers / operators needed to improve in terms of maintaining vehicles.

Complaints against the service were significantly exceeded by compliments. It was understood that the main issue for complaints were related to either paying for the cost of stray dog recovery or the fact that WRS could not resolve an issue that was causing annoyance to a resident due to the law on nuisances. The latter appeared to be the main cause in the fall in customer satisfaction. Interestingly, the Department for Environment, Food and Rural Affairs (DEFRA) most recent survey of the public in relation to attitudes to noise had detected a statistically significant drop in people's tolerance of noise. This was something that WRS had seen anecdotally at local level and had reported to Board Members previously.

The indicators for licensed premises and noise complaints had been in place long enough now in order to establish good base-lines. The former showed that generally licensed premises in the County were well managed. The figures could now be used, along with intelligence, to focus enforcement resources in a proactive way to tackle any individual problem premises, although these were few and far between.

Most complaints related to minor nuisance issues, usually created when a venue introduced a novel activity like live music to diversify its activities. The rate of noise complaints was relatively low and probably reflective of the general environment in Worcestershire.

The Annual Report also provided a summary of the financial position, the key achievements and covered issues with regard to human resources; plus sections on risk management and equalities.

The Head of Regulatory Services and the Technical Services Manager, WRS, responded to questions from Members with regard to potential growth of the service and noise reporting.

The Head of Regulatory Services informed Members that the Technical Services team were the main income generators within the service and that further income generation was something that could be considered. Previous Board Members had expressed an interest in Business Planning and that was something that he was keen to arrange; a slightly

more informal event for Board Members during September / October 2019.

With regard to noise reporting, the Technical Services Manager, WRS, stated that there were dedicated front line staff and also self-help pages on the WRS website, which helped to make the service more cost effective. The issues were mainly domestic noise issues and not a statutory nuisance. If noise issues could not be resolved complainants were referred to (back-office) staff in order to try and resolve any noise issues.

The Head of Regulatory Services referred to The Members' Eye newsletter that was circulated to Board Members during 2018, which had provided a useful guide for Members on Statutory Nuisance. He further informed Members that he would ensure that a copy was circulated to all current Board Members for information.

In response to a further questions raised, the Head of Regulatory Services advised that the self-help process had removed a lot of early wins with regard to noise nuisance that had been resolved, hence a natural downfall. However, going forward, he and his management team would look to work more closely with colleagues at the partner authorities who may have other tools available to deal with issues, citing the Community Protection Notices available under the Anti-social Behaviour and Policing Act 2014 as an example of a measure that may help.

With regard to food premises scoring 2 or below on the 'Scores on the doors' food hygiene / food safety initiative, some of the issues were down to allergen awareness; with some management / staff not having sufficient understanding / knowledge of food allergens. This would have been rectified as part of the visit process but businesses would need to be re-scored later.

The Vice-Chairman thanked the Head of Regulatory Services, with some Members commenting that the results were good and that the service was an excellent service and that they could see the benefits of the service.

RESOLVED:

- (a) that the Worcestershire Regulatory Services Annual Report 2018/2019 be noted; and
- (b) that a copy of the Worcestershire Regulatory Services Annual Report 2018/2019 be forwarded to the Chief Executive, Managing Director and Members of the six partner authorities.

9/19

ACTIVITY AND PERFORMANCE DATA QUARTERS 1, 2, 3 AND 4

The Technical Services Manager, WRS, presented the Activity and Performance Data Quarters 1, 2, 3, and 4 report; and in doing so stated that the detail of the report focused on quarter 4 but the actual data

allowed comparison with previous quarters and previous years. The report also highlighted a number of headline stories.

Page 88 of the main agenda report detailed the Primary Authority work that was completed for quarter 4, to the satisfaction of the two companies that WRS had engaged with; namely CEMEX and Wienerberger.

Work to support planning officers across Worcestershire had kept the Technical Services team busy throughout the year with a significant increase in demand in quarter 4.

Air quality work had had a high profile nationally and this had been reflected in the work to improve air quality. Worcester City Council, Task and Finish Group (Air Quality) had researched into measures to tackle breaches of nitrogen dioxide in Worcester. The Task and Finish Group had concluded and had reported back to the Licensing & Environmental Health Committee in January 2019 with a number of measures tasked to different Council departments to progress.

In response to a question raised by Councillor Kent, Bromsgrove District Council, in respect of Noise Pollution and the information detailed on page 95 of the main agenda report, with regard to the specific number of different parties that had complained about noise pollution. The Head of Regulatory Services explained that he had spoken with the intelligence officer who would try and identify the different number of complainants and if possible include this information in future reports.

RESOLVED that the Activity and Performance Data report for Quarters 1, 2, 3 and 4, be noted.

10/19

WORCESTERSHIRE REGULATORY SERVICES ENFORCEMENT POLICY 2019

The Board considered a report that provided information on the proposed Worcestershire Regulatory Services Enforcement Policy 2019.

The Head of Regulatory Services explained to Members that in 2011, the then Worcestershire Regulatory Services (WRS) Joint Committee had agreed to support the adoption of a single WRS Enforcement Policy that the service would use in relation to all of its activities. This policy would be an adjunct to other enforcement policies that each partner authority had for its remaining enforcement activities. The policy was based on the requirements of the then Regulator's Compliance Code; the policy would not have contradicted any approach being taken by partners in other areas of enforcement such as planning.

In 2016, when the partnership became a district only arrangement, the Head of WRS had made some minor amendments to the policy and had asked Members of the Board to ratify the amended policy and to

recommend adoption of the amended policy by the six partner authorities.

It was important that Members were reminded of how decision making on enforcement took place and that Members approved the processes that WRS followed when dealing with such serious matters. Virtually all of the legislation the service dealt with had criminal sanctions as its ultimate end-point and Members needed to be happy that the processes being followed would apply such sanctions in the right circumstances.

Local authorities were encouraged to produce Enforcement Policies for many years so that those regulated knew and understood what to expect. This was originally driven by the introduction of the Enforcement Concordat, created by LACORS, the Local Government Association's Regulatory Policy support framework for member authorities, and built upon by the Regulator's Compliance Code, issued by the Better Regulation Executive; under the Legislative and Regulatory Reform Act 2006.

The original Regulators Compliance Code was replaced with the Regulator's Code. The core of the new Code changed little from the original Regulators Compliance Code, but some aspects were clarified and tidied up. Whilst this had not changed since the last review, the Head of Service felt that by reviewing the policy every three years it would ensure that Members were aware of the processes that the service followed during regulatory decision making and that this would give them reassurance that the service was taking a fair and equitable approach when dealing with offending.

Before putting a case before the Courts, local authorities also needed to have regard to the Code for Crown Prosecutors, which laid down the very basic provisions for evidential sufficiency and public interest before a case could be considered a sound candidate to be taken to Court.

The policy, as attached at Appendix 1 to the report, met the criteria of both the Regulators Code and the Code for Crown Prosecutors, which should allow it to easily integrate with existing policies within each of the partner authorities and would allow WRS to operate in a consistent way across the county in relation to all enforcement matters.

By adopting a common approach to enforcing the functions discharged by WRS, partners would directly address these concerns of the business community and show that WRS remained a tool that local authorities could use to support their economies in a positive way.

In response to Members, the Head of Regulatory Services, clarified that the amended policy would be an adjunct to other enforcement policies that each partner authority had for its remaining enforcement activities.

RESOLVED that, the Worcestershire Regulatory Services Enforcement Policy 2019, as detailed at Appendix 1 to the report, be adopted to support decision making within Worcestershire Regulatory Services.

RECOMMENDED that, the Council for each Member Authority adopts the Worcestershire Regulatory Services Enforcement Policy 2019, as detailed at Appendix 1 to the report.

The meeting closed at 5.15 p.m.

Chairman



WRS Board 26th September 2019

WORCESTERSHIRE REGULATORY SERVICES REVENUE MONITORING APRIL – JUNE 2019

Recommendation

It is recommended that the Board:

- 1.1 Note the final financial position for the period April – June 2019
- 1.2 That partner councils are informed of their liabilities for 2019-20 in relation to Bereavements

Council	Apr–June 19 Actual for Bereavements £000
Malvern	1
Worcs City	3
Total	4

- 1.3 That partner councils are informed of their liabilities for 2019-20 in relation to three additional Technical Officers

Council	Estimated Projected Outturn 2019/20 Tech Officer Primary Authority £000	Estimated Projected Outturn 2019/20 Tech Officer Animal Activity £000	Estimated Projected Outturn 2019/20 Tech Officer Gull Control £000
Redditch	5	1	
Malvern	4	9	
Worcs City	5	3	15
Bromsgrove	4	6	
Wychavon	6	8	
Wyre Forest	4	4	
Total	28	31	15

Contribution to Priorities

The robust financial management arrangements ensure the priorities of the service can be delivered effectively.

Introduction/Summary

This report presents the financial position for Worcestershire Regulatory Services for the period April – June 2019.

Background

The financial monitoring reports are presented to this meeting on a quarterly basis.

Report

The following reports are included for Board's Attention:

- Revenue Monitoring April – June 19 – Appendix 1
- Income Breakdown – April – June 19 – Appendix 2

Revenue Monitoring

The detailed revenue report is attached at Appendix 1. This shows a projected outturn 2019/20 excess of £18k. WRS officers will continue to work on income generation and do their utmost to mitigate this excess as much as possible by the end of the financial year. It is appreciated this is an estimation to the year end based on following assumptions:-

- There is a vacant post in the process of being filled within the service, one person on maternity leave and one recently returned, resulting in a projected savings within salaries. This is offset by the costs associated with additional agency staff being used to cover the vacancy and maternity posts and to support the service where staff are working on additional income generation projects.
- Included in the salary figure is the cost of three Technical Officer's.
- A Technical Officer recruited July 18 (2 year fixed term contract) to support delivery of additional income generation via Primary Authority. It has been agreed this officer will be funded by partner councils on the current partner percentage basis.
- A Technical Officer to work on the new licensing laws for animal activities. This officer will be funded by partner councils based on the number of animal licences within each council, the income for animal activity licensing will be realised in Councils general licensing income.
- Technical Officer to carry out additional work on Gull Control for Worcester this officer will be recharged to Worcester City only.

These figures have been included in the projected outturn income figure.

- It is anticipated there will be a projected overspend on pest control of £7k. WRS officers will continue to monitor this spend and advise partners of their liability in quarter 2.

These figures have been included in the projected outturn income figure.

- The following is the actual bereavements costs Apr – June 19 to be funded by partners. These costs are charged on an as and when basis. Due to the nature of the charge it is not possible to project a final outturn figure:-

Malvern	£1k
Worcs City	£3k

This income is included in the income projected outturn.

- Appendix 2 shows the detail of the income achieved by WRS April – June 19
- Any grant funded expenditure is shown separate to the core service costs as this is not funded by the participating Councils.

Financial Implications

None other than those stated in the report

Sustainability

None as a direct result of this report

Contact Points

Jayne Pickering – 01527-881400

Background Papers

Detailed financial business case

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WRS - Profit & Loss Report 2019/20
Total WRS - June 2019 / Period 3 - 2019/20

Append 1

	Revised Full Year Budget 19-20	Revised Budget - Apr - June 19	Committed Expenditure Apr - June 19	Variance	Projected outturn	Projected Outturn Variance
	£	£	£	£	£	£
Direct Expenditure						
Employees						
Salary	2,700	675	625	-50	2,579	-121
Agency Staff	0	0	32	32	57	57
Employee Insurance	40	10	10	-0	40	0
Sub-Total - Employees	2,740	685	667	-17	2,675	-65
Premises						
Rent / Hire of Premise	54	14	13	-0	54	0
Cleaning	1	0	0	0	1	-0
Utilities	0	0	0	0	0	0
Sub-Total - Premises	55	14	14	-0	55	0
Transport						
Vehicle Hire	13	3	0	-3	13	0
Vehicle Fuel	8	2	2	-0	8	0
Road Fund Tax	1	0	0	0	1	0
Vehicle Insurance	5	1	1	0	5	0
Vehicle Maintenance	3	1	1	0	3	0
Car Allowances	80	20	18	-2	78	-2
Sub-Total - Transport	109	27	22	-6	108	-2
Supplies and Services						
Furniture & Equipment	34	8	6	-2	34	-0
Clothes, uniforms and laundry	2	1	-0	-1	2	0
Printing & Photocopying	17	4	5	1	19	2
Postage	11	3	2	-1	11	0
ICT	40	10	12	2	42	2
Telephones	21	5	4	-2	20	-1
Training & Seminars	24	6	4	-2	24	-0
Insurance	5	1	1	0	5	0
Third Party Payments	144	36	36	0	144	0
Sub-Total - Supplies & Service	297	74	70	-4	301	3
Contractors						
Dog Warden	145	36	25	-11	125	-20
Pest Control	58	15	13	-1	54	-4
Taxi / Alcohol / & Other Licensing	62	16	31	16	85	23
Other contractors/consultants	3	1	-0	-1	3	0
Water Safety	5	1	1	-1	5	0
Food Safety	2	1	0	-1	2	0
Environmental Protection	12	3	7	4	19	7
Grants / Subscriptions	13	3	3	-0	12	-0
Advertising, Publicity and Promotion	6	1	0	-1	6	0
Sub-Total	305	76	81	4	311	6
Income						
Training Courses / Bereavement / Works in Default / Sewer Baiting etc	-490	-122	-113	9	-415	75
Sub-Total	-490	-122	-113	9	-415	75
Overall Total	3,017	754	741	-13	3,035	18

Notes:-

There is one vacant post in the process of being filled within the service, one person on maternity leave and one recently returned, resulting in a projected savings in salaries. This is offset by the costs associated with additional agency staff being used to cover the vacancy and maternity posts and to support the service where staff are working on additional income generation projects.

With the loss of the PF22 Contract, the kennelling and veterinary charges were less than predicted. New working pattern of new staff has also meant more dogs collected in house rather than by contractor.

Due to change in Animal Activity licensing, additional £23k worth of vet inspections, which is fully recovered and also offset in the income line.

Bereavement / Works in Default to be charged to relevant partners, offset in Income

See Append 2

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Income from Partners

April to June 19

Budget	754,250
Bereavement/ Public Burials	3,670
Marlpool - Redditch	2,070
Pest Control Overspend - Wychavon / Wyre Forest & Redditch	1,752
Taxi Tests - Worcs City	2,800
Employee for Animal Activity - Apr - June 19	6,986
Employee for Primary Authority Work - Apr - June 19	7,731
Employee for Additional Gull Work - Apr - June 19 - Worcs City	8,315
	787,574

Grant Income

Severn Trent - Sewer Baiting	3,018
	3,018

Other Income

Stray Dog Income	14,765
County - Mgmt / Admin / Legal etc	14,300
Intelligence Services	1,000
Transcription Work	200
Planning Support Work	6,959
Contaminated Land Work	6,095
PPC Work	1,727
Primary Authority work	5,433
Training / Risk Assessments of Water Supplies / Burials etc	1,669
Vet Fee Inspection Costs Recovered	11,848
Licensing - Pre-App Advice	399
Food Training Courses / Certificates / Food Hygiene Rating	3,908
Ad-Hoc - 3 year pension savings	7,750
Ad-Hoc	540
	76,593

Total	867,185
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Exclude Budget	-754,250
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Total Income Excluding Budget	112,935
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WRS Board

26th September 2019

Activity and Performance Data Quarter 1

Recommendation

That the Board notes the Report and that members use the contents of the activity data in their own reporting back to fellow members of the partner authorities.

Background

The detail of the report focuses on Q1 but the actual data allows comparison with previous quarters and previous years.

Contribution to Priorities

Board members have asked the service to provide data on activity levels to help reassure local members that WRS continues to tackle issues broadly across the county

Report

Activity Data

The Dog Warden Team has had a busy first quarter with a total of 430 dogs being reported to us as strays many of which have spent time at our kennels or vets. Of these over 300 were reunited with their owners and a further 65 were successfully rehomed by WRS through reputable charities. Sadly 10 of the dogs collected in the first quarter were welfare cases and as a result a number of improvement notices were issued to owners. In addition to this a further 7 dogs required vet treatment for other ailments.

The number of food safety requests received by WRS during quarter one is broadly in line with 2018/19. Approximately 44% of cases were complaints with two thirds relating to food products and a third relating to the hygiene of food premises. As in previous quarters, a significant proportion of cases are enquiries and requests for business advice. Inspection numbers are up on last year, accommodated by a reduction in nuisance complaints Q1.

Health and Safety enquiries and complaints/service requests remain broadly in line with 2018/19. The greater proportion of accidents relate to injuries to members of the public or injuries to a worker being incapacitated for more than seven consecutive days.

Environmental information requests remain low at present. Such requests are commonly generated by house and land sales. It is



assumed that the low numbers are a direct consequence of the lack of confidence in the current property market.

The number of applications received by WRS during quarter remains broadly in line with previous years. Approximately 48% of applications related to alcohol licensing, with three quarters of cases being temporary event notices. A further 38% of applications related to taxi licensing.

The number of requests for support from planning colleagues is significantly up in quarter 1. The number of planning enquiries completed represents an increase of approximately 46% compared to 2018/19. WRS has also recently been advising on Southern Worcestershire authorities' current round of Strategic Housing and Employment Land Availability Assessments (SHELAA). To date WRS have provided planners with advice on over 500 sites.

Pollution complaints received by WRS during quarter one were down by approximately 25% compared to 2018/19. However, a number of these were significant and complex, requiring increased operational resource. This reduction in demand helped facilitate an increase in the number of food safety interventions prior to an anticipated increase in nuisance demand Quarter 2.

June saw the completion and submission of air quality reports for each partner to DEFRA. The Air quality Annual Status Report (ASR) provides a detailed summary as to the status of existing air quality and emerging problem areas/improvement in each authority area. We currently await feedback and acceptance of the reports by DEFRA. There are currently 7 Air Quality Management Areas within Worcestershire.

Performance

In general we have performed well against the agreed indicators. The percentage of service requests where a resolution is achieved to customer satisfaction is higher this quarter than the last three of last year for customers and the last quarter for business. The number of businesses broadly compliant and those scoring 0, 1 or 2 are consistent with last year. The one indicator for which the result has significantly changed is the annual staff sickness absence figure which is 0.85 FTE, suggesting we are in line with last year's 4.12 FTE overrun.

Contact Points

David Mellors
01562-738060
david.mellors@worcsregs services.gov.uk

Background Papers

Appendix A: Activity Report (separate document)
Appendix B: Performance indicators Table



Table of Pls 2019/20

Indicator	Reporting period	Q1	Q2	Q3	Q4/ Outrun
1. % of service requests where resolution is achieved to customers satisfaction	Quarterly NB: fig is cumulative	70.7			
2. % of service requests where resolution is achieved to business satisfaction	Quarterly NB: fig is cumulative	98.3			
3. % businesses broadly compliant at first assessment/ inspection	Annually	97.4			
4. % of food businesses scoring 0,1 or 2 at 1 st April each year	Annually	2.6			
5 % of drivers licence renewal applications issued within 5 working days of receipt of a complete application	6-monthly	NA			
6 % of vehicles found to be defective whilst in service Number of vehicles found to be defective by district and the percentage this represents of the fleet county-wide	6-monthly	NA			
7 % of service requests where customer indicates they feel better equipped to deal with issues themselves in future	Quarterly NB: fig is cumulative	58.6			
8 Review of register of complaints/ compliments	Quarterly NB: fig is cumulative	10/24			
9 Annual staff sickness absence at public sector average or better	Quarterly NB: figure is cumulative	0.85/ FTE			
10 % of staff who enjoy working for WRS	Annually	NA	NA	NA	
11 % of licensed businesses subject to allegations of not upholding the 4 licensing objectives	6-monthly	NA		NA	



12	Rate of noise complaint per 1000 head of population	6-monthly	NA		NA	
13	Total income expressed as a % of district base revenue budget (16/17)	6-monthly	NA		NA	
14	Cost of regulatory services per head of population (Calculation will offset income against revenue budget)	Annually	NA	NA	NA	





Activity Report | 2019/20



Bromsgrove
District Council
www.bromsgrove.gov.uk



Malvern Hills
District Council
www.malvern hills.gov.uk



REDDITCH BOROUGH COUNCIL
making a difference
www.redditchbc.gov.uk



Worcester
CITY COUNCIL



WYCHAVON
DISTRICT COUNCIL
good services, good value



Wyre Forest
District Council

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Bromsgrove District Council
Malvern Hills District Council
Redditch Borough Council
Worcester City Council
Wychavon District Council
Wyre Forest District Council

Contract Authority Summaries

Foreword

Welcome to the first activity data report for 2019/20. As you'll probably note, the figures would suggest a relatively normal start to the year with the exception of our work with planning officers across the County and beyond. It seems like development continues a pace everywhere. Dog wardens have also been busy and it is good to see that the majority of animals were re-united with their owners.

The headlines flag a couple of serious cases for our Community Environmental Health team with one prosecution and an investigation into the potentially deadly Ecoli 0157

BREXIT continues to be on our radar and we continue to look at how we might be impacted. As we've said before, Government appears to have ensured that the legal framework will be in place in event of a no deal exit, but there may be a significant increase in demand for business support, particularly for health certification for food exports. We are trying to estimate the likely demand and we will ask Chief Executives to consider deploying some of the additional funding given to local authorities to support our work in this area.

We hope you find the report interesting and if you've any questions please do contact myself or one of the Management team.

Many thanks



Simon Wilkes
Head of Regulatory Services

Headlines - Quarter One

Dog Warden Update

The Dog Warden Team has had a busy first quarter with a total of 430 dogs being reported to us as strays many of which have spent time at our kennels or vets. Of these over 300 were reunited with their owners and a further 65 were successfully rehomed by WRS through reputable charities. Sadly 10 of the dogs collected in the first quarter were welfare cases which ranged from dogs that had severe skin conditions and soreness, to open wounds and emaciation as a result a number of improvement notices were issued to owners. In addition to this a further 7 dogs required vet treatment for other ailments. We have also collected and boarded a number of dogs, on a commercial basis, on behalf of owners who have had to spend time in hospital and not been able to get alternative care.

Gull Update

The work for Worcester City in respect of the Gull population continues. Letters have been sent out to local landlords providing advice on how they can assist in minimising the negative impact of Gulls within the City centre. Following the withdrawal of the General Licence by Natural England, that was used to control gulls in the City, our contractor applied for and received an Individual licence which enabled the egg replacement scheme to get back underway. The egg replacement scheme has been able to get back underway, with round two having recently been completed. There has been much media interest which has included newspaper articles, radio interviews and an appearance on BBC news following a meeting with WRS Officers, Cllr Amos and residents from Lower Wick that are experiencing issues with Gulls in the area.

Arrow Valley Visitor Centre prosecuted for Food Safety Offences

This prosecution followed the closure of the premises for an active mouse infestation.

The Food Business Operator, Mr Creaton, pleaded guilty to offences of failing to have adequate pest control, failing to protect food against risk of contamination, failing to ensure that all articles, fittings etc likely to come into contact with food were clean and failing to have adequate food safety procedures and controls in place.

AVVC Ltd was fined £700 on each offence, a total of £2,800 plus £2,200 costs and a victim surcharge of £70.

Mr Creaton was Conditionally Discharged for 12 months and ordered to pay £500 costs and a victim surcharge of £20 – payable within 28 days.

E.coli O157

Officers have investigated a case of E.coli O157 which caused the hospitalisation of a 2 year old girl. Working closely with Public Health England, officers were able to identify two potential sources within the county. E. coli O157 is shed by livestock, and the young girl had attended two animal encounter attractions. Both were inspected and advice was given regarding zoonotic disease prevention. There was no indication that either venue was at fault.

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Air Quality & Contaminated Land

June saw the completion and submission of air quality reports for each partner to DEFRA. The Air quality Annual Status Report (ASR) provides a detailed summary as to the status of existing air quality and emerging problem areas/improvement in each authority area. We currently await feedback and acceptance of the reports by DEFRA. There are currently 7 Air Quality Management Areas within Worcestershire.

Other Air Quality projects that the team will be engaged with over the coming year include;

Low emissions zone for Worcester City

Facilitation of air quality action planning in Wychbold

Development of EV charging infrastructure policy with County partners

Computer Modelling of air quality around Comberton Hill/Chester Road in Kidderminster

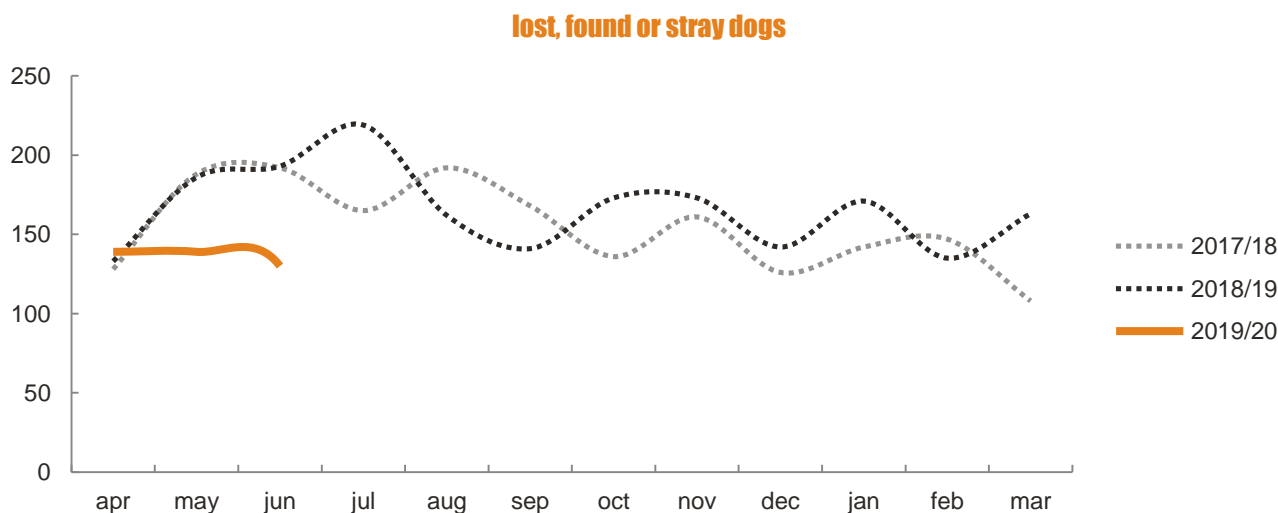
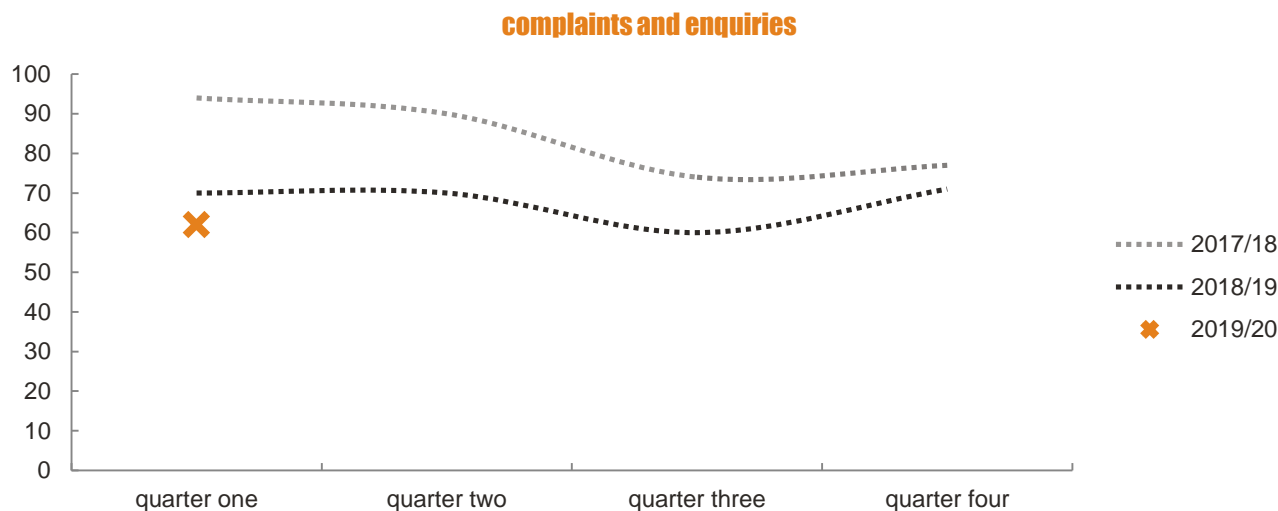
Ground contamination investigations reported in Q4 of last year have now concluded with no further action at the Shenstone site. Investigations at the Bromsgrove site with the PHE and Severn Trent Water confirmed that there was no current public health risk from the contamination however WRS will continue to monitor the area for the next 12 months to ensure that this remains the case.

Dog Control

The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to dog control. Types of cases recorded under this category include fouling and persistent straying, dangerous dogs and welfare. The chart (bottom right) shows the number of dogs recorded by WRS as lost, found or seen straying.

The number of stray or lost dogs reported to WRS during quarter one, whilst higher than last quarter, is a significant reduction compared to previous years. The type of case reported however, remains consistent; with 67% of reports relating to 'contained' stray dogs.

In general, WRS receives very few dog control complaints. During this quarter, 22 complaints related to fouling or persistent straying, 19 complaints to dangerous dogs and 4 complaints to welfare.



Environmental Permitting

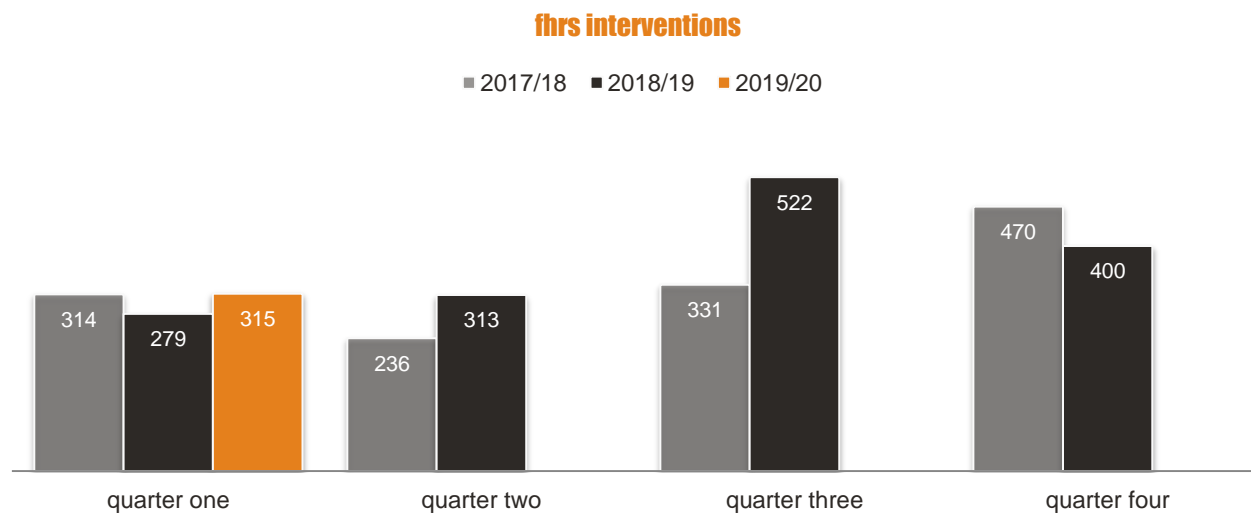
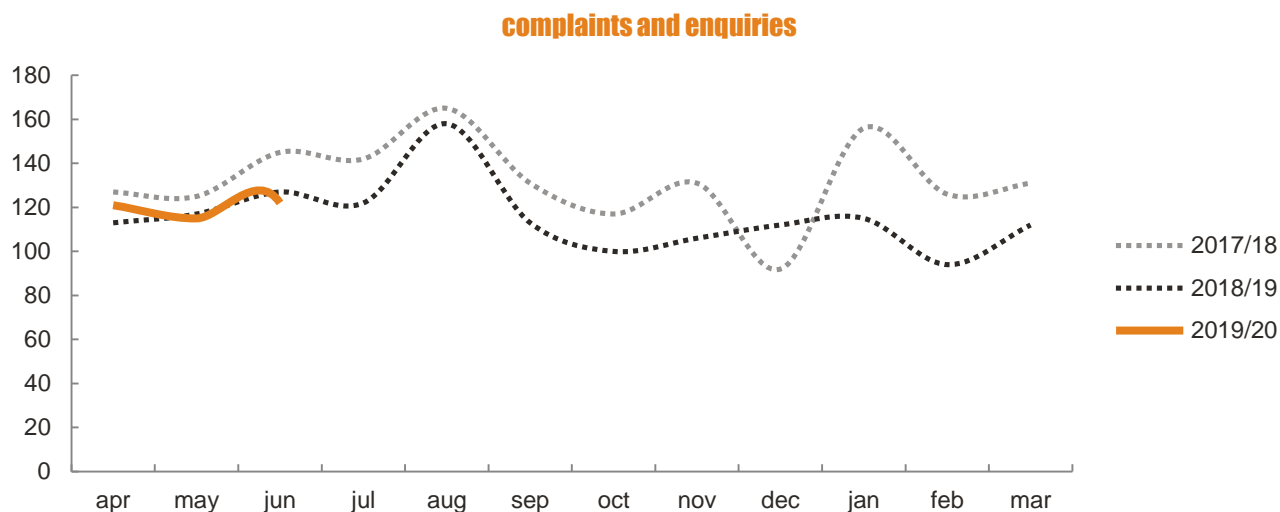
Permitting work remains a growth area for WRS with compliance remaining high within the county. Officers have been focusing more and more on the development of Primary Authority (PA) Relationships, and in addition to the day to day regulatory functions WRS have been undertaking commercial permitting work on behalf of Warwickshire NHS Trust and Royal Devon & Exeter NHS Trust to ensure Medium sized combustion plant directive compliance.

Two of our officers are currently members of the ceramics and foundries technical groups who advise DEFRA on the regulatory transition of EU BREF notes into UK environmental protection legislation. This is a critical role to ensure that regulation is fair and does not un-necessarily burden businesses in Worcestershire and other parts of the country where we undertake regulation on behalf of other authorities.

Food Safety

The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to food safety. Types of cases recorded under this category include complaints about food products, hygiene of premises complaints and requests for business advice. The chart (bottom right) shows the number of interventions conducted by WRS at premises included in the Food Hygiene Rating Scheme, commonly known as FHRS.

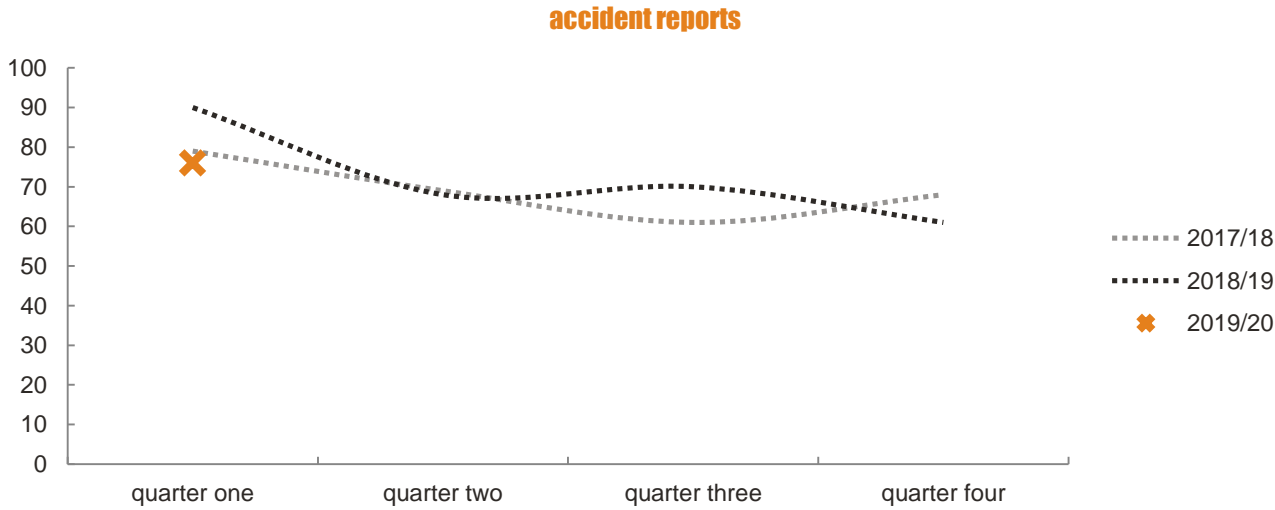
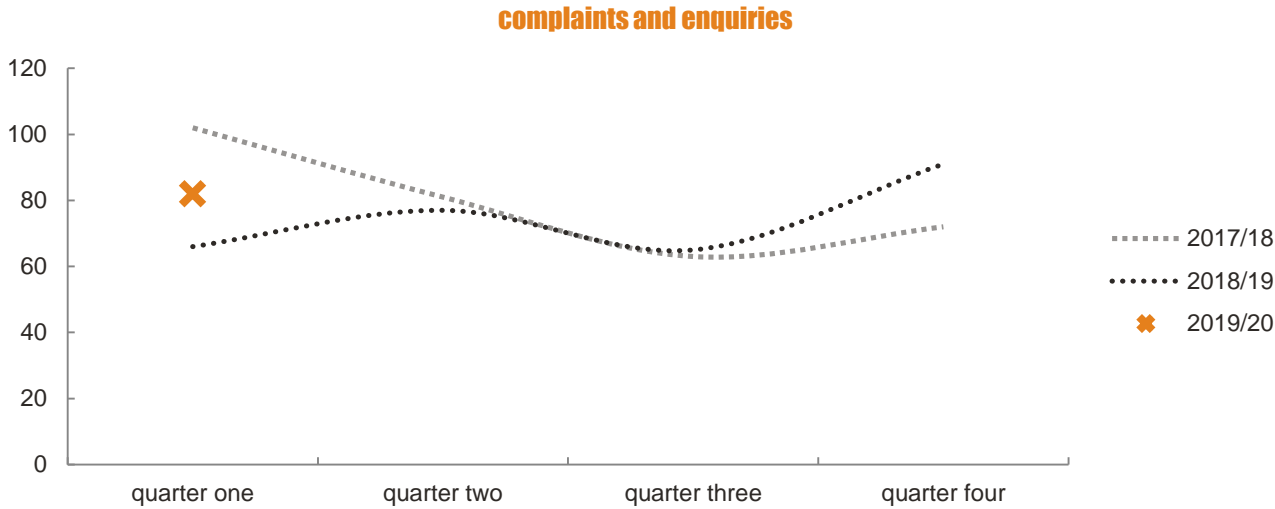
The number of food safety requests received by WRS during quarter one is broadly in line with 2018/19. Approximately 44% of cases were complaints; with two thirds relating to food products and a third relating to the hygiene of food premises. In parallel with previous quarters, a significant proportion of cases are enquiries and requests for business advice.



Health and Safety

The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to health and safety. This includes requests for business advice. The chart (bottom right) shows the number of notifications received by WRS relating to accidents.

The number of health and safety cases received by WRS during quarter one is broadly in line with 2018/19. Overall, 48% of cases were reports of accidents, 29% were complaints about health and safety standards/practices and 23% were enquiries which includes requests for business advice. In parallel with previous quarters, the greater proportion of accidents relate to injuries to members of the public, or injuries to a worker being incapacitated for more than seven consecutive days.



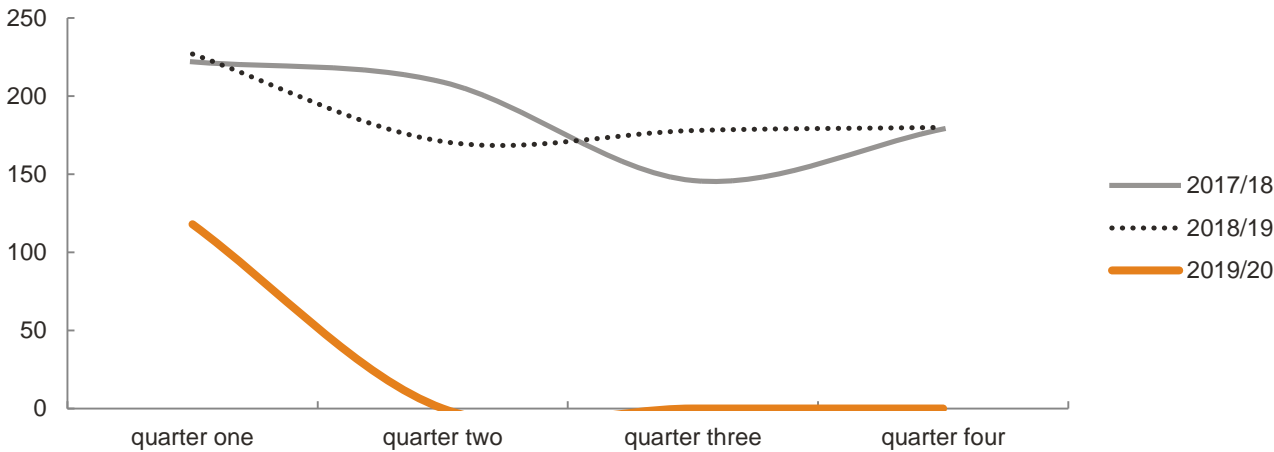
Information Requests

The chart (right) shows the number of information requests recorded by WRS over a three year period.

Information requests relate to the following;

- Environmental Information Requests
- Freedom of Information Requests
- Requests for information under the Data Protection Act 2018 and General Data Protection Regulation

Environmental information requests remain low at present. Such requests are commonly generated by house and land sales. It is assumed that the low numbers are a direct consequence of the lack of confidence in the current property market due to Brexit.



Licensing

The chart (top right) shows the number complaints and enquiries recorded by WRS over a three year period relating to licensing. The chart (bottom right) shows the number of licensing applications.

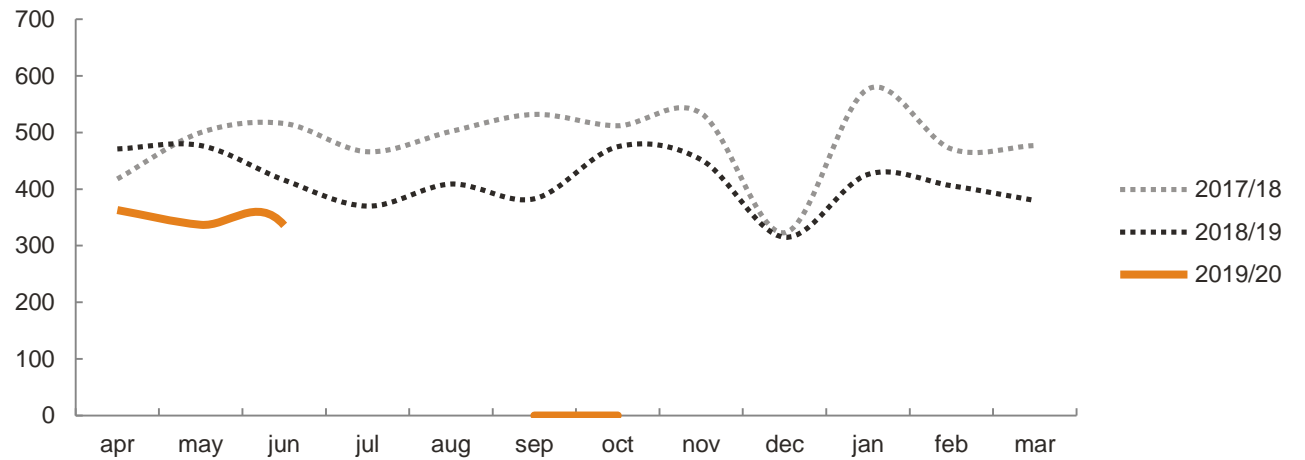
Licensing complaints, enquiries and applications relate to the following;

- Alcohol and entertainment (including gambling)
- Animals
- Caravans
- Scrap metal
- Sex establishments
- Skin piercing
- Street trading
- Taxis

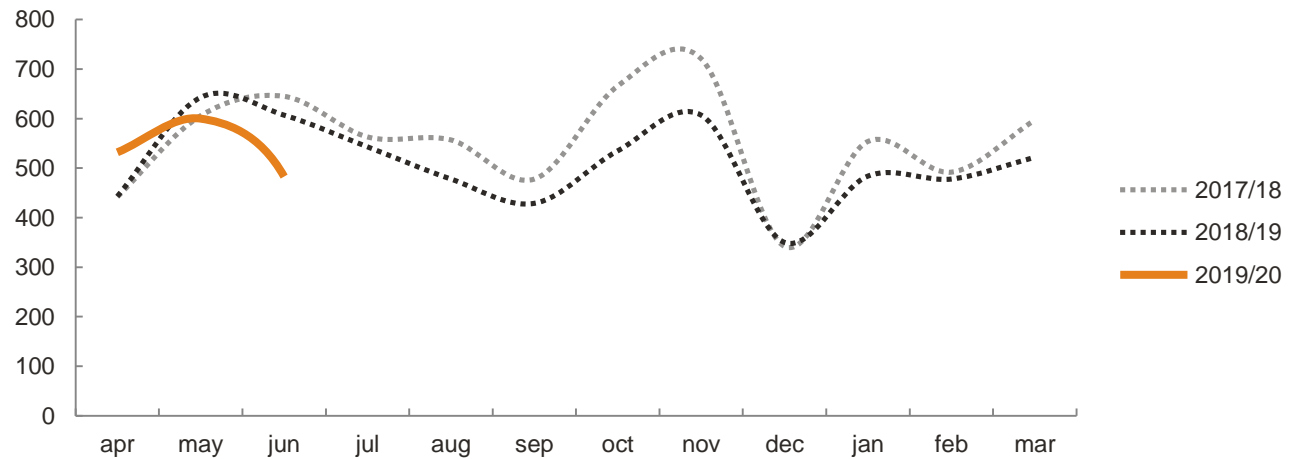
The number of applications received by WRS during quarter remains broadly in line with previous years. Approximately 48% of applicaitons related to alcohol licensing, with three quarters of cases being temporary event notices. A further 38% of applications related to taxi licensing.

Approximately 83% of service reuquests received during quarter one were enquiries.

complaints and enquiries



applications

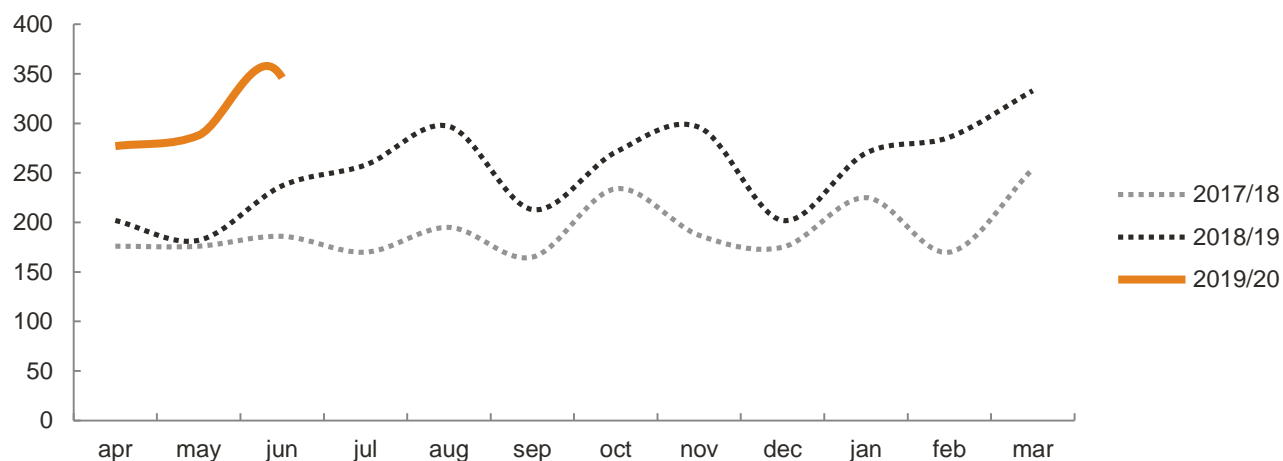


Planning

The chart (right) shows the number of planning enquiries completed by WRS over a three year period. The majority of these requests are consultations but can also include requests to discharge conditions.

Planning requests relate to the following;

- Air Quality
- Contaminated Land
- Environmental Permitting
- Food
- Health and Safety
- Nuisance / Noise
- Private Water Supplies

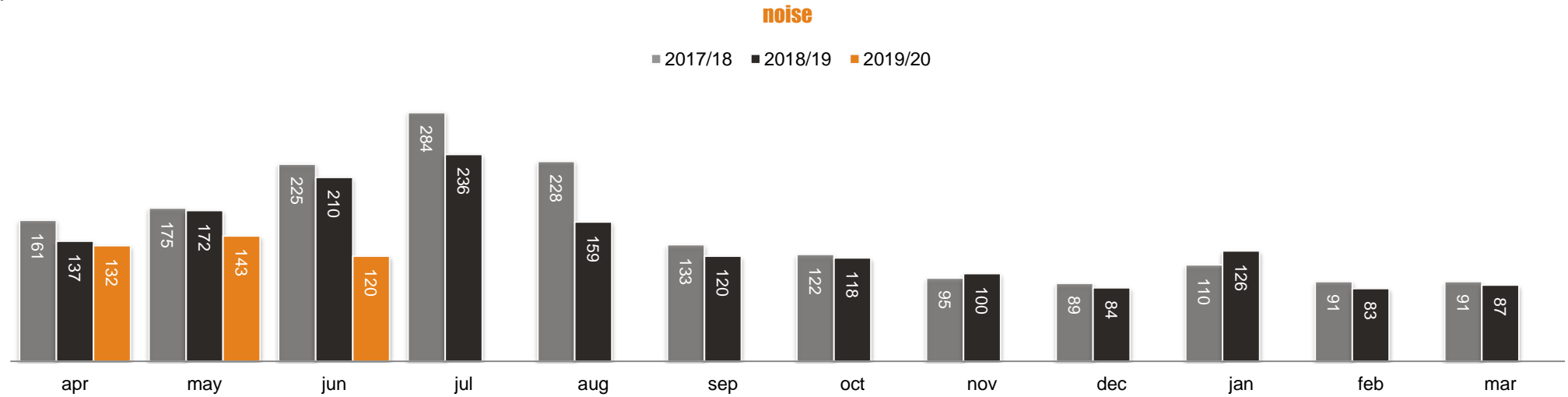
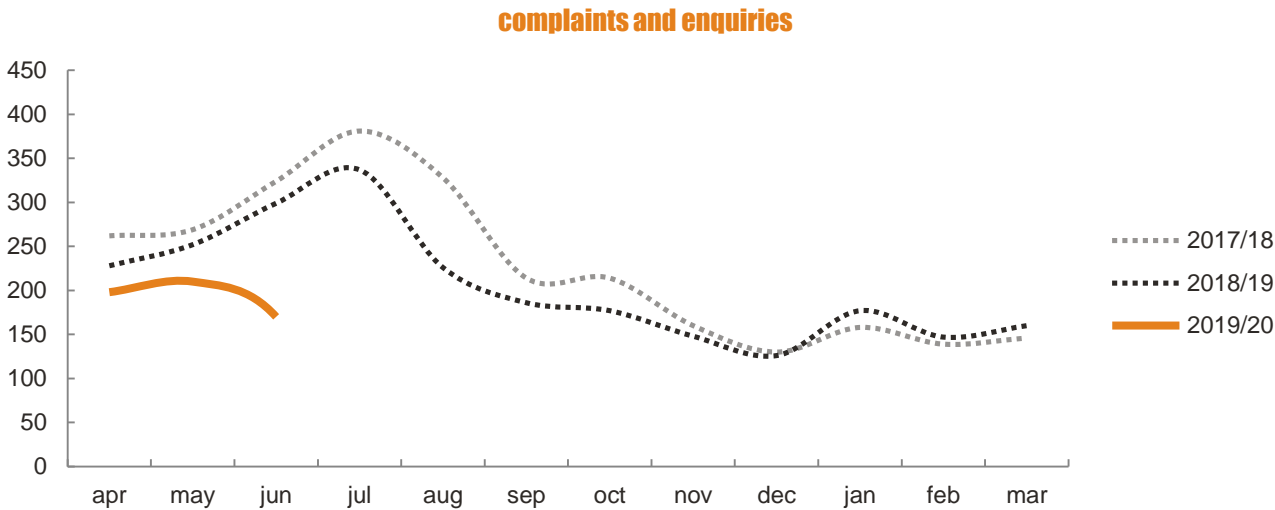


The number of planning enquiries completed by WRS during quarter one is an increase of approximately 46% compared to 2018/19. Overall, 90% of enquires were consultations, 46% related to contaminated land and 31% to related noise/nuisance. In addition to the growth on the day to day work, WRS has recently been advising on Southern Worcestershire authorities current round of Strategic Housing and Employment Land Availability Assessments (SHELAA). To date WRS have provided planners with advice on over 500 sites.

Pollution

The chart (right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to pollution. Types of cases recorded under this category include contamination incidents, air pollution (smoke, fumes and gases), light pollution and noise pollution. The chart (bottom right) shows the number of complaints and enquiries relating to noise pollution.

The number of pollution cases received by WRS during quarter one is a reduction of approximately 25% compared to 2018/19. Two thirds of pollution cases related to noise nuisance, with domestic noise complaints the prominent subcategory. A further 16% of cases were complaints relating to smoke nuisance.

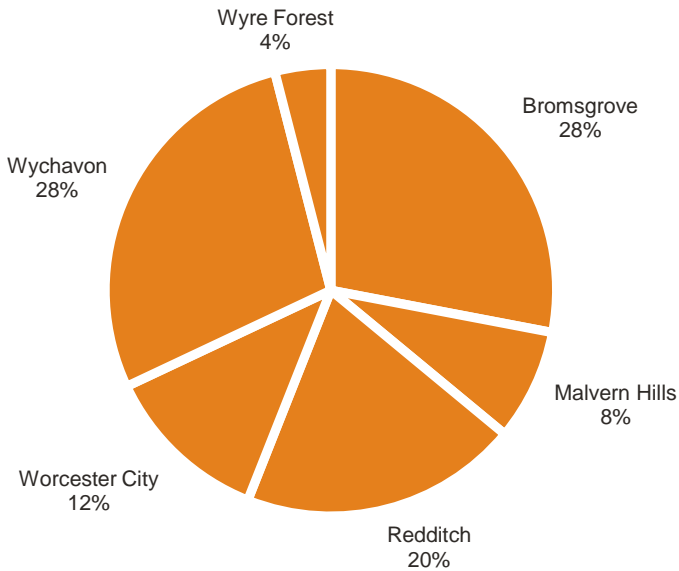


Noise

The table (right) shows the top 25 wards in Worcestershire with the highest case rate for noise pollution cases. It also shows the relative population and the number of cases recorded. The chart (below) shows the top 25 wards by district. For example, 20% of wards highlighted in the table are located within Worcester City.

Note: Data shown on this page represents the 'year to date' and will continue to increase each quarter until the end of year report is published.

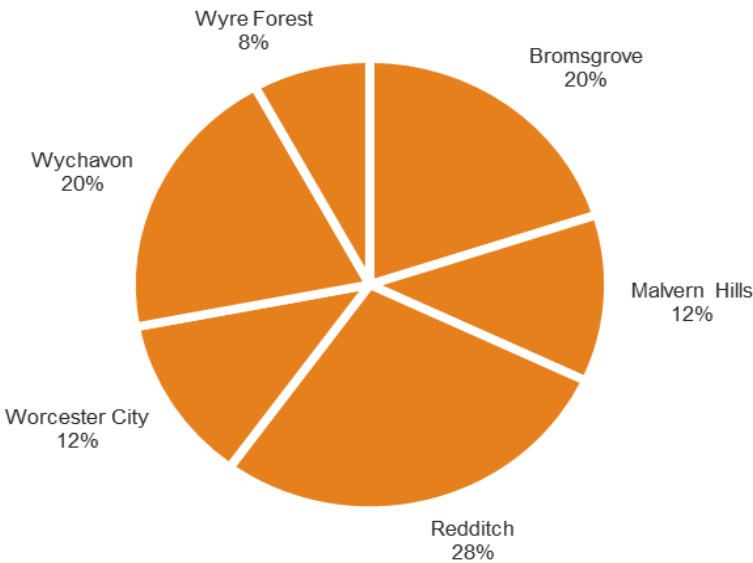
Ward	Total	Population	Rate
Sanders Park	7	3,559	1.97
Belbroughton And Romsley	12	6,564	1.83
Sidemoor	7	4,021	1.74
Charford	6	3,670	1.63
Droitwich Central	4	2,570	1.56
Honeybourne And Pebworth	4	2,758	1.45
Pershore	11	7,716	1.43
Central	9	6,681	1.35
Cathedral	15	11,488	1.31
Arboretum	8	6,301	1.27
Rainbow Hill	7	5,525	1.27
Avoncroft	4	3,242	1.23
Astwood Bank And Feckenham	7	6,126	1.14
Abbey	7	6,323	1.11
Fladbury	3	2,783	1.08
Foley Park And Hoobrook	11	10,428	1.05
Barnt Green And Hopwood	3	2,866	1.05
Bowbrook	3	2,870	1.05
Hartlebury	3	2,936	1.02
Church Hill	8	8,159	0.98
The Littletons	3	3,111	0.96
Upton And Hanley	4	4,153	0.96
Norton	3	3,177	0.94
Priory	4	4,463	0.90
Lodge Park	5	5,608	0.89



Noise (2018/19)

The table (right) shows the top 25 wards in Worcestershire with the highest case rate for noise pollution cases. The data covers 2017/18 and is intended to be a point of reference for the data highlighted on the previous page.

Ward	Total	Population	Rate
Sanders Park	36	3,456	10.42
Cathedral	63	11,160	5.65
Charford	20	3,638	5.50
Norton	16	3,175	5.04
Abbey	29	6,232	4.65
Warndon	27	5,928	4.55
Batchley And Brockhill	38	8,628	4.40
Morton	9	2,060	4.37
Wells	14	3,258	4.30
Upton Snodsbury	11	2,692	4.09
Central	27	6,659	4.05
Longdon	8	2,068	3.87
Headless Cross And Oakenshaw	31	8,539	3.63
Lickhill	9	2,535	3.55
Barnt Green And Hopwood	10	2,838	3.52
Bowbrook	10	2,907	3.44
Broadwaters	32	9,326	3.43
Matchborough	21	6,152	3.41
Lodge Park	19	5,630	3.37
Bengeworth	23	7,301	3.15
Droitwich Central	8	2,549	3.14
Bretforton And Offenham	9	2,883	3.12
Greenlands	29	9,298	3.12
Alvechurch Village	9	2,899	3.10
Gorse Hill	17	5,520	3.08

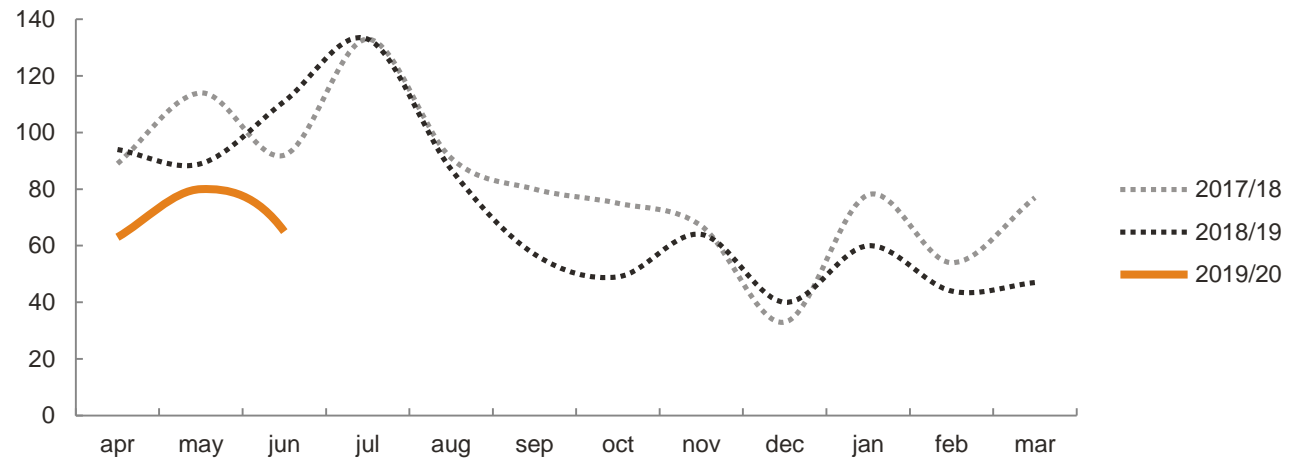


Public Health

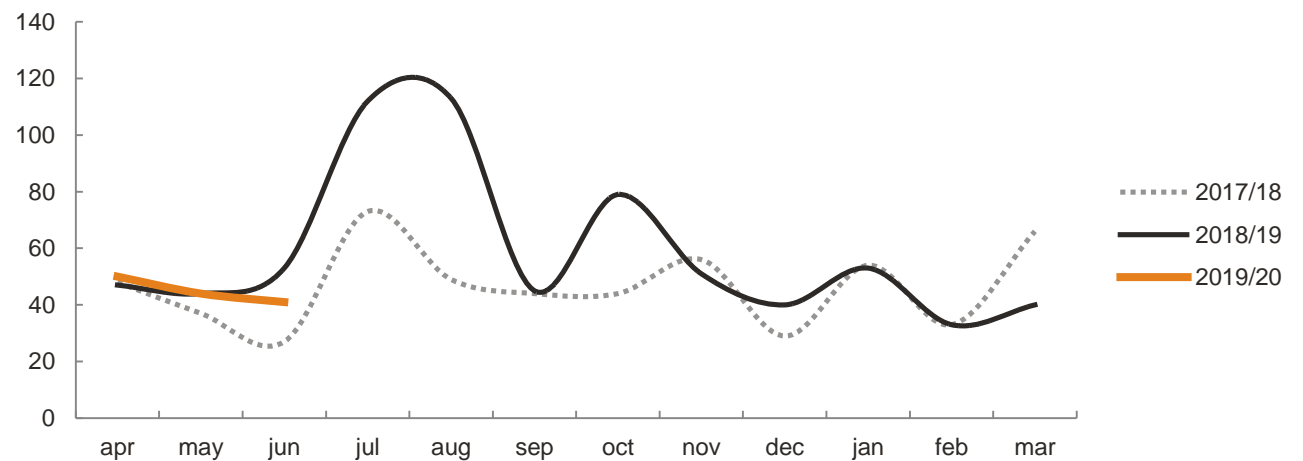
The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to public health. Types of cases recorded under this category include accumulations, public burials and pest control. The chart (bottom right) shows the number of subsidised pest control treatments have been carried out by contractors at domestic properties in four Worcestershire Districts (Bromsgrove, Redditch, Wychavon and Wyre Forest). Malvern Hills and Worcester City do not offer subsidised pest control service.

The number of public health cases received by WRS during quarter one is a reduction of approximately 29% compared to 2018/19. Just under two thirds of cases related to pest control, whilst 30% related to accumulations at domestic or commercial properties. Of the 135 domestic treatments undertaken during quarter one, over half were due the presence of rats, whilst a fifth were due to wasps.

complaints and enquiries



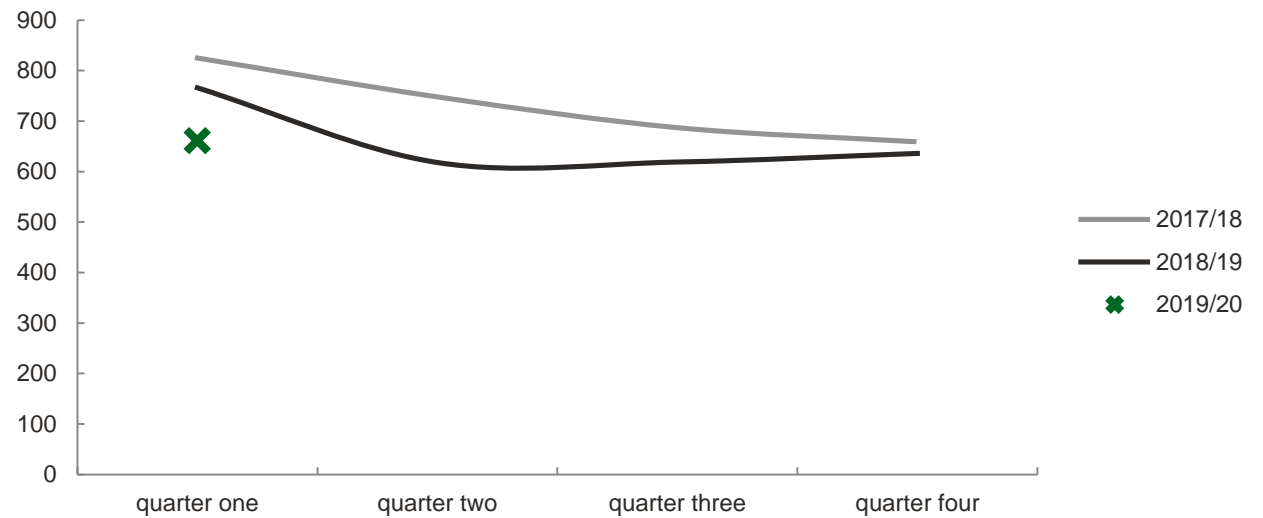
pest control (domestic subsidised treatments)



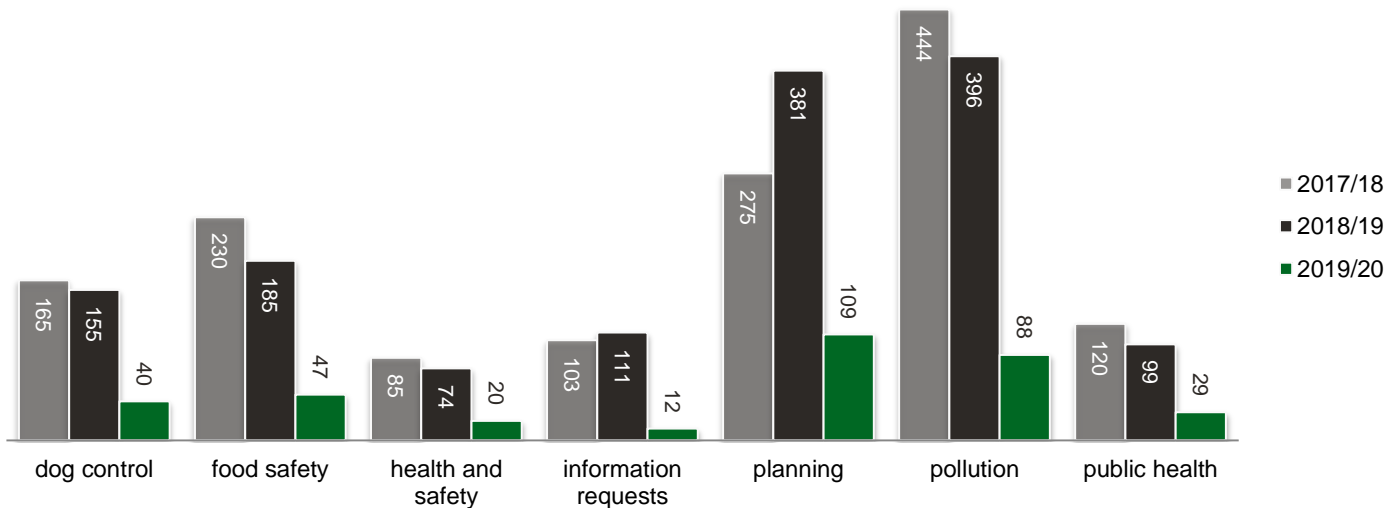


The data on this page relates to Environmental Health and Licensing complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of Bromsgrove.

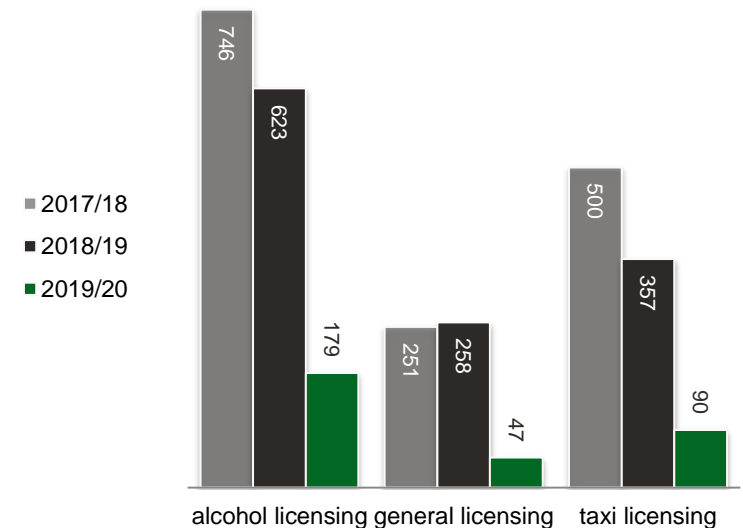
Note: The charts (below) show the number of cases recorded against each of the main functions undertaken by WRS. The total for 2019/20 represents the 'year to date' and will continue to increase each quarter until the end of year report is published.



environmental health

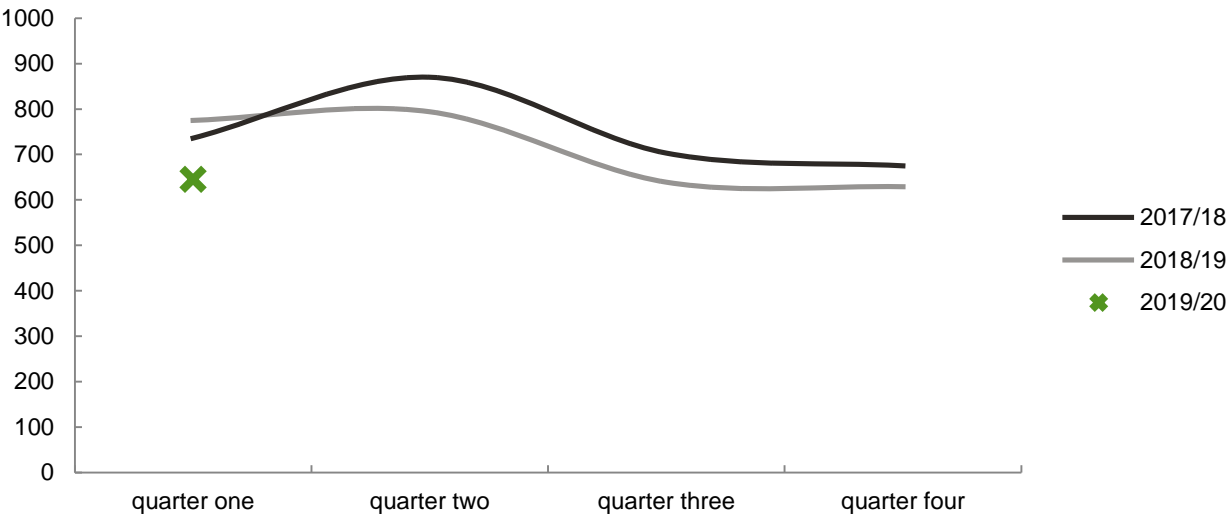


licensing

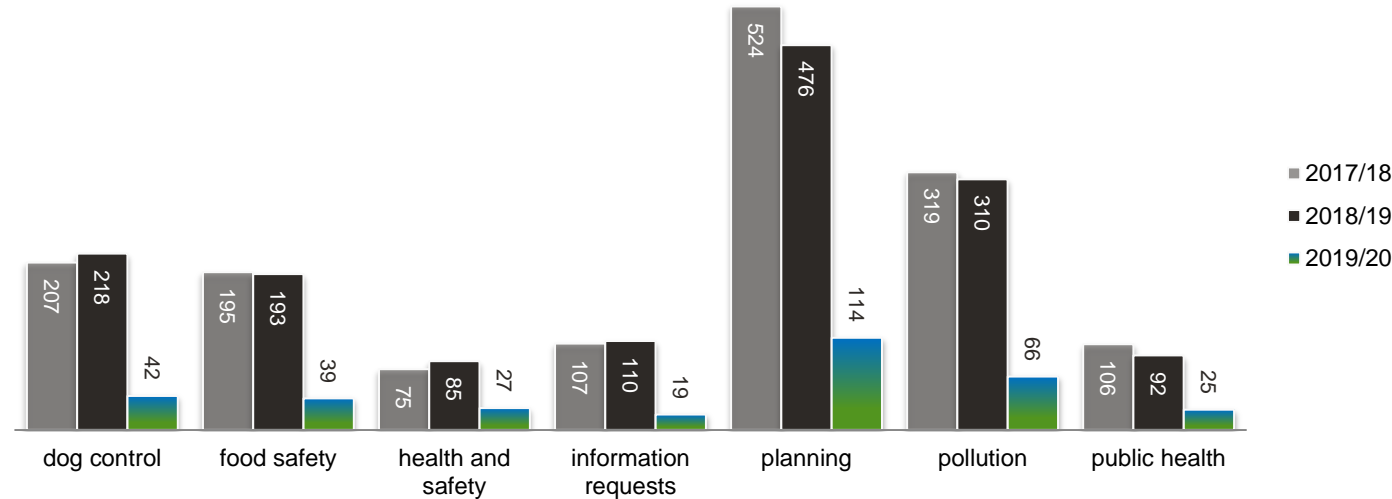


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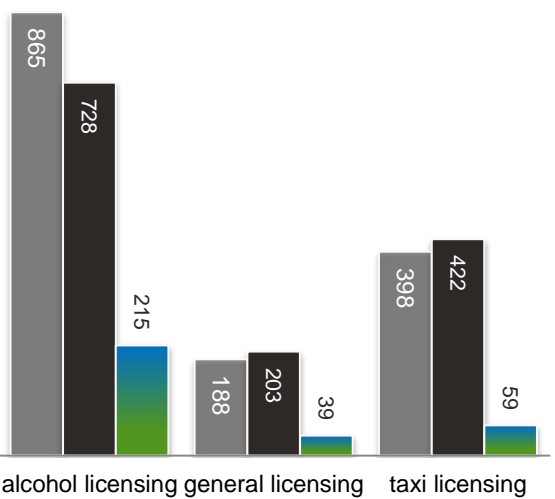
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environmental health

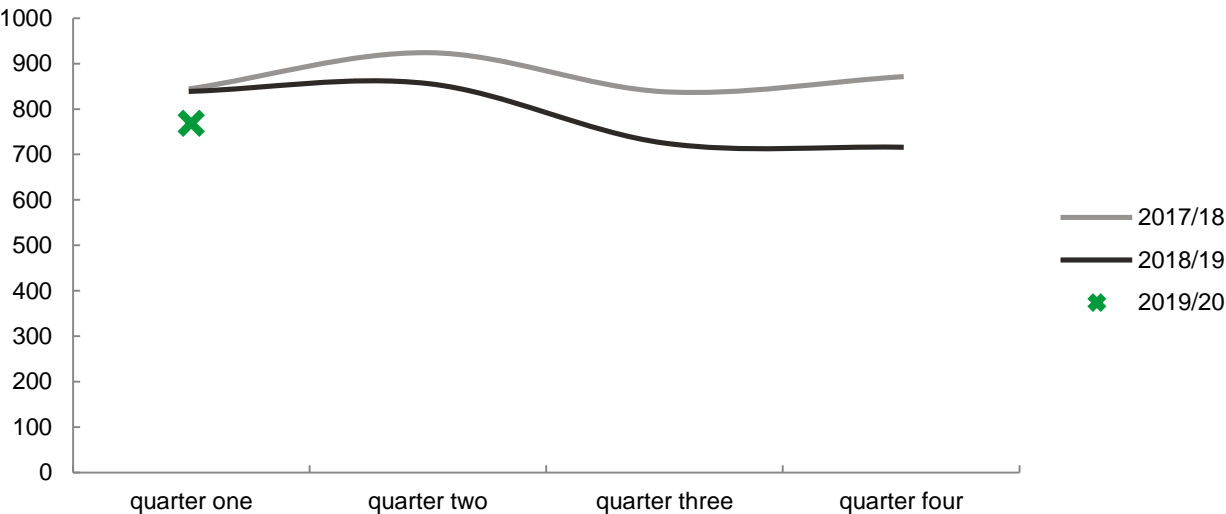


licensing

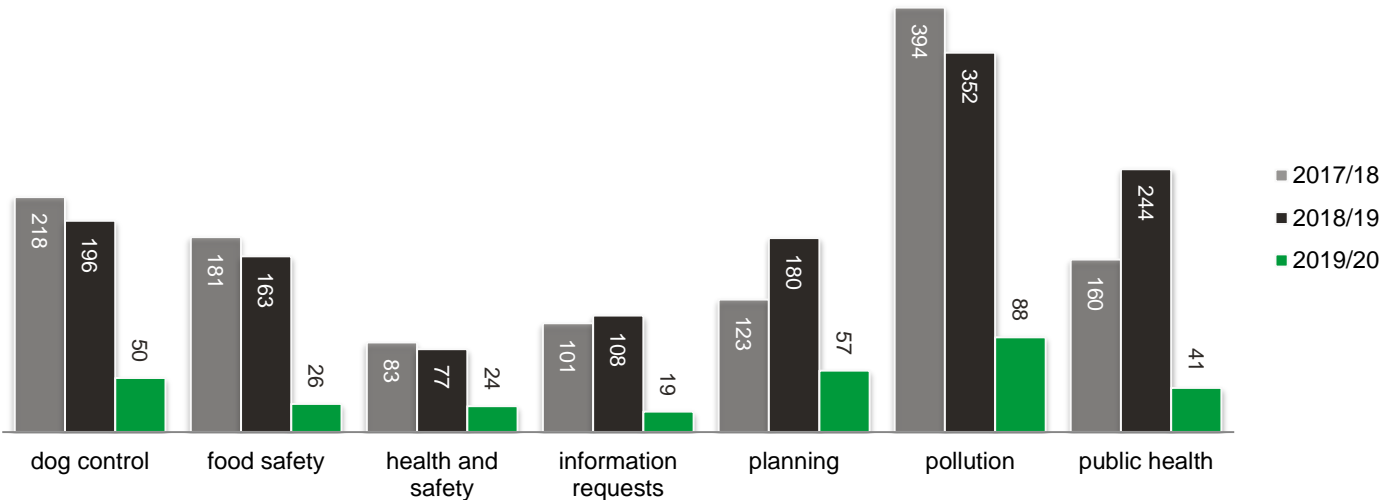


The data on this page relates to Environmental Health and Licensing complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of Redditch.

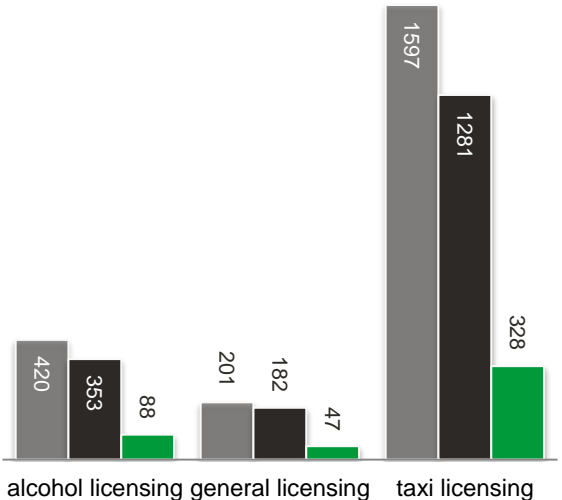
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environmental health

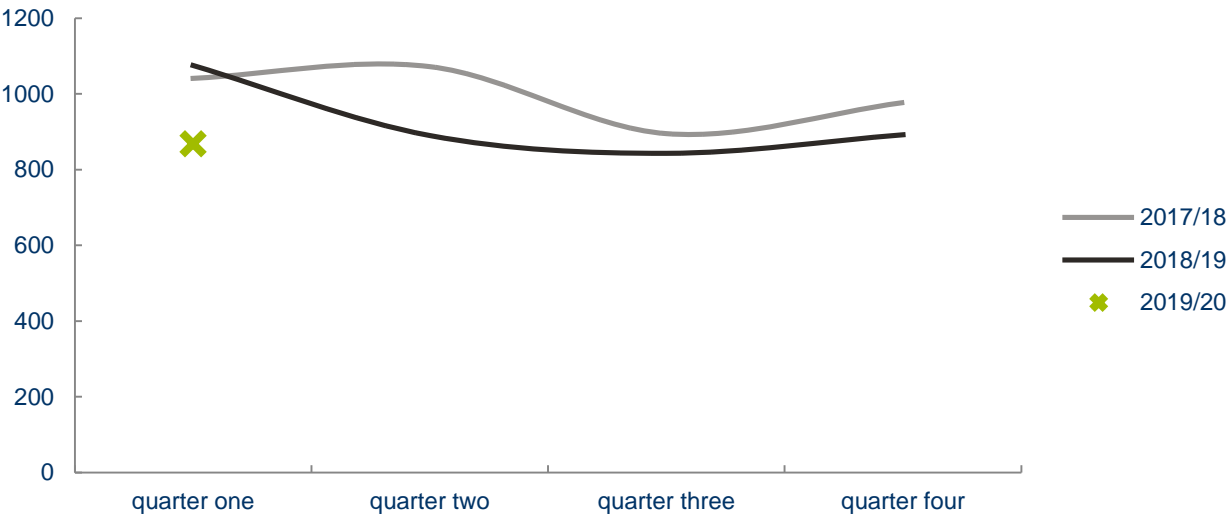


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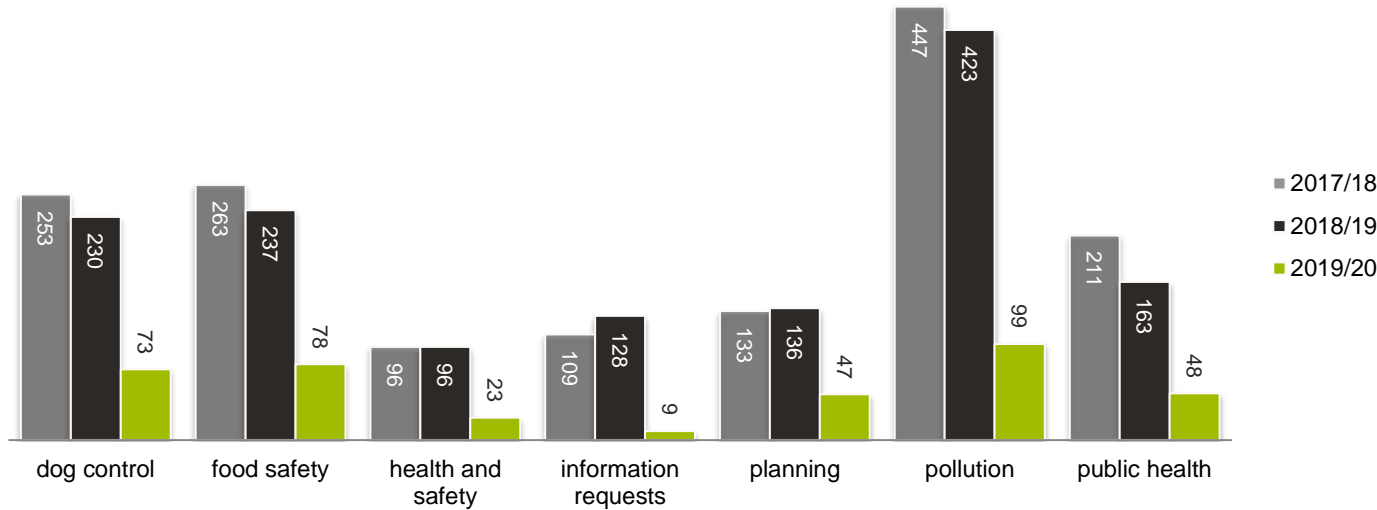


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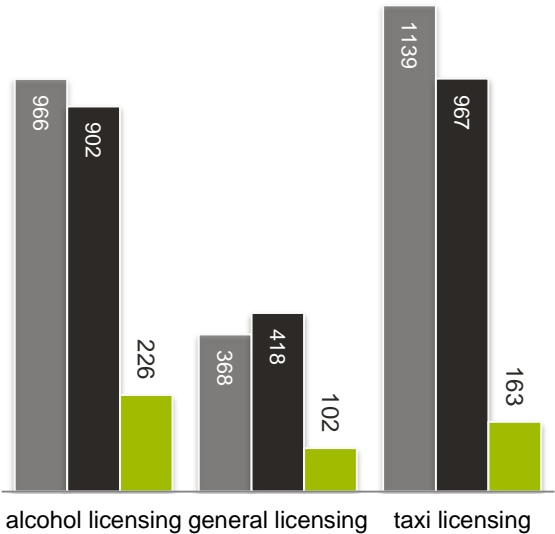
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environmental Health

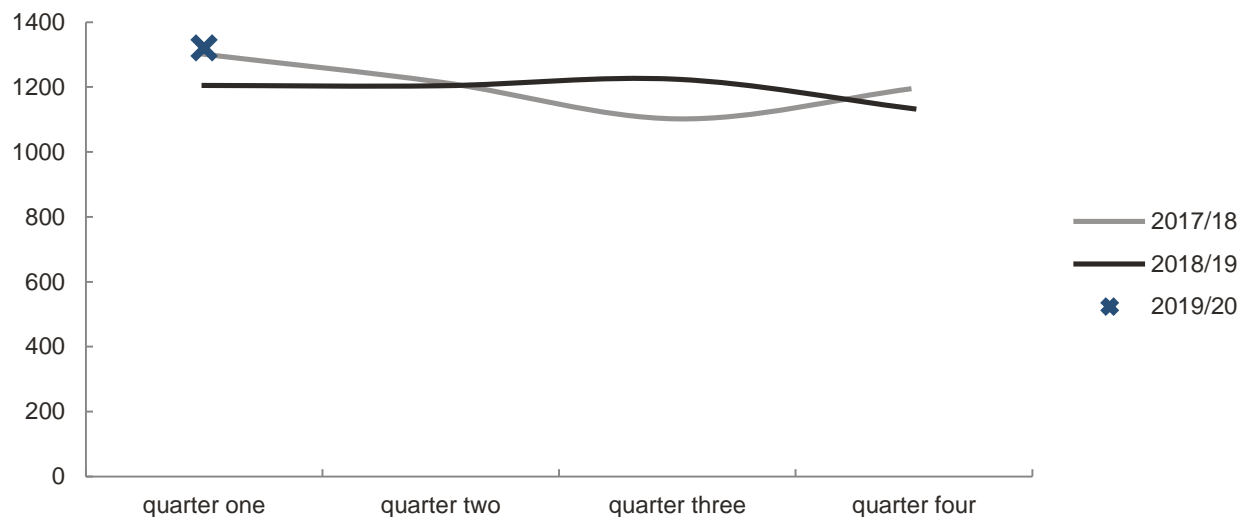


licensing

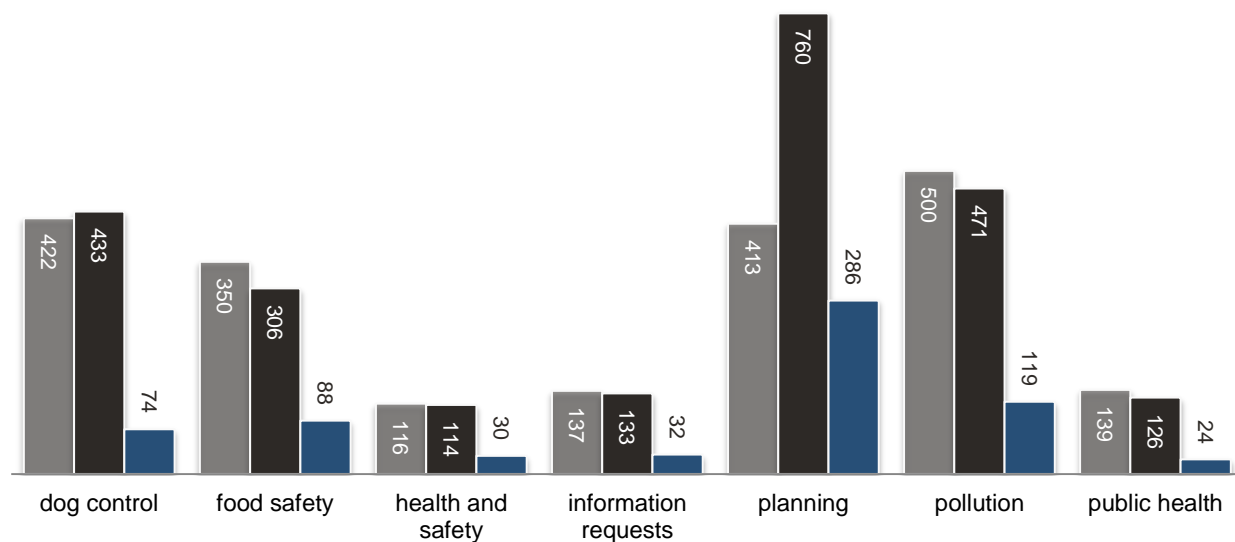


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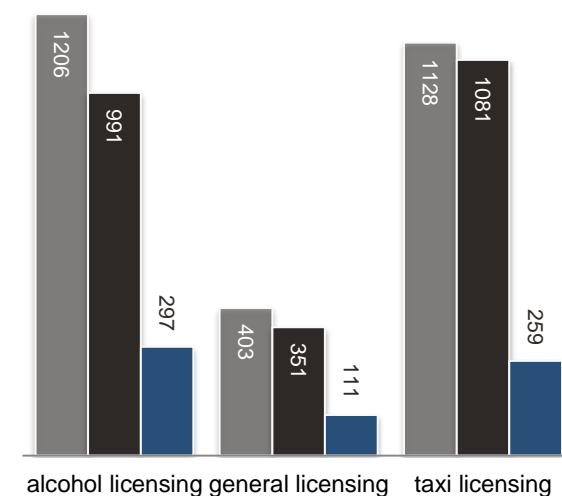
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environmental Health

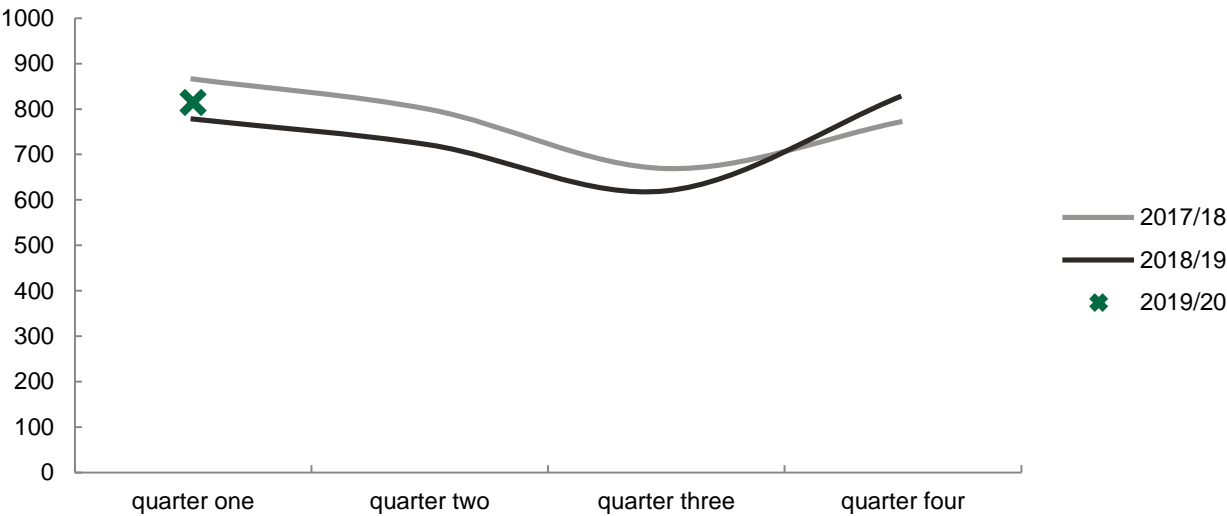


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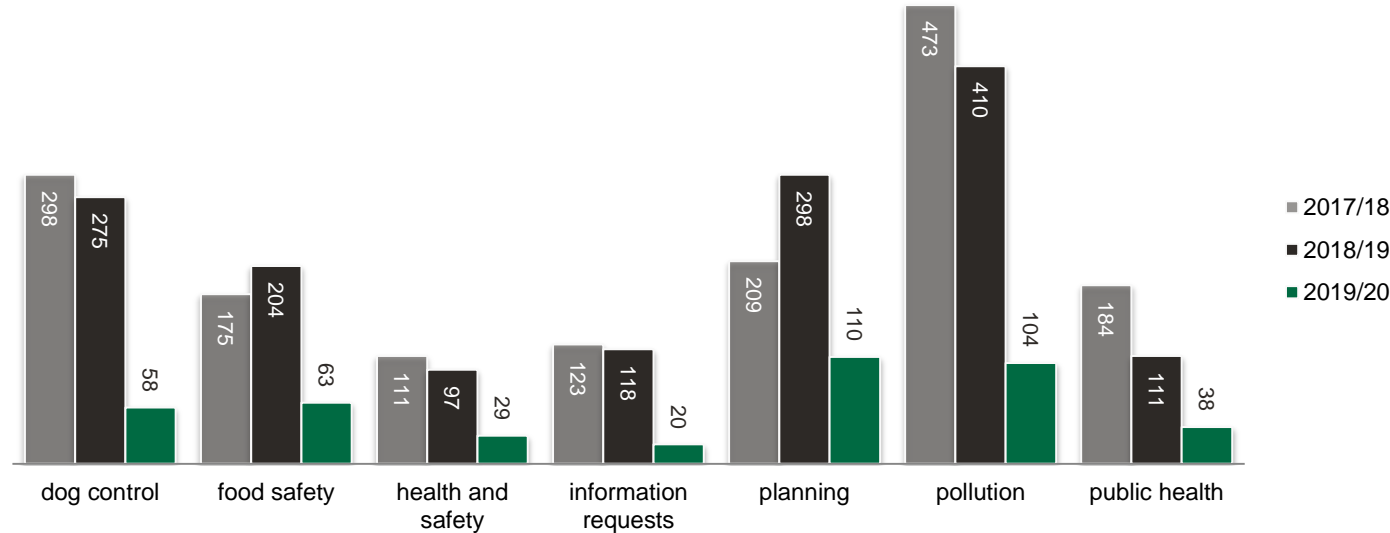


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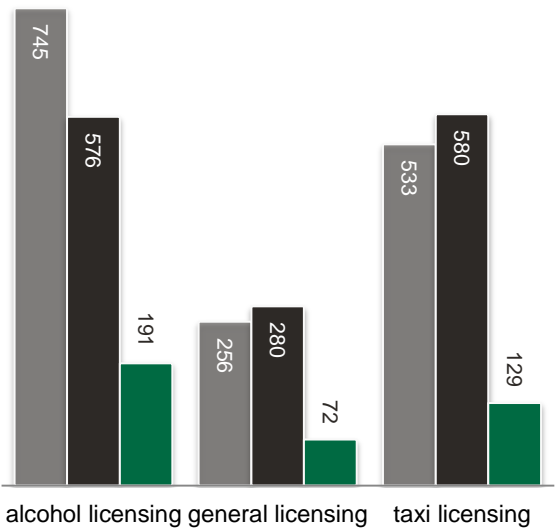
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environmental health



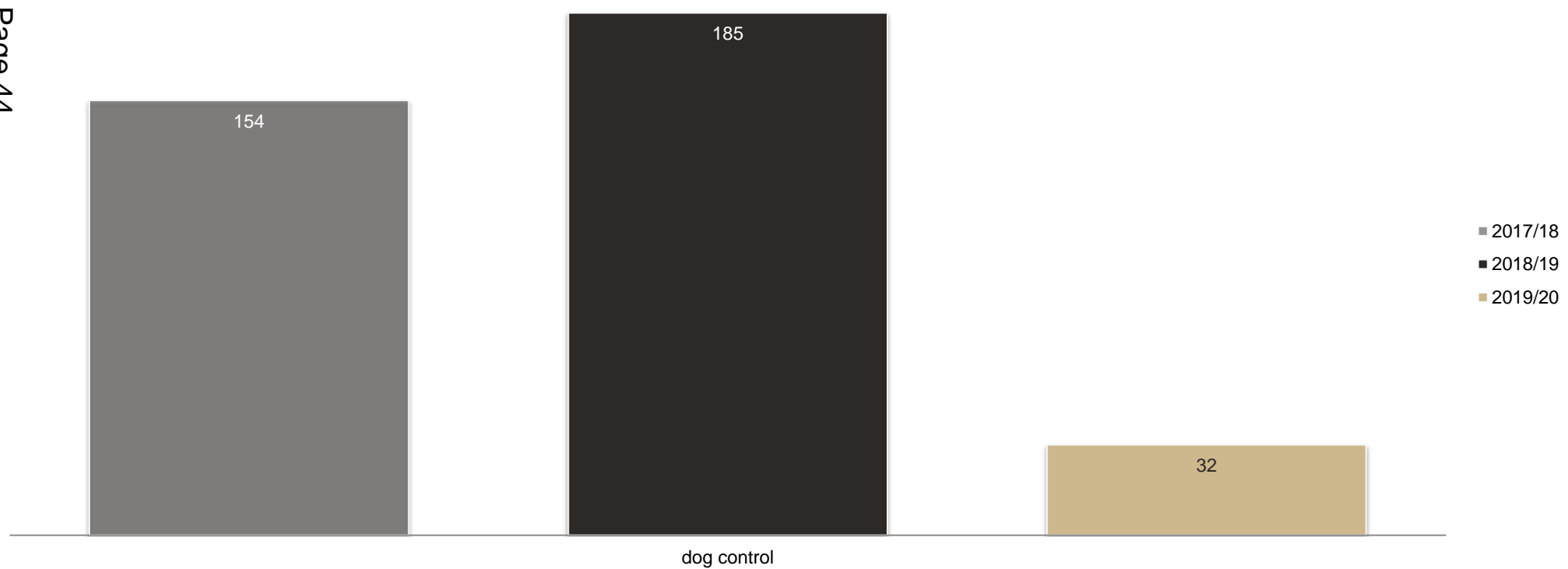
licensing



Cheltenham Borough Council

The dog control work WRS undertake for Cheltenham Borough Council is part of a three year contract with two other Gloucestershire authorities (from 2017) to deliver the collection, kennelling, returning of dogs to owners and rehoming of stray dog functions. The contract was renewed following delivery by WRS for the previous 3 years and has been highly successful in reducing stray dog numbers for Cheltenham Borough Council, utilising existing WRS resource and expertise. Such arrangements enable economies of scale to be realised and the continued retention of valuable assets to the benefit of Partner Authorities. The number of stray dogs remains consistent with previous years, there is a very slight reduction compared with the same quarter last year however this is of little note and is unlikely to have a significant impact on the end of year figures.

The chart (below) shows the number of cases recorded against the function undertaken by WRS. The total for 2018/19 represents the 'year to date' and will continue to increase each quarter until the end of year report is published.

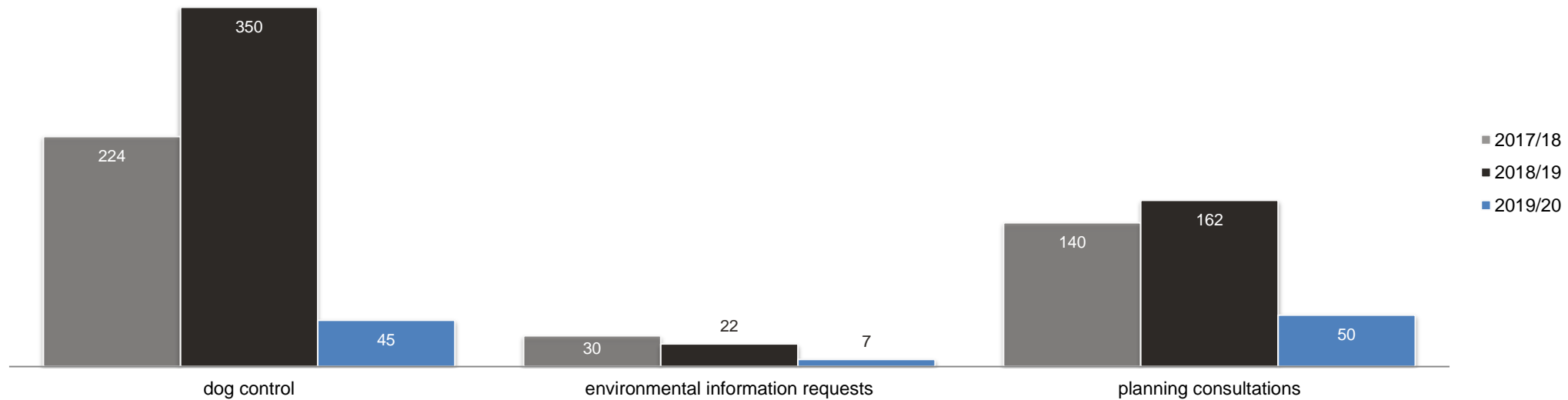


Gloucester City Council

The dog control work WRS undertake for Gloucester City Council is part of a three year contract with two other Gloucestershire authorities (from 2017) to deliver the collection, kennelling, returning of dogs to owners and rehoming of stray dog functions. The contract was renewed following delivery by WRS for the previous 3 years and has been highly successful in reducing stray dog numbers for Gloucester City Council, utilising existing WRS resource and expertise. Such arrangements enable economies of scale to be realised and the continued retention of valuable assets to the benefit of Partner Authorities. As with other Gloucestershire and Worcestershire authorities, the numbers of stray dogs are reducing annually. There has been a marked reduction in the number of dogs collected in quarter three and this would indicate a continued annual reduction is likely.

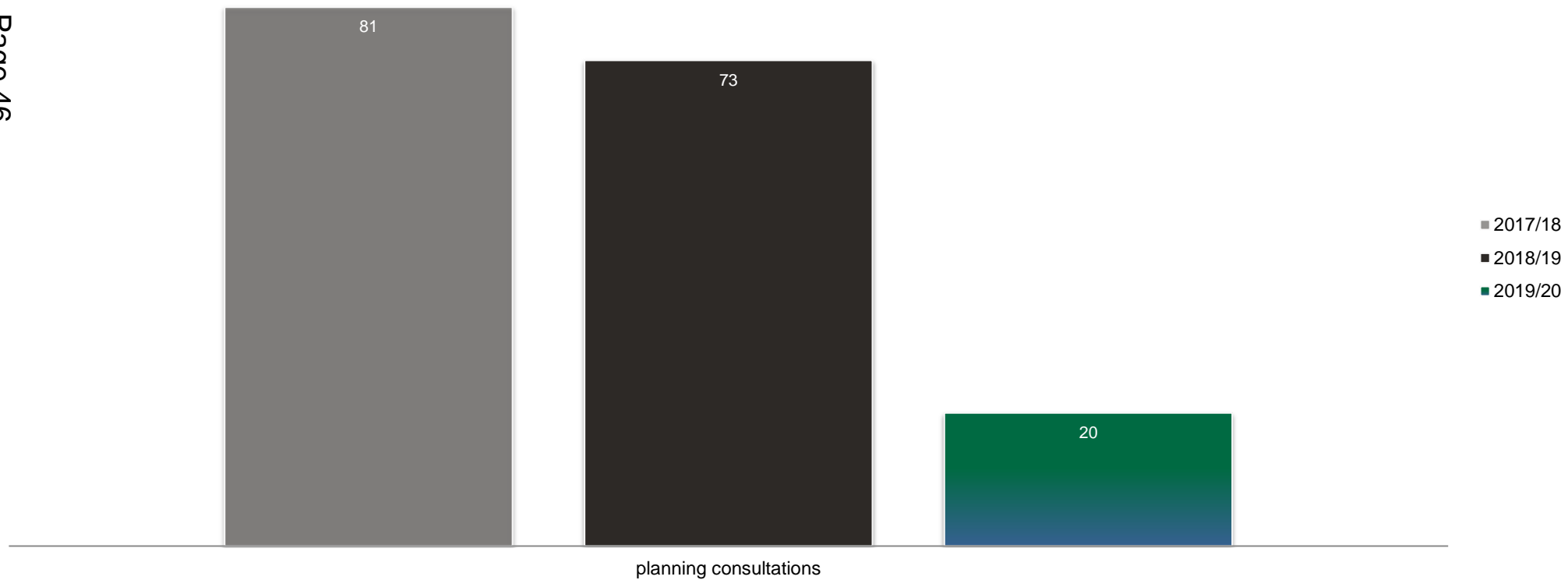
Planning work continues to grow for Gloucester City with the addition of noise and nuisances categories of planning consultations being undertaken this year. Inspections for Gloucester City Permitted sites were fully completed last year. WRS officers sitting on the DEFRA foundries technical group are currently assisting Avon Metals (A2 Process) with the process of delivering compliance with new emissions standards which will be introduced by the 2020 Sectoral Guidance note.

The chart (below) shows the number of cases recorded against each of the functions undertaken by WRS. The total for 2018/19 represents the 'year to date' and will continue to increase each quarter until the end of year report is published.



South Gloucestershire being located on the outskirts of Bristol was subject to significant contaminative industries and activities historically. Pressures on brownfield development recently have presented the authority with a large volume of planning applications on significantly contaminated and complex sites. For a number of years now WRS has been asked to assist with this work focusing on the complex sites, so whilst numbers of referrals remain low (and lower than last year) they continue to be time consuming and complex. The expertise the Partner Authorities pooled with the formation of WRS has enabled us to provide a high standard of service during this period. Planning work remains steady with levels of demand representative of last year's numbers.

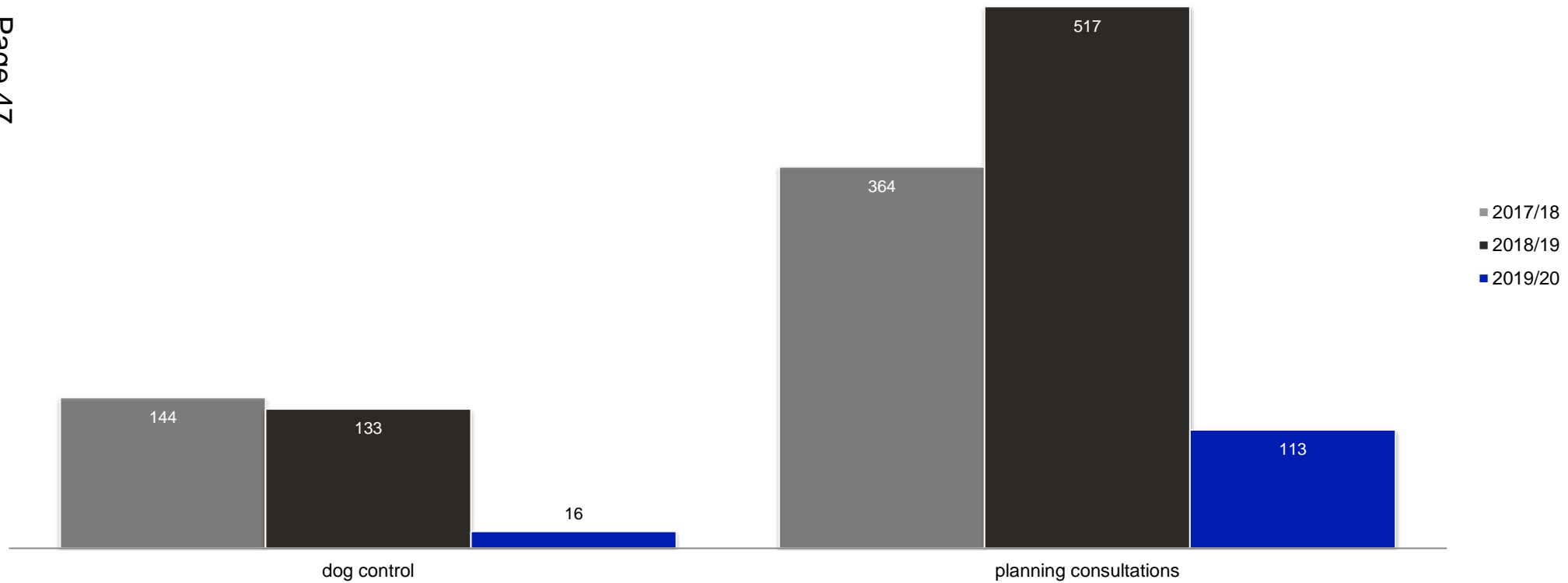
The chart (below) shows the number of cases recorded against the function undertaken by WRS. The total for 2018/19 represents the 'year to date' and will continue to increase each quarter until the end of year report is published.



Tewkesbury Borough Council

The dog control work WRS undertake for Tewkesbury Borough Council is part of a three year contract with two other Gloucestershire authorities (from 2017) to deliver the collection, kennelling, returning of dogs to owners and rehoming of stray dog functions. The contract was renewed following delivery by WRS for the previous 3 years and has been highly successful in reducing stray dog numbers for Tewkesbury Borough Council, utilising existing WRS resource and expertise. Such arrangements enable economies of scale to be realised and the continued retention of valuable assets to the benefit of Partner Authorities. Planning work remains steady, with consultations for the last quarter being comparative to previous years work.

The chart (below) shows the number of cases recorded against each of the functions undertaken by WRS. The total for 2018/19 represents the 'year to date' and will continue to increase each quarter until the end of year report is published.



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WRS Board: 26th September 2019

WRS Remit: what does WRS do for the 6 partners?

Recommendation	That the Board notes the report
Report	<p>Given that a significant number of members on the committee are new to their role, officers felt it might be helpful to provide an outline of the work undertaken by the service on behalf of the 6 partners. A summary of the work each team undertakes on your behalf is provided as an appendix.</p> <p>The tables are constructed based on the work of our three main teams, Community Environmental Health, Technical Services and Licensing. We have also included the work of our Business and Relationships Manager. Where appropriate we have highlighted the name of the officer who takes a lead on specific matters. These are the technical experts. In Licensing, the two senior practitioners cover a geographical allocation of the county rather than leading on specific areas of licensing work.</p> <p>We hope that the information in the appendix will help members to better understand the breadth of work undertaken by the service on behalf of the partners and also help with understanding some of the language they may see used in reports</p>
Contact	Simon Wilkes Head of Regulatory Services 01562-738088
Background Papers	Appendix: Outline of functions discharged



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Appendix: Functions discharged for the 6 partners by WRS

Community Environmental Health (David Mellors - Manager)			
	Statutory duties	Non-statutory work	Income Generation work
Senior Practitioner Lead: Nathan Poole	Burial/Cremation of Persons Deceased at Public Expense: Provision of a Service for the burial/cremation of persons deceased at public expense where relatives/third parties are either unable or refuse to act or where no relatives exist. Including: Responding to requests for service/investigation; Alleviation of any public health/nuisance at property; Next of kin trace; Burial/Cremation arrangements; Secure the release of any Bank funds; Storage and sale of items of value to recover costs; Registration with Land Charges;		

Senior Practitioner Lead: Helen Cameron		Environmental Health Specialist Duty Officer Rota First responders and providers of specialist environmental health advice and information to enable resolution of relevant service requests at the first point of contact; Triage of Infectious Diseases/Outbreaks and of RIDDOR Accident Notifications; Resource to facilitate immediate officer response to field emergencies;	
Senior Practitioner Lead: Nathan Poole	Exhumation of Buried Human Remains and Cremated Remains Handling Ministry of Justice Exhumation Licence enquiries; Responding to requests for service/investigation; Supervision of exhumations; Supervision of arrangements for the onward transmission of remains.		

Senior Practitioner Lead: Nathan Poole	Filthy and Verminous Persons and Premises (investigation and Treatment) Responding to requests for service/investigation; Inspection, monitoring, assessment and surveillance; Service of Statutory Notice; Enforcement of Notice/Works in default; Providing information to Client Legal Departments to support instigation of legal proceedings/ debt recovery for works carried out;		
Senior Practitioner Lead: Helen Cameron	Food Safety Carry out inspections and interventions to assess compliance of businesses in scope of the Food Hygiene Rating Scheme and re-visits providing support to achieve level 3 or above; Inspections/interventions in premises outside the scope of FHRS; Approved premises inspections/interventions; Responding to food safety service requests to include advice/investigation to ensure premises compliant with legislation, food safe to eat and appropriate enforcement action taken; Response to Food Alerts and Incidents; Provision of statutory returns of intervention activity;	Food Safety Sampling including participation in appropriate national or regional surveys; Interventions at special events where large numbers of public attend including relevant pre and post event safety advisory group meetings; Triple Five Food Hygiene Award to promote food hygiene excellence in businesses;	Primary Authority Agreements; Provision of food export health certificates for country of destination; Advice to new and potential food businesses; Issue of voluntary surrender certificates; FHRS re-rating visits at request of business providing support to achieve level 3 or above; LEP project: Worcestershire Food and Drink Association;

Senior Practitioner Lead: Nathan Poole	Foul Drainage: Private Drains: Including where necessary: Service of Statutory Notice; Execution of Notice/Works in default; Recording of Notices as Land Charges; Providing information to Client Legal Departments to support instigation of legal proceedings/ debt recovery for works carried out;		
Senior Practitioner Lead: Peter Maloney	Health and Safety Sector specific interventions in accordance with current HSE Guidance; Response to Formal RIDDOR Notifications;	Project/intelligence led interventions and inspections; Response to Health & Safety service requests; Interventions at special events where large numbers of public attend including relevant pre and post event safety advisory group meetings;	Primary Authority Agreements; Worcestershire Works Well interventions funded by Public Health;
Senior Practitioner Lead: Helen Cameron			Health & Wellbeing/ Health Promotion Provision of food hygiene training and awareness courses and events including CIEH level 1 and 2 food hygiene courses and refresher training;
Legal Services Support Officer: Stephanie Weaver	Legal Support Maintenance of systems for legal process covering: Preparation of case files; interviewing suspects; taking statements; authorisation of formal actions; Maintenance of process and records for RIPA and FOI		Provision of Legal Process training to Local Authorities;

Senior Practitioner Lead: Nathan Poole	Private and Mains Water Supplies Carry out Surveys and statutorily compliant sampling programmes; Carry out Risk Assessments; Service of Statutory Notices; Respond to requests for service and carry out associated enforcement actions;		
Senior Practitioner Lead: Helen Cameron	Public Health Infectious Diseases Outbreak Control – respond to outbreaks of infectious disease and proactively support PHE when outbreaks occur; Investigation of individual cases;		
Senior Practitioner Lead: Nathan Poole	Sewage Treatment (individual plants), rural drainage schemes, septic tanks and cesspits: Responding to requests for service/investigation; Including where necessary: Service of Statutory Notice; Enforcement of Notice/Works in default; Recording of Notices as Land Charges; Providing information to partner Legal Departments to support instigation of legal proceedings/ debt recovery for works carried out;		

<p>Senior Practitioner Lead: Nathan Poole</p>	<p>Statutory Nuisance Investigation and Abatement Provision of a Statutory Nuisance Investigation Service: premises, smoke, fumes or gases from dwellings, effluvia, accumulations or deposits, animals, noise, light and insects; Respond to requests for service/investigation; Inspection, monitoring, enforcement, assessment and surveillance; Service of Statutory Notice; Application for Warrant; Enforcement of Notice/Works in default; Seizure, storage/retention, return and disposal of equipment; Provision of information and evidence to Client legal team to support the Instigation of Legal Proceedings;</p>		
<p>Senior Practitioner Lead: Nathan Poole</p>	<p>Storm Drainage: Private Storm Sewers and Drains Responding to requests for service/investigation; Including where necessary: Service of Statutory Notice; Enforcement of Notice/Works in default; Providing information to Client Legal Departments to support instigation of legal proceedings/ debt recovery for works carried out;</p>		

Technical Services (Mark Cox - Manager)			
	Statutory duties	Non-statutory work	Income Generation work
Technical Pollution (Senior Practitioner – Richard Williams)	<p>Local Air Quality Management – monitoring of nitrogen dioxide using diffusion tubes; annual reporting to Defra including where breaches of national limits; assisting Councils in declaring air quality management areas where breaches are consistent; drafting of action plans to assist in resolving poor air quality.</p> <p>Contaminated Land – proactive & reactive investigation of land that represents a significant risk of harm to human health or environmental damage; and responding to environmental information requests which primarily relate to house or land purchase; [excluding Worcester City]</p> <p>Environmental Permitting – Administration, inspection, enforcement and permitting of larger industrial processes required to have abatement of emissions to air (Part B processes) and to land or water (Part A2 processes).</p> <p>Hazardous substance consent registration – processing,</p>	<p>Provision of technical advice to Planning Officers – on the subjects of air quality, contamination, noise and the agents of nuisance to ensure they are adequately addressed as part of the planning regime where appropriate. Provide technical support to Planning Officers at appeals & public enquiries as necessary.</p> <p>National Infrastructure – Provide advice and control environmental impact from the construction and demolition of major projects such as roads, railways and large commercial/industrial buildings (e.g. Hartlebury Incinerator, Carrington bridge & Southern Link Road, Bromsgrove & Parkway Stations etc.)</p>	<p>Sewer Baiting – facilitation of baiting sewers against rats on behalf of STW;</p> <p>Planning Support – Provision of Contaminated Land advice to support Planners for Mendip and South Gloucestershire Councils: Provision of Nuisance, Contaminated Land and Air Quality advice to support Planners for Gloucester City and Tewkesbury Councils.</p> <p>Environmental Permitting – Administration, Inspection and reporting for Gloucester City Council</p> <p>Primary Authority Contracts – with CEMEX and Wienerberger for Environmental Permitting</p> <p>Commercial Contracts – with NHS Trusts across the country and other businesses to provide regulatory advice.</p>

	administration and issuing of consent for processes that hold hazardous substances; [Malvern Hills only]		
Team Supervisor (Natalie Graham)	<p>Dog Warden Service – collection, boarding, facilitation of return of stray dogs to owners or where not able to be returned, rehomed or destroyed where appropriate; Management of contracts to provide dog kenneling, dangerous dog services, out of hours collection and veterinary care.</p> <p>Animal Licensing – Inspection of animal boarding establishments that require a licence.</p> <p>Dog Fouling – enforcement of dog fouling regulations [Wychavon only]</p>	<p>Duty Officers – First responders and providers of advice and information to enable resolution of 60% of enquiries into the service; including all administration work of dog warden service and land charge search checks for environmental notices.</p> <p>Dog Warden Service – Promotion of good dog ownership through advice and support to owners.</p> <p>Subsidised Pest Control service – Management of contracts to deliver free or subsidised pest control treatments to residents in receipt of specified benefits where treatment is required for qualifying pest species. [Bromsgrove, Redditch, Wychavon and Wyre Forest only]</p> <p>Gull Control – Management of contract for egg replacement in city centre; and delivery of work programme to minimise the adverse impact of gulls in the city [Worcester City only]</p>	<p>Dog Warden Service – collection, boarding, facilitation of return of stray dogs to owners, or where not able to be returned, rehomed or destroyed where appropriate for Cheltenham, Gloucester City and Tewkesbury Councils.</p> <p>Animal Boarding and rehoming – boarding, welfare work and rehoming or destruction where appropriate for other Public Authorities, Worcestershire County Council social services; Registered Social Landlords and private businesses.</p>
Information Management & Technology Support (Paul White)	<p>Digital Data Retention Compliance for the service.</p> <p>Data extraction and formatting for Service Statutory Returns and Freedom of Information Requests.</p>	<p>Database Management, development, Officer support and training on service database and electronic document management system.</p>	<p>Data extraction and formatting for Service Statutory Returns and Freedom of Information Requests for Worcestershire County Council Trading Standards Service and</p>

		Management	invoicing purposes of 90% of commercial activity. Transcription Services – transcription of CD recordings of Interviews under Caution for Telford & Wrekin and Gloucester City Councils.
Business and Relationships/ Intelligence (Kiran Lahel - Manager)			
	Statutory duties	Non-statutory work	Income Generation work
Business Development & Procurement		This post holder supports the rest of the management team with income generation activities, dealing with potential clients, organising attending engagement opportunities and maintaining our relationships with business bodies such as the LEP and Worcestershire business Central, OPSS and other potential sources of funding.	
Intelligence Unit		This post holder produces all of the information of performance that comes to committee and delivers the intelligence function, assessing data and creating strategic and tactical assessments, subject and problem profiles that are all responsible for providing direction to operational activities. This work ensures that the services focuses on what matters and what will deliver the most important results.	We have sold some of this officers time to other local authorities and he delivers paid-for training to authorities on intelligence matters.

Licensing and Support Services: Manager: Susan Garratt, Senior Practitioners: David Etheridge, Niall McMenamin			
	Statutory duties	Non-statutory work	Income Generation work
Hackney Carriage and Private hire Licensing	Councils are required to ensure hackney carriages are safe to use and that drivers are fit and proper using a system of licensing.	Strictly speaking, the provisions for the licensing of Private hire vehicles and drivers, similar to those for the hackney trade, are adoptive and non-statutory but since all local authorities now do this, it is effectively treated as a statutory function.	The service is looking at what could be chargeable but options are quite limited.
Alcohol licensing	<p>The Licensing Act 2003 places a duty on the local authority to ensure that its activities to license various activities promote the 4 objectives:</p> <ul style="list-style-type: none"> • Preventing Crime and Disorder, • Public Safety • Preventing Public nuisance, • Protecting Children from Harm <p>Licensable activities main focus on alcohol supply and various forms of entertainment but also late night refreshment.</p>		<p>A pre-application advice service is available.</p> <p>Best Bar none assessments</p> <p>The service is looking at a range of options for training services that it could provide.</p>
Gambling Licensing	As well as the licensing of gambling premises, family entertainment facilities and gaming in clubs, the local authority is responsible for the legal provisions that licenses small lotteries		

Street Trading		Again an adoptive provision, but undertaken by many councils, this allows local authorities to control the sale of goods in their street with the exception of those people acting under a Peddler's license.	
Scrap Metal Dealers	<p>Site Licence - Where the scrap metal business is operated from one or more sites in the local authority area, a site license allows the licensee to buy and sell scrap metal and to transport scrap metal to and from those sites from any local authority area.</p> <p>Collector's Licence - This is where the scrap metal operator collects scrap metal in the local authority area. A separate licence must be obtained from each council the collector wishes to operate in</p>		
Acupuncture, Skin Piercing and Tattooing		Adoptive provisions where are a range of activities that the local authority can require people running this type of business or practicing to register with them. This includes acupuncture, tattooing, skin/ ear piercing, electrolysis, skin coloring,	
Animal licenses	Councils are responsible for the licensing of a range of premises or activities using animals including zoos, animal boarding establishments, dog		

	daycare, animal breeding, pet shops performing animals, riding establishments, etc. Also, certain dangerous wild animals may not be kept without a license from the local authority.		
Charitable Collections	Regulating the door to door to collect of money for charity is a statutory requirement. Some large national charities have exemptions from provisions given by the Charities Commission.	Permission to collect money or sell items on the street in aid of a charity is an adoptive provision of an Act of Parliament from 1916. Some large national charities have exemptions from provisions given by the Charities Commission.	
Sex Establishments	A sex establishment is defined as a sex shop, a sex cinema or a sexual entertainment venue. All are controlled by councils in their area.		
Other licenses	Some partners have placed caravan site licensing with the service whilst others have not.	Some Councils have special legal provisions that allow them to require certain types of business to either register or be licensed by them e.g. second hand shops, hairdressers, massage and special treatments.	
Clerical and Financial Support		A small number of post-holders provide the basic support that is necessary to make the service function i.e. clerical record keeping, raising invoices, maintaining secure store logs, recording customer feedback, etc. etc.	



WRS BOARD

26th September 2019

Food Safety Interventions

Recommendation

That members note the report

Introduction

For many businesses WRS is still perceived as primarily a regulator, even though we have long adopted the principle of supporting businesses to thrive. Whilst we do not precisely know the drivers that help make for successful sustainable compliance, the figures we often quote to members are a success story. At the end of 2017-18 we had only 68 businesses rated at Level L0-L2 on the Food Hygiene Rating System (FHRS) indicating that they were not broadly compliant with food safety requirements. This is from a FHRS database of some 4,700 premises.

Food safety remains a high profile issue with much TV and newspaper coverage and despite such a high level of compliance, we seem to spend a lot of time thinking about, and rightly taking action against, poor performers. This helps demonstrate to businesses that we are fair but firm in our dealings with the food business sector.

Report

Food Premises in Worcestershire

The WRS database of food businesses currently stands at over 5,000. However members should note that this is a fluid figure, with some 500-600 new businesses registering each year and a similar number closing.

Table 1: Registered businesses: 5710

DISTRICT	REGISTERED PREMISES
BDC	898
MHDC	937
RBC	724
WCC	946
WDC	1289
WFDC	916

Table 2: Figures for the past three financial years

OPENED	16/17	17/18	18/19
BDC	72	97	81
MHDC	69	84	75
RBC	54	81	70
WCC	94	86	126
WDC	100	141	137
WFDC	66	81	115
Total year	455	570	604

CLOSED	16/17	17/18	18/19
BDC	56	93	82
MHDC	53	107	81
RBC	56	60	61
WCC	46	98	154
WDC	86	125	141
WFDC	78	101	133
Total year	375	584	652

Note: 2018/19 figures included a major data cleansing exercise to meet GDPR

Table 3: Food Inspections only:

FH INSPECTIONS	16/17	17/18	18/19
BDC	271	312	313
MHDC	234	311	268
RBC	206	201	233
WCC	315	242	435
WDC	367	381	443
WFDC	306	315	332



Table 4: Interventions including inspections, audits, verification/surveillance, sampling, advice/education, information gathering:

TOTAL FH INTERVENTIONS	16/17	17/18	18/19
BDC	342	388	456
MHDC	302	466	398
RBC	246	247	361
WCC	370	321	645
WDC	516	562	644
WFDC	416	413	570

Approximately one-third of registered food premises are inspected annually in accordance with the FHSR inspection regime.

Trends in the figures include:

- Less independents are opening/surviving especially on the high streets;
- There has been a virtual standstill in new producers and manufacturers around the county;
- There has been an increase in coffee shops and takeaways (the majority supplying pizzas, chicken and burgers).

The Sentencing Guidelines

As will be seen from previous Activity Reports WRS is not afraid to prosecute for food offences. The Sentencing Guidelines 2014 for Food and Health and Safety offences have created a seismic shift in the potential impact on businesses as the Courts now understand what kind of punishments they should impose. In many cases this is significantly higher than previously. Businesses that are prosecuted are now fined according to turnover with reductions for early guilty pleas. This means that a major household name can be fined £Millions, whilst a smaller independent may only be fined £Hundreds for similar offences.

This is a welcome change in the legal landscape as fines for larger businesses were in real terms relatively insignificant in the past. Although prosecution in Worcestershire is a rarely used tool, it does mean that we have had to further tighten our enforcement processes as stronger legal challenges (especially on technical aspects of investigations) are now inevitable.

Multi-Agency Activity

We now have much wider involvement with our partner agencies. For the past year we have been working closely with the Police, Fire and

Rescue Service, Housing officers, Immigration, Gangmasters, etc on multi-agency targeted 'disruptive' enforcement activities against modern slavery, county lines, immigration and fraud. Food premises have been a focus for some of this activity, with arrests being made. This is whole new landscape for WRS and officers have all undergone training to be aware of signs of these wider issues. It is worth noting that where we have made multi agency visits the food rating of the premises has often been poor.

Food Hygiene Rating Scheme (FHRS)

The FHRS has also gradually changed the food landscape. The scheme includes restaurants, cafes, takeaways, mobiles, retail outlets, schools, hospitals, care homes, etc but excludes manufacturers. Low risk premises are exempt e.g. wet bars and cake makers. Prior to its introduction nearly a decade ago the outcome of inspections, good or bad, was usually only known to the business and the local authority. Several successful schemes operated locally but lacked the impact of a national scheme. As with all new schemes awareness has slowly grown over the past decade. The rise of social media interest about all things food has also increased and, although sometimes mis-informed, can primarily be seen as supporting our food enforcement activities. An example of this was a premise where the owner denied serving food and implied that officers were lying (*sic*). When the press story appeared about the poor rating a chorus of public voices responded saying that they too had been served food on the premises.

In England there is still no legal requirement to display a FHRS sticker but in most businesses it is now visibly displayed as a badge of honour. It is an offence for a business to display an incorrect rating, a misleading action under the Consumer Protection from Unfair Trading Regulations 2016 and consumers regularly report inconsistencies between stickers and the rating on FHRS site. In these cases the business is given a written warning to remove the incorrect rating.

Members may wish to note:

- Local compliance rates remain high with some 98% of business scoring FHRS L3-L5;
- Food inspection reports left by officers are not subject to Freedom Of Information requests but are freely releasable on request under the FHRS Brand Standard (www.food.gov.uk/brandstandard) The number of such requests continues to rise;
- Where a business changes hands the previous rating immediately ceases.

The Food Standards Agency has committed to the future of the FHRS and ultimately to a legal requirement to display ratings. Local councils



should actively support this even if it adds to pressure of work. Most importantly we need to continue to employ resources to visit and inspect premises to maintain a level playing field and maintain customer confidence. The FHRs Brand Standard recognises this (www.food.gov.uk/brandstandard) and requires that we visit premises to rate them.

Risk Rating of Premises

The old system was simple. Every business has a next inspection date generated to a set FSA formula and was visited accordingly. It comes as a surprise to many that the time between visits can be up to two years for those with L5 (Very Good) FHRs scores. For the rare L0 premises formal closure, improvement notices, prosecution and more regular interventions are the likely options.

Members should note that social media on reading press reports of poor scores often ask why the business isn't being closed. There is a legally established process for closure which must involve an *imminent risk to public health*. This is a legal term which must be evidenced by such conditions as a dangerous process, the high risk of cross contamination, a serious active pest infestation or extremely dirty conditions. In Worcestershire very few premises deteriorate to this stage but WRS will not hesitate to make a formal closure using a Hygiene Emergency Prohibition Notice which must be ratified as an Order by magistrates within 7 days of issue. The business cannot re-open until an Environmental Health Officer is satisfied the imminent risk no longer exists.

It is impossible with available resources to visit every premise, a system which in many ways is now acknowledged as archaic and has been replaced by risk based and intelligence systems. Large national companies, often supported by the Primary Authority scheme, have upped their game so need fewer visits. Independents need more support and ethnic businesses also have different needs. Many frequently require more face to face time due to language and cultural barriers.

Each year the Food Lead Officer (an official FSA appointment under the Food Safety Act 1990) now assesses risk at all premises due an intervention in the coming year and works an active programme based on resources. All high risk businesses, restaurants, cafes, schools, hospitals, mobiles continue to receive their programmed visit.

For the 40% of our business that are identified as low risk we send out a self-assessment questionnaire. This list includes small retailers, wet bars, cake makers, church halls, community centres etc. This has proved very successful with a high level of response. Where there is any doubt about the answers given we include the business to the inspection list. It has also helped us to remove from the database small businesses long since closed thus improving compliance with GDPR. In 2019 we have also started to send out start up questionnaires to

new registrations which appear to be low risk. We shall monitor the outcome of this new process.

Food Premises 'Enhanced' Registration

Although the requirement to register as a food business dates back to the 1970s and is an offence under Regulation EU 852/2004, food officers continue to regularly find such premises. With reduced resources across the Districts it is less easy to spot new openings or changes of management signs, so we seek out intelligence and welcome the public making us aware.

The FSA is currently rolling out a digital scheme for the registration of food businesses. The aim is to enhance nationally FSA information on the £69bn UK food industry. Details are still limited but WRS has signed up to be part of the pilot from December 2019. There are reservations amongst Food Authorities as to how effective this will be and, more importantly, on the information being collected.

WRS 'enhanced' its registration information several years ago so we know a considerable amount about our businesses from day one.

We acknowledge all food registrations and send out tailored information to all independents to assist them with compliance. If this amount of information is no longer collected it will make our risk assessment approach more difficult and possibly increase the number of visits required annually.

Allergens

Without doubt, leaving aside the issue of Brexit, the biggest challenge to food officers has been achieving allergen compliance. The Food Information Regulations 2014 required businesses to assess 14 specific allergens and ensure customers were aware of which foods contained them. The major issue is not with larger businesses but with smaller ones who are struggling to comply. Members will be aware of several deaths linked to allergens, not least the Pret a Manger case which is leading to a tightening of the law (currently under consultation).

Allergen control is primary a Trading Standards matter in Worcestershire but the legislation gives powers to both Trading Standards and Food Safety Officers. WRS works extremely closely with the County Council's Trading Standards Team on allergen enforcement in the catering sector. The publicity around the unacceptable deaths has also changed expectations of the public. The FSA has instructed Local Authorities that they must now look at allergens as part of food hygiene inspections and take compliance into account as part of FHRS.

Although we have been supporting business with this issue since 2014, this change of approach has resulted in many independent businesses getting reduced FHRS scores and we may find our overall levels of compliance reduced at the end of the current year as a



consequence. As the ultimate outcome of consuming allergens is a fatality this is a not unreasonable approach.

OTHER FOOD SAFETY WORK DONE BY WRS

Business Advice Service

We offer a paid-for business advice service with packages targeted at new or failing businesses. We continue to meet resistance from businesses who regard any fee for services as unreasonable. This probably dates back to the period when the FSA encouraged Local Authorities to provide 'free' education and advice. Government now expects a business to contribute to the cost of the services it receives and cultural landscape shift is needed which will take time to embed.

Export Certificates

A less well known role for LAs is the issue of export certificates for food going to non EU countries for which there is a charge. We have a limited number of exporters in Worcestershire but if there is a No Deal Brexit then we are likely to see a huge upsurge of requests especially for products of animal origin (POAO) as all exports to the EU will then require certification. A contingency plan is in place to deal with this including an enhanced inspection regime for exporters which will be introduced to ensure these businesses are checked annually.

Healthier Choices Scheme

This fee paying 'membership' scheme has been set up to encourage more food businesses to introduce healthier options on their menus and meets the government's programme to reduce obesity. It has had limited initial success as businesses are reluctant to pay any fees to local authorities. The businesses who have joined this community receive newsletters, nutrition advice and website publicity. For all sign ups we have achieved a positive media story. We have recently redesigned the scheme to better meet the revised national agenda. This will be relaunched shortly.

Triple Five Award

Much of the press publicity about food in recent years has been negative – from the "Horsegate" meat scandal to unsustainable food production, allergen deaths and business failures. We have seen many articles in the local media about poor performers, often leading to the business ceasing trading.

To end on a positive note, the Board last year approved a scheme to reward longstanding high performers. In the autumn we are introducing the Triple Five Award for those businesses who achieve three successive L5 FHRS ratings. The numbers are not high. The last data check showed there were under 100 so they really are an elite band. It does show how difficult it is to run a successful and compliant food business! We will give the Award as much publicity as we can with a

Contact Points

special section on the WRS website. We also see it as an additional tool to help drive up food safety standards in the county.

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01562-738060

Background Papers

None

