



## AGENDA ITEM: 9

### SUMMARY

<b>Report for:</b>	<b>Housing and Community Overview &amp; Scrutiny Committee</b>
<b>Date of meeting:</b>	<b>10/06/2015</b>
<b>PART:</b>	<b>1</b>
If Part II, reason:	

<b>Title of report:</b>	<b>Quarter Four Performance Report – Regulatory Services</b>
<b>Contact:</b>	Cllr Janice Marshall, Portfolio Holder for Residents and Regulatory Services  Author/Responsible Officer:  Chris Troy, Group Manager, Regulatory Services
<b>Purpose of report:</b>	To provide Members with the performance report for Quarter 4 in relation to Regulatory Services.
<b>Recommendations:</b>	That Members note the report.
<b>Corporate</b>	Resources and Value For Money; Optimise Resources and Implement Best Practice.

objectives:	
Implications:  'Value For Money Implications'	Financial:  None.  Value for Money:  Monitoring Performance supports the Council in achieving Value for Money for its citizens.
Risk Implications	Risk Assessment completed for each service area as part of service planning and reviewed quarterly.  The key risks relate to not achieving statutory targets and failing to protect the public/businesses from Environmental Health Risks :  <ul style="list-style-type: none"> <li>• If statutory targets are not achieved the service can be taken over and managed by the Government.</li> <li>• Potentially the public &amp; businesses put at risk</li> <li>• Legal action taken against the Council</li> <li>• Reputational damage to Council</li> </ul>
Equalities Implications	Equality Impact Assessment completed for each service area as part of service planning and reviewed quarterly.
Health And Safety Implications	None.
Consultees:	
Background papers:	Quarterly Performance Report – quarter 4 (attached).
Glossary of acronyms and any other abbreviations used in this report:	

## 1. Background

1.1 For the purpose of this report, 'Regulatory Services' includes the following services:

- Environmental Health (Food Safety, Health and Safety, Statutory Nuisances, Contaminated Land, Drainage, Private Water Supplies, Infectious Diseases, Air Quality Management)
- Private Sector Housing (HMOs, Illegal Eviction, Private Sector Landlord Issues, Improvement Grants, Disabled Facilities Grants, etc)
- Public Health
- Corporate Health and Safety

- Home Energy Conservation
- Pest Control
- Stray Dogs / Dog Warden Services
- Clinical Waste
- Cesspool Emptying
- Environmental Enforcement and High Hedges
- Emergency and Business Continuity Planning
- Street Trading
- Sustainability

## **2. Regulatory Services Quarter 4 Performance Indicators**

### **2.1 REG02 - Percentage of A-C rated food premises inspected**

Quarter 4 has seen a significant increase in completion of the higher risk A-C category inspections and overall PI's relating to food inspections have been completed over the year as a whole, in accordance with Food Standards Agency requirements.

## **3. Health & Safety Enforcement**

One improvement notice and Health and Safety Prohibition notice was served on non compliant premises.

Guidance has been sent to the majority of businesses outlining their responsibilities for asbestos management as part of a wider LA project and Care homes were all emailed Health & Safety guidance associated with their sector.

## **4. Food Safety Enforcement**

### **4.1 Two Hygiene improvement notices were served on food businesses in the last quarter, mainly relating to lack of food safety management systems, hygiene and poor temperature control.**

## **5. Communicable disease investigations**

### **5.1 Officers were involved in the investigation of two outbreaks of infectious disease in Dacorum. The largest outbreak involved out 30 or so cases with symptoms of vomiting and diarrhoea but no single food source could be isolated. It was assumed that this was a viral source.**

## **6. Environmental Protection**

### **6.1 On 8 April 2015 Mr Daniel O'Connor and Mr Claude Tambwe, both of Lomond Road Hemel Hempstead, pleaded guilty to leaving waste at a recycling site, failing to comply with Sections 33 and 34 of the Environmental Protection Act 1990.**

On separate occasions in January 2015 both offenders were seen by CCTV to dump household rubbish at the recycling site at Henry Wells Square, Hemel Hempstead. Mr O'Connor was ordered to pay a total of £1455.71 and Mr Tambwe £1434.26.

6.2 There are also a further 2 flytipping cases that are being considered for legal proceedings.

6.3 Regulatory Services participated in the Keep Britain Tidy campaign locally.

## 7. Air Quality

7.1 Dacorum officers sit on the County Wide Air Quality Planning Group and have helped to develop a Herts Air Quality Strategy which has gone to Localism Board. Dacorum are in the process of securing funding from Public Health for adaptations to an existing air monitoring unit which will assist in enabling a wider range of pollutants to be monitored. Air quality is a key public health priority and the projects above have been approved by Hertfordshire's Public Health Board.

## 8. Corporate Health and Safety

8.1 The third quarter priorities included health and safety risk assessments, risk assessment training for staff, fire safety, fire evacuation plans, DSE assessments.

Other longer term projects include:

- Review the organisation & arrangements for delivering H&S
- Develop more detailed corporate H&S plans
- Auditing
- Development of Health & Safety Coordinators

## 9. Private Sector Housing

9.1 Inspected all mobile home sites to check compliance against site licenses which has resulted in action by officers to remedy defects. The main issues have been to do with fire safety.

## 10. Sustainability

10.1 Tendering for Certification of ISO14001:2004 Environmental Management System took place in January and this was awarded to LRQA.

10.2 Annual Management review of ISO14001:2004 EMS took place attended by Cllr Julie Laws; Cllr Graham Sutton; James Deane & David Austin.

Six key Environmental Objectives for 2015 were agreed:

Objective	Target
Reduce the <b>Fuel Consumption</b> of the Council's fleet	2015 - 5% reduction
Record the weekly <b>Electricity Consumption</b> at each site	2015 - 5% reduction
Record the weekly <b>Gas Consumption</b> at each site	2015 - 5% reduction
Record the weekly <b>Water Consumption</b> at each site	2015 - 5% reduction
Increase Recycling Rates at each site	2015 – over 50%
Develop guidance and protocols for <b>Sustainable Procurement</b>	2015 – Implemented at every site

A detailed EMS report for Quarter 4 is attached

## **Annual Review**

It has been a busy year for Regulatory Services.

The year started with a high profile court case following an appeal against a Food Hygiene Prohibition notice which banned a business from using a novel food for human consumption (In this case human placenta). This took up a lot of officer time and resource but the court upheld the Council's decision to prohibit placenta processing and the business is no longer operating in our District.

We had a reorganisation of the operations section which covers emergency planning, business continuity, pest control and clinical waste/cesspools to help streamline activities and deliver efficiencies. Later we had to recruit for the post of Corporate Health & Safety Specialist and then advertise and recruit for the post left vacant when this officer took up their position. In Sept and October two of the Team Leaders went on maternity leave and a temporary reorganisation was put in place. This all caused a degree of disruption at the time but we have achieved key targets over the year.

We achieved 100% of programmed food hygiene inspections (253 premises) & served 12 Food Hygiene notices and 4 cautions.

The Food Standards Agency undertook an audit of our food safety procedures and we were deemed to be fully compliant. In addition they highlighted many areas of good practice particularly with respect to our database. We also achieved full compliance as a result of an audit of the Council's Emergency Planning procedures.

Further businesses have signed up to the Council's Primary Authority Partnership. In addition to Tescos, Empire and Hilton, 'One Stop' signed up last year. At a meeting with the Government's Better Regulation Delivery Office (BRDO) it was highlighted that the Dacorum/Tescos PA agreement is a leading example of how the PA arrangements should work and praised officers for their exemplary work in this area.

In 2014/15 a successful prosecution was brought against Royal Mail for Health & Safety offences. The prosecution followed an investigation by Environmental Health Officers following an accident in which an employee from the Royal Mail Hemel Hempstead site suffered severe chemical burns to his leg whilst carrying out cleaning activities. The Court awarded the maximum fine of £40,000 (£20,000 per offence) and gave costs to the Council of nearly £4000.

The Council's Air Quality Action Plan was presented to Cabinet for final approval in Dec 2014 following a detailed consultation. This sets out the Council's strategy over the next three years for managing poor air quality and focuses primarily on the three Air Quality Management Areas (AQMA's) where levels of NO<sub>2</sub> exceed prescribed limits. Dacorum officers also sit on the new Hertfordshire Air Quality Planning Group which aims to improve air quality across Hertfordshire. An Air Quality Event was held in October which brought together all the districts, Highways and Public Health. This successful event was the first of it's kind in the UK and is being rolled out in other Counties and is an example of effective partnership working. This has led to the setting up of a County wide air quality group which is now working on a Hertfordshire air quality strategy.

DBC issued a Final Management Order (FMO) with respect to a House in Multiple Occupation (HMO) which had serious defects and was a danger to tenants. DBC continues to manage the property in terms of the tenancies and it is also maintaining the property and remedying any defects so it is fit for habitation. Officers have served another FMO with on a second property owned by the same person which is in a similar state of disrepair. The landlord has been successfully prosecuted for breaching their duty of care to tenants following an extensive investigation and collation of evidence. In addition officers have served 10 notices on other landlords for 'category one' hazards in the private rented sector.

Last year Regulatory Services took over responsibility for Corporate Health & Safety (CHS). A new lead officer was recruited and changes to the way CHS is delivered were put in place to make it more effective and accountable to senior management. The first Health and Safety committee meeting took place in the summer of 2014 and a number of key objectives have been achieved.

- New Health & Safety Policy
- Gave training to Fire Wardens and First Aiders ( we now have a full complement of staff that deliver these functions)
- All accidents are now on an electronic database
- In house training on risk assessment has been set up and there is now a rolling programme.

Environmental Protection saw an increase in enforcement activity. Three flytipping prosecutions were taken and measures such as use of additional cameras and signage were increased to deter and catch offenders. A number of nuisance notices have been served and a total of 24 statutory abatement notices were issued last year mainly for noise.

Ongoing appeals took place last year in relation to the Enforcement notices served on Bovingdon Airfield. The notices were served as a result of noise complaints and the change of use of the site with intensified motor sport activity. The Council's decisions were upheld and the noise abatement measures are now included in the site management plans.

Cabinet agreed the new proposals for the pest control service including charges for pests and expansion of the current service. We are now charging for rats and provide a whole range of services for other pests including mice, fleas, wasps and cockroaches.

In October there was an EMS presentation to Overview & Scrutiny Committee with a particular focus on Energy Management. Also in October external Bsi audits took place for the continuation of our ISO14001:2004 Environmental Management System Certificate (Civic Centre, Berkhamstead Civic Centre , the Depot and Cemeteries)

Action was also taken to identify water leakage at Gadebridge park. Work is currently underway to stop these leaks and save the Council money in the long term. A number of additional water meters have been installed across the Council's assets which will help to identify further leaks.

The main highlights of the ISO14001:2004 Environmental Management System over the past year:

- Passed all External Audits across all EMS Sites – with positive feedback from the External Auditor
- Gas, Water & Electricity Utilities are now all monitored & measured weekly to set baseline
- Much improved and involved Site Manager engagement with the EMS at all sites
- Solatubes installed at Grovehill Adventure Playground
- Recycling Target set to at least 50% - to be achieved by the end of 2015