

## **REPORT TO STRONG COMMUNITIES SELECT COMMITTEE**

### **PUBLIC PROTECTION 2019/20, PERFORMANCE REPORT**

#### **1. INTRODUCTION**

- 1.1 In 2015 Cabinet requested that Strong Communities Select Committee receive six monthly performance reports on Public Protection services. Members wished to review the impact on performance of budget reductions implemented since April 2014. Annual performance is also reported through Licensing & Regulatory committee.
- 1.2 The Public Protection division comprises four distinct teams -
  - (i) Environmental Health, Commercial
  - (ii) Environmental Health, Public Health
  - (iii) Licensing
  - (iv) Trading Standards & Animal Health

#### **2. PURPOSE**

- 2.1 The purpose of Public Protection services can be summarised as follows –
  - a. Protect people from harm and promote health improvement.
  - b. Promote a fair and just trading environment for the public and businesses.
  - c. Improve the local environment to positively influence quality of life and promote sustainability.
  - d. Ensure the safety and quality of the food chain to minimise risk to human and animal health.
- 2.2 These four outcomes contribute to Wales' seven well-being goals. They directly help achieve a more prosperous, resilient, healthier and more equal county. It also resonates with this Council's Corporate Business Plan 2017/22, approved in February 2018, which sets out our priorities under the current administration to 2022.

### **3. RESOURCES**

#### **3.1 Staff resource**

(i) Environmental Health – Commercial:-

- 6 Environmental Health Officers, 5.4 FTE's (Full Time Equivalents)
- 3 Commercial Services Officers, 2.1 FTE's
- 1 Systems Administrator, 1 FTE

(ii) Environmental Health – Public Health:-

- 5 Environmental Health Officers, 5 FTE's
- 2 Enforcement Officers, 1.6 FTE's

(iii) Licensing:-

- 5 Licensing Officers, 4 FTE's

(iv) Trading Standards & Animal Health:-

- 3 Trading Standards Officers, 3 FTE's
- 1 Senior Fair Trading Officer, 1 FTE
- 1 Fair Trading Officer, 1 FTE
- 1 Senior Animal Health Officer, 0.4 FTE (Other 0.6 FTE Regional Co-ordination role funded by WHoTS)
- 2 Animal Health Officers, 2 FTE (1 Temporary to 21<sup>st</sup> December 2021)

(v) Support team:-

- 5 Support Officers, 4.1 FTE's

Above staff resource adds up to a total of 35 staff, 30.6 Full Time Equivalents. The Public Protection division also comprises the Authority's Registrar and Corporate Health & Safety services, but this report covers 1.2 services only, as directed by Members in January 2015.

### 3.2. Financial resource

In 2019/20, the budget allocation and actual spend is shown below -

<u>SERVICE</u>	Budget	Net Spend
Environmental Health – Commercial	£460,150	£468,436
Environmental Health – General public health	£409,298	£408,367
Trading Standards & Animal Health	£346,504	£355,491
Licensing	£28,652	£32,507
Management & generic costs (eg software)	£115,092	£122,269
<b>Total</b>	<b>£1,359,696</b>	<b>£1,387,070</b>

The budget position for the 2019/20 year was a slight overspend of £27,374. This represents 2% of the total annual budget.

### 4. PERFORMANCE

- 4.1 Internal performance monitoring – the four teams within Public Protection each complete an annual Business Service Plan. These outline annual targets, specific projects etc. and progress is reviewed regularly both by the teams themselves and Departmental Management Team.
- 4.2 External reporting – regular returns are made to the Food Standards Agency, Health & Safety Executive, Chartered Institute of Environmental Health, Drinking Water Inspectorate, Welsh Government and other organisations.

4.3 The Licensing section contributed to the Wales Audit Office's (WAO) review of the Authority's 'safeguarding' arrangements. WAO commented on our Taxi Driver Policy and a 'home to school' recommendation was referred to our Passenger Transport Unit.

4.4 **2019/20 Performance** (and comparison to previous years)

The right hand columns summarises performance during the 2019/20 year. The left hand columns cover the previous 4 years, to enable comparisons to be made.

The following table summarises performance data from the four service teams.

**Figure One**

<b><u>Service</u></b>	<b><u>2015/16 performance</u></b>	<b><u>2016/17 performance</u></b>	<b><u>2017/18 performance</u></b>	<b><u>2018/19 Performance</u></b>	<b><u>2019/20 Performance</u></b>
<b>Environmental Health (Commercial)</b>					
Food safety full inspections	510 (100%)	502 (100%)	513 (100%)	513 (100%)	561
Other interventions – sampling, verification etc (Not H & S)	379	483	427	285	336
Total	889	985	940	798	897
Inspection within 28 days of scheduled date	95%	88.4%	87%	88.6%	86% (incomplete programme)
Number of new businesses opened	138	130	110	151	134

Broadly compliant food businesses (high risk)	89.0%	90.4%	94.3%	93.2%	93.4%
Broadly compliant food businesses – All	94.0%	95.2%	97.4%	97.2%	96.9%
Service Requests - food safety	569	718 (86% within target time)	736	456 (85% within 3 working days)	720 (85% within 3 working days)
	Total SR's 1169	Total SR's 1340	Total SR's 1350	Total SR's 1463	Total SR's 1444
Food Hygiene training	239	219	257 food handlers trained	208 food handlers trained	123 food handlers training (courses in March cancelled due to Covid)
Communicable Diseases cases dealt with	183	171 (4 outbreaks and one fatality)	183	210 including Typhoid outbreak	191 (includes one case of Covid before end of March 2020)
Health and Safety notifications	NR	63 accidents, 33 major events	54 accidents, of which 9 reportable (serious injuries) 24 visits re asbestos also undertaken in the year.	41 accidents notified. 12 serious incidents investigated. 90 events reviewed	58 accident notifications 11 serious incidents investigated 25 events reviewed
Notices served	3 Notices served	10 Notices served		12 Notices served (gas and cellar safety)	2 Notices served (gas safety)
<b>Environmental Health (General public health)</b>					
Housing service requests (SR'S)	167 Total 135 within 3 working days = 80.8%	138 Total 127 within 3 working days = 92%	153 Total 133 within 3 working days = 86.9%	164 Total 141 within 3 working days = 86%	158 Total 133 within 3 working days = 84.2%

Noise	305 Total 277 within 3 working days = 90.8%  130 closed within 3 months = 42.6%	363 Total 318 within 3 working days = 87.6%  188 closed within 3 months = 51.8%	321 Total. 271 within 3 working days = 84.4%  173 closed within 3 mths = 53.9%	374 Total. 318 within 3 working days = 85% 152 closed within 3 mths = 40.6%	317 Total. 258 within 3 working days = 81.4% 181 closed within 3 mths = 57.1%
Statutory nuisance, excluding noise	148 Total 131 within 3 working days = 88.5%  75 closed within 3 months = 50.7%	179 Total 152 within 3 working days = 84.9%  84 closed within 3 months = 46.9%	142 Total. 122 within working 3 days = 85.9%  83 closed within 3 mths = 58.4%	176 Total. 145 within working 3 days = 82.4%  92 closed within 3 mths = 52.3%	154 Total. 127 within working 3 days = 82.5%  86 closed within 3 mths = 55.8%
Environmental Protection (fouling, littering, fly tipping etc.)	255 Total 233 within 3 working days = 91.4%  174 closed within 3 months = 68.2%	475 Total 448 within 3 working days = 94.3%  341 closed within 3 months = 71.8%	478 Total. 440 within 3 working days = 92.1%  302 closed within 3 months = 63.2%	484 Total. 446 within 3 working days = 92.1%  421 closed within 3 months = 87%	448 Total. 387 within 3 working days = 86.4%  395 closed within 3 months = 88.2%
Pest Control	Total 104 85 within 3 working days = 81.7%	Total 74. 51 within 3 working days = 69%	Total 71. 54 within 3 working days =76%	Total 78. 61 within 3 working days =78.2%	Total 85. 66 within 3 working days =77.6%
Applications dealt with by Licensing	1945 (this increased figure also includes all monetary transactions).	1645 (which includes 423 Temporary Event Notices (TENS) requiring a 24 hour turnaround	1668 which includes 383 TENS requiring a 24 hour turnaround	1813 applications dealt with (up by 145 on the previous year). This includes 425 TENS requiring a 24 hour turnaround (an increase of 42 TENS	1666 applications dealt with (down by 147 on the previous year). This includes 384 TENS requiring a 24 hour turnaround (a decrease of 41

				on the previous year)	TENs on the previous year this is due leading up to Covid lockdown in March and events being cancelled)
Inspections carried out	529 inspections carried out (240 of which were risk rated premises for alcohol, entertainment and late night refreshment)	508 inspections carried out (120 of which were risk rated premises for alcohol, entertainment and late night refreshment)	329 inspections carried out (261 of which were risk rated premises for alcohol, entertainment and late night refreshment)	325 inspections carried out (174 of which were risk rated premises for alcohol, entertainment and late night refreshment)	247 inspections carried out (133 of which were risk rated premises for alcohol, entertainment and late night refreshment). Inspections were down by 78 due to long term sickness
Service Requests carried out	740 service requests were carried out (679 - 92% - with a 3 day turnaround for first response).	879 service requests were carried out (816 - 92% - with a 3 day turnaround for first response).	868 service requests were carried out (784 - 90% - with a 3 day turnaround for first response – on target).	974 service requests were carried out (895 - 92% - with a 3 day turnaround for first response – on target). An increase of 106 service requests from 17/18	821 service requests were carried out (739 - 90% - with a 3 day turnaround for first response – on target). A decrease of 153 service requests from 18/19
Trading Standards Visits	317	176	110	126	113
Trading Standards Complaints/Advice	540	428	452	443	547

Citizens Advice Consumer Service	410 Referrals 1069 Notifications	285 Referrals 785 Notifications	302 Referrals 808 Notifications	305 Referrals 863 Notifications	322 Referrals 922 Notifications
Animal Health Visits	311	411	258	219	527
Animal Health Complaints/Advice	186	298	264	242	266
Inspections at our: High Risk premises, Upper Medium premises.	95% (57/60) Inspection programme intel led	No formal programme of inspection this year. Intel approach with focus on safeguarding in particular medical devices.	23% (25/107)	No formal programme of inspection due to other pressures including loss of Feed officer now replaced	No formal programme of inspection due to other pressures.
Feed Law Enforcement	103% of new externally funded feed programme. 156 Inspections	118% - 223 Inspections	100% - 235	100% - 212	59% - 144 supplemented by 254 ceased trading visits.
Programmed animal health inspections	100% (14 High) 40% Overall Programme	No formal programme of inspection this year	10% (30/294)	No formal programme of inspection due to long term sickness.	No formal programme of inspection
New Business Visits	76% TS 90% AH	52% TS 58% AH	56% TS 59% AH	29% TS (23/80) 66% AH (18/27)	56% TS (32/57) 73% AH (40/55)
Animal Welfare Complaints	96% within target response time	90.4% within target response time	91.4%	92.6%	63%
Vulnerable Scam Reports	35 visits contact with 119 individuals	9 visits contact with 121 individuals	10 visits contact with 135 individuals	12 visits contact with 149 individuals	10 visits contact with 159 individuals (running total)
<b>Other</b>					
<b>Freedom of Information</b>	85	61	51	66	74

<b>Requests (PP Total)</b>					
<b>Events requiring advice via Safety Advisory Group</b>	94	102	137	156	105

## 5. ANALYSIS AND ACTIVITY 2019/20

### 5.1 Environmental Health – Commercial – updated pandemic work activity can be seen in Appendix B

#### 5.1.1 Food safety (food hygiene and food standards)

The Commercial team has a strong commitment to balancing our statutory work with our innovative income generating work. As a result of our interventions, there has been a year on year increase in the number of high scoring premises under the Food Hygiene Rating scheme. We also promote top scoring food businesses on social media. We continue to work with other LA's to preserve the integrity and consistency of the mandatory Welsh Food hygiene rating scheme. 96.9% of businesses were rated 3 or above at the end of the financial year and over 88% were 4 rated and above. This is slightly higher than the national Welsh average.

The team was heavily involved in all emergency flooding responses from October to February as a result of the consecutive storms in the county.

Access - this innovative scheme is now in its 6<sup>th</sup> year, whereby a charge is made for supplementary advisory visits. Feedback from business shows that the service is very effective in increasing confidence and having a beneficial effect on the food hygiene rating. The service is particularly effective for new businesses whose owners may not have encountered enforcement Officers before. It establishes a better relationship and, through better compliance, the county gets safer food businesses. We have expanded it to any function of advice that a business may require or request. Our preferred option is to educate and advise business rather than enforcement which enables us to foster a good working relationship and a higher rate of compliance levels than the national average.

Food standards - Officers continue to provide legal advice on allergen declarations in food, protecting affected persons and we have co-ordinated a Gwent wide speciation survey. This focusses on miss-described meat and a local project on allergen awareness and then mystery shopper sampling.

Food sampling- the food team carries out regular sampling surveys of food made and sold in Monmouthshire, in line with national guidance and topical issues. We have been the most successful LA in the SE Food group in using our service allocation from the microbiological laboratory, obtaining 111% of our allocation of samples for the region.

Primary Authority- Officers carry out work as contacts for primary authority companies. The legal requirements relating to allergen declarations etc continues to result in more contact with the Officers, including the investigation of reported incidents. The team have sought to increase partnerships where possible. We have continued to work with our main PA partners of SA Brains, ABHB, Welsh Water and Marriott Hotels.

#### 5.1.2 Communicable disease control

The majority of cases for investigation are Campylobacter and Salmonella and are individual, sporadic cases. Cases of Cryptosporidium and E. Coli have also been notified. The team has investigated a number of viral outbreaks in schools, care homes and a hospital, thus protecting the most vulnerable groups in Monmouthshire. It is necessary to investigate the cause, spread and duration of viral illnesses in order to eliminate other sources of illness such as foodborne illness.

We were involved from an early stage in the listeria in sandwiches outbreak that led to a number of deaths in England.

By mid-March, the start of the Covid-19 pandemic, the team were fully mobilised and engaged in work to regulate, advise and investigate all aspects of the effects of the virus in Gwent.

#### 5.1.3 Health and Safety at Work

Beverage Gas Safety was a national priority for intervention in 17/18 (HSE). It continued in 19/20 with enforcement actions being taken in premises where there has been found to be safety breaches. We have continued with the inspections of cellars and, along with gas safety, have served improvement notices to remove the risk of asphyxiation and fire in takeaways and other food premises.

We are assisting the public health team with enforcement of Private Water Supplies and actively capturing information more efficiently.

We have continued preparing businesses for the introduction of new legislation for tattooists and special procedures legislation that was due to come in for 2019.

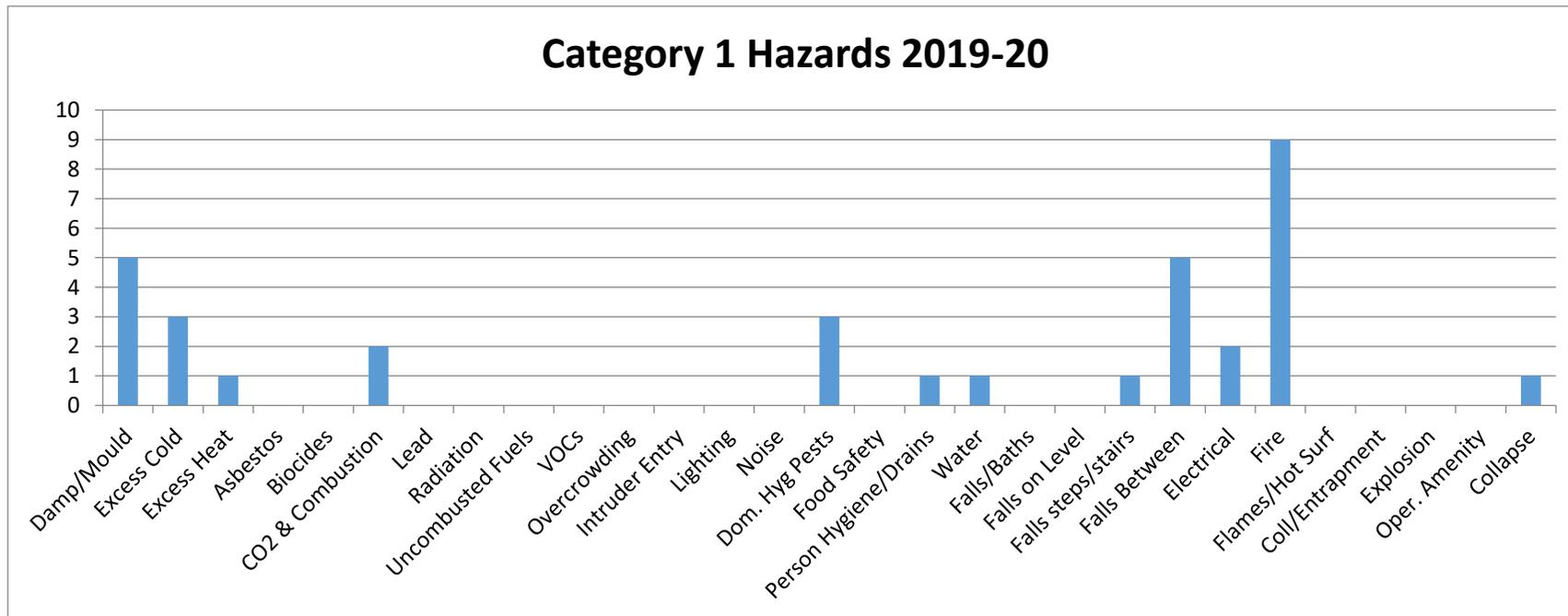
#### 5.1.4 Income generation

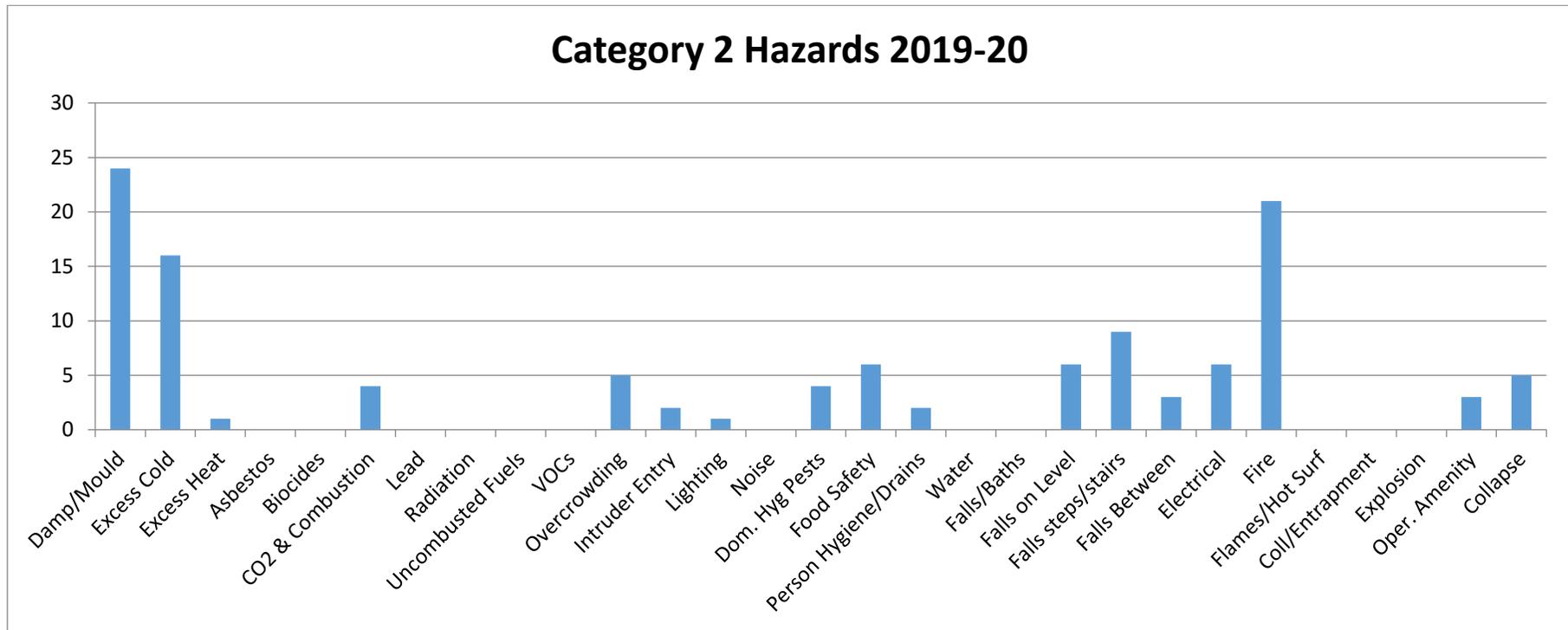
Although a regulatory function, the EH Commercial team are leading the field in Wales for innovative income generation. Further ideas have been developed and implemented, for example our MAPP (Monmouthshire Alternative to Prosecution Policy). We continue to try and think 'outside the box' and seek new income opportunities.

## 5.2 Environmental Health – Public Health

### 5.2.1 Housing

In 19/20 the team have continued to provide an effective and early response to complaints and requests for advice in the private rented sector. A total of 158 enquiries have been received with 133 of these responded to within 3 working days (84.2%). This is consistent with recent years. Enquiries can be regarding a range of concerns including threat of landlord harassment / unlawful eviction but generally relate to concerns with the condition of the rented property. Out of these enquiries a total of 56 dwellings were inspected with 31 category 1 hazards (most serious) and 116 category 2 hazards identified. Of the total of 147 hazards a high percentage relate to damp, cold, falls between levels and fire safety issues. The hazard profiles are illustrated as follows:





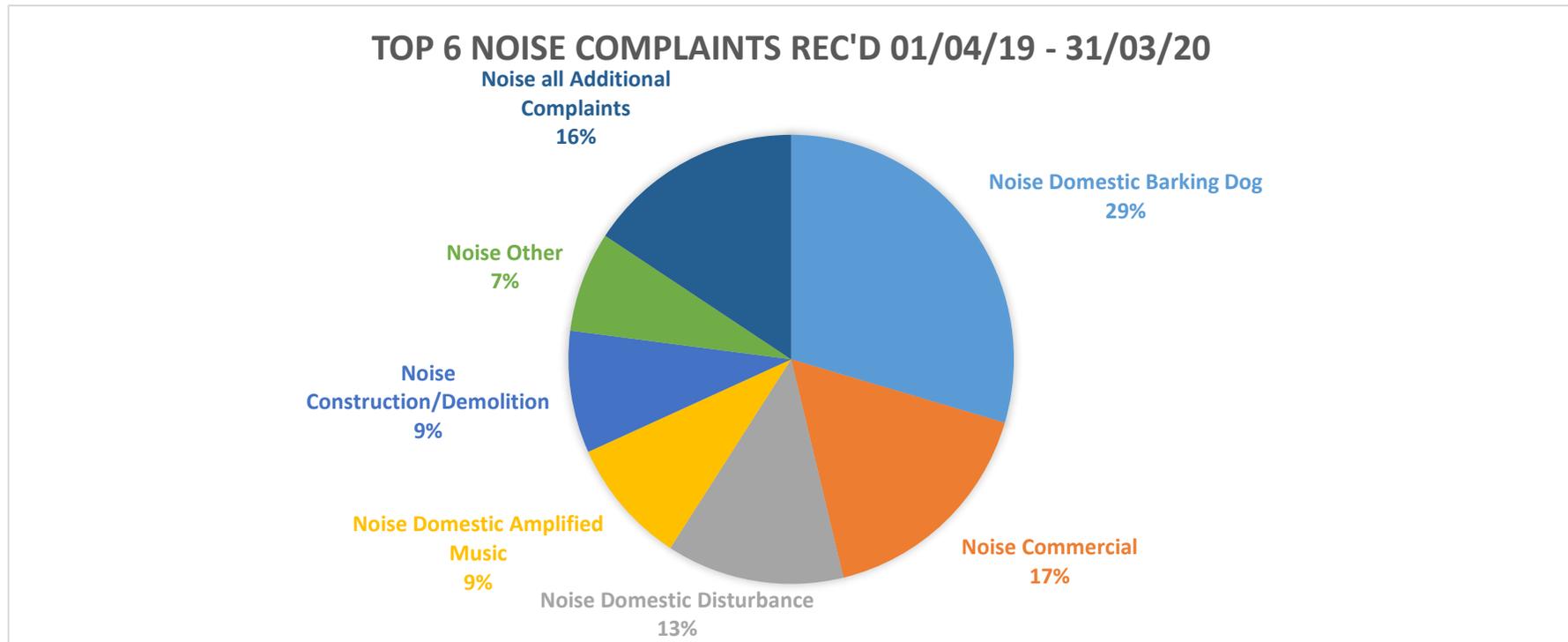
In the 56 dwellings inspected, 85 adults and 85 children were exposed to significant hazards. Officers engage with landlords, make clear their responsibilities under the Housing legislation and seek their cooperation to undertake the required works to remove the hazards identified. A range of enforcement actions are available and used where landlords do not cooperate such as the service of Improvement Notices. By the 31<sup>st</sup> March, 33 adults and 44 children had been protected by landlords undertaking the required remedial works.

The team is being active in fulfilling the Council's responsibilities in promoting and supporting Rent Smart Wales (RSW) with regard to the registration and licensing of landlords, which has been a requirement in Wales since 23<sup>rd</sup> November 2016. At the end of 31<sup>st</sup> March 2020 there were 4823 registered rental properties in the County, (social landlords not included).

#### 5.2.2 Noise

Complaints of noise, while lower than the record high of 18/19, remain consistent with the trend in recent years. Dog barking remains the main issue comprising nearly a third of the 318 total complaints. Issues with commercial type premises and also noise

from construction sites remain sizeable with 53 and 28 service requests respectively. Officers endeavour to respond and deal with complaints quickly, with cases closed within 3 months increasing substantially from 40% in 18/19 to 57% in 19/20.



### 5.2.3 Environmental Protection

The high number of complaints received in the last couple of years continued to be sustained in 19/20 with 448 complaints relating to matters such as fly tipping, abandoned vehicles, dog fouling and littering. There were 172 service requests relating to abandoned vehicles.

Response times remain very high with 86% of requests receiving an initial response within 3 working days and 88% of cases closed within 3 months.

The 'Give Dog Fouling the Red Card' scheme led by the team together with the Waste and Street Cleaning section, designed to empower local communities to deal with local fouling problems, has progressed into its fifth year with 22 participating Town and Community councils. Members report that dog fouling has generally reduced in their areas as reflected in the downward trend of complaints received.

13/14 – 169 complaints

14/15 – 146 complaints

15/16 – 92 complaints

16/17 – 121 complaints

17/18 – 106 complaints

18/19 – 90 complaints

19/20 – 85 complaints

Stronger Communities Select endorsed recommendations in report March 2020 to commence a 3 month public consultation with regard to dog controls in public areas. This consultation has been postponed due to the Covid 19 pandemic but will commence shortly.

#### 5.2.4 Private Water Supplies

The team has the responsibility for fulfilling the Council's duty of risk assessing all 'large' and 'small' private water supplies (PWS), where water is intended for human consumption. Improvements are undertaken where necessary to ensure a wholesome and sufficient water supply is provided.

We currently have 119 'small' and 64 'large' supplies, the vast majority of which have received an initial risk assessment, although because of a change in Regulations at the end of 2017 approximately 16 'new' supplies require an initial assessment. There is an ongoing statutory requirement to risk assess supplies every 5 years and this has been highlighted consistently in the last 5+ years in the service plan as an area of significant resource pressure. Resource has been focused in this area during the last 2 years with consequently good progress made in carrying out assessments and where necessary requiring work to be undertaken. A total of 37 supplies were risk assessed in 19/20 with 19 of these removed from the high risk category.

#### 5.2.5 Pest Control

Complaint levels remain very similar with 85 received compared with 78 in 18/19. The majority of these relate to rats.

#### 5.2.6 Construction

Engagement with the developers of the A465 dual carriageway and electrification of the South Wales main rail line has continued. Our interest is to ensure that the contractors do all that can be reasonably expected to control noise, dust and air pollution levels. A

substantial work commitment is needed in these areas which is generally not reflected in the Service Request statistics, with successful engagement hopefully resulting in low complaint numbers.

#### 5.2.7 Air Quality

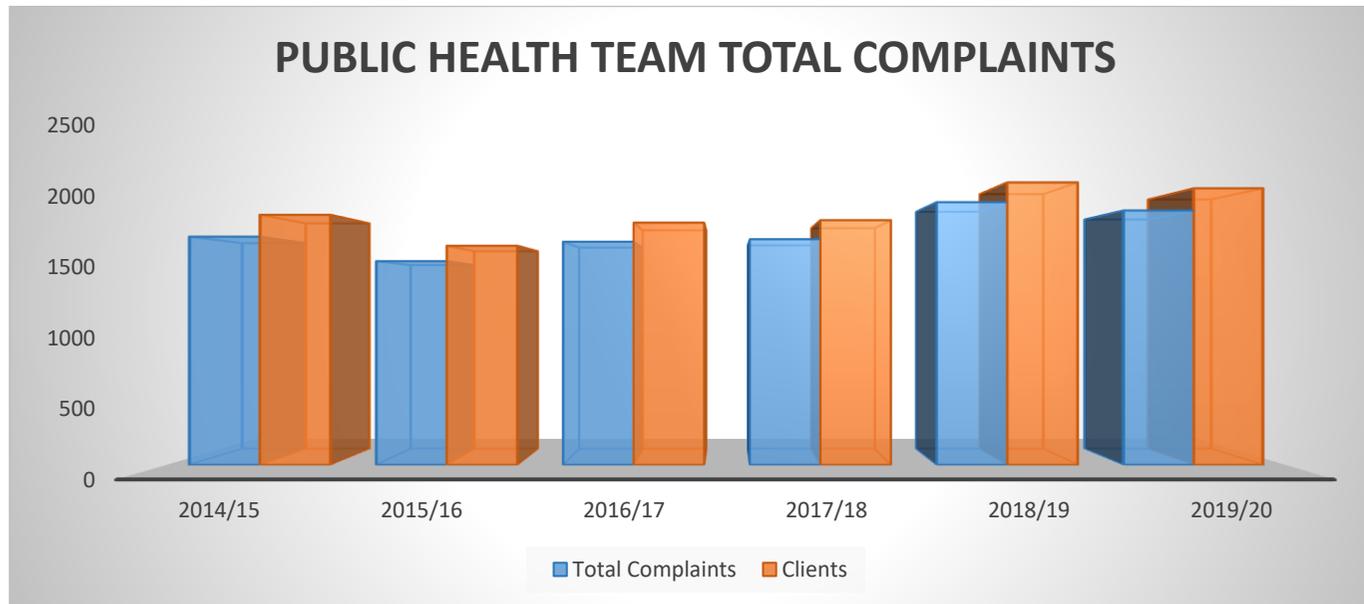
The team met its target to complete the 36 inspections due for 19/20 of the industrial permitted sites and petroleum certified sites which we have responsibility for from a pollution legislation perspective.

We continue to monitor traffic related pollution (nitrogen dioxide) in our 4 major towns and provide advice in regular meetings of the steering groups in the Chepstow and Usk Air Quality Management areas. There remains just 1 location in the County, on Hardwick Hill, Chepstow, where nitrogen dioxide levels continue to exceed the annual objective level of 40ug/m<sup>3</sup> set by legislation but the downward trend continues with 42.3ug/m<sup>3</sup> recorded for 2019 compared with 57.7ug/m<sup>3</sup> for 2014.

We now have continuous air quality sensors installed at 4 schools - Usk and St Mary's primary schools, Chepstow and Monmouth Comprehensive schools. The sensors continuously monitor nitrogen dioxide, sulphur dioxide, carbon monoxide, ozone, air temperature, humidity, and pressure. This data can be viewed live via a website and there is scope for this to be an important education tool and help raise awareness of the need for good air quality.

#### 5.2.8 Total Enquiries

Service request levels remain very high with 1,947 received and dealt with by the team (2,117 enquirers) across the range of functions.



## 5.3 Licensing

### 5.3.1 General

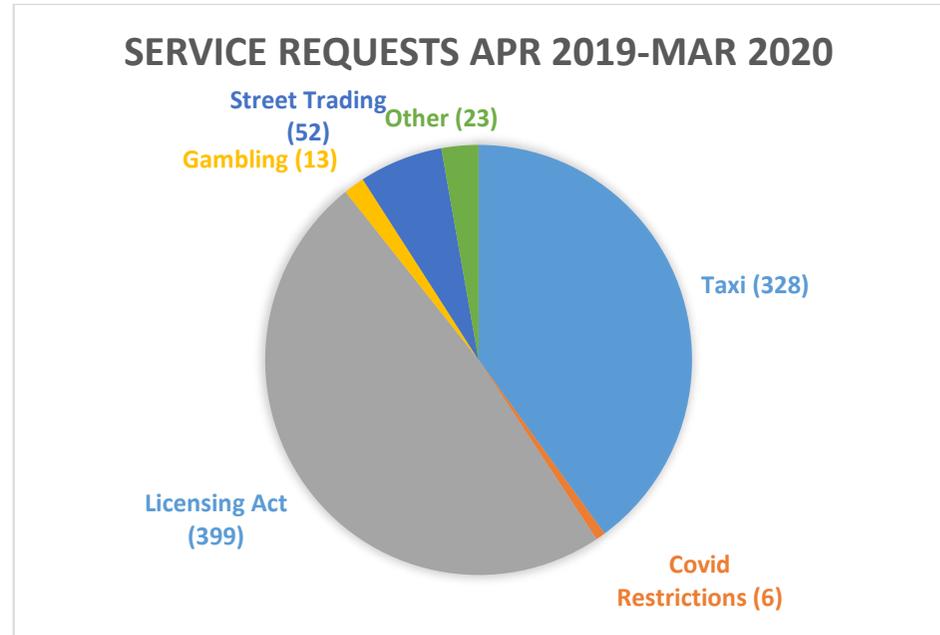
The Licensing team deals with a variety of licences, dealing with pubs, restaurants, off-licences and takeaways, taxis, street trading (e.g. burger vans), street/house to house collections, (e.g. charity collections in the street or bag drops at homes), gambling (e.g. betting shops, racecourse, one armed bandits in pubs/clubs, raffles etc.), scrap metal collectors and sites. The team are also authorised to deal with sex establishments, boats and hypnotism.

821 requests for service were processed by the Licensing between April 2019 – March 2020, down by 165 from the previous year. A breakdown of the 821 requests as shown:-

The majority of the services requests are for Licensing Act (alcohol, entertainment and late night hot food and drink). 405 (includes 6 Covid Restrictions) service requests out of 821 (40 of those were complaints)

Followed closely by the taxi/private hire trade, 328 out of the 821 (60 of those were complaints regarding the trade).

1666 applications were also processed between April 2019- March 2020 (a decrease of 147 for the same period the previous year).



Some of the work carried out by Licensing during this period includes:-

### 5.3.2 Pubs, Restaurants, Off-licences, Clubs and Takeaways

#### Night Time Economy and Joint Enforcement

In 2019/20, 157 premises received an inspection during this period. We received concerns relating to 20 premises about incidents ranging from noise, drug related issues, incidents of domestic and other forms of violence, illegal raves, immigration concerns and serious safeguarding incidents.

On 14<sup>th</sup> May 2019 Monmouthshire’s Event Safety Advisory Group (ESAG) put together a successful workshop for Event Organisers throughout Gwent. This provided a number of speakers to help provide guidance on the role of the organiser and the legalities. Speakers ranged from Gwent Licensing Officers, Environmental Health, Police Events Team and Anti-Terrorism Unit, Ambulance, Fire Service and also a major event organiser that had a number of years managing large events throughout the UK. Stalls were also on hand to provide advice to organisers. Feedback was positive for this first event and event organisers requested it be run each year at different locations in Gwent. They found it helpful and informative.

Licensing successfully prosecuted a takeaway, who was found guilty and convicted on 24<sup>th</sup> June 2019, for breaching licensing conditions and was fined £688 and ordered to pay £1350 costs.

Also during July in 2019, Licensing attended acid and knife attack training with the Ambulance Service and Police and rolled out acid and knife attack kits through the Pubwatch groups.

January – March 2020, ION track (drug swab testing machine) was used at various pubs restaurants in Abergavenny. This was a joint operation between Licensing and the Police - 7 premises visited, with 5 of those requiring a follow up visit as positive drug swabs were found. Those visited did have concerns and, working with them, Licensing and the Police has issued posters, leaflets, beer mats and also bottle top spikies, following an alleged spate of drinks being spiked in the area.

### Immigration

In 2019/20, On 11<sup>th</sup> April Licensing and Immigration revisited a takeaway who had previously employed a person with no right to work, the premises will continue to be monitored. Ongoing sharing of information and investigation is still at the forefront to protect people from being exploited. Licensing and Immigration are currently investigating possible illegal workers at a takeaway/restaurant. This was following a tip-off from an Environmental Health Officers on a food visit who had concerns over the mannerisms and attitude of staff working there.

### Safeguarding

In September 2018, further to a Social Services report, Licensing and the Police, along with an interpreter, visited a convenience store to request measures be put in place to avoid the person being alone with children, as a precautionary measure until the case was determined. A change of condition included a robust CCTV system and retention of footage was included following this visit.

The licence holder later went on to admit to an assault against a child within the store, so the licence was changed to remove the husband from the licence. An immediate review of the licence was instigated, despite the husband receiving a custodial sentence on 22<sup>nd</sup> November 2019 of 13 months, with his name on the sex offenders register for 10 years and placed on the DBS (Disclosure and Barring Service) barring list, and no longer having any involvement in the licence itself. This was essential as the living quarters were immediately by the licensed area of the store. The review hearing took place before the Licensing and Regulatory Sub-Committee on 14<sup>th</sup> January 2020. The review was upheld by this Committee and a further condition was placed on the licence to not permit the husband to work or enter the licensed area when the premises is open to members of the public.

### 5.3.3 Taxis

In 2019/20, 15 drivers had spot checks, with 1 being issued penalty points for not wearing a badge. 30 vehicles checked with 2 of the vehicles having minor defects, which was duly rectified. All received a warning. 20 operator bases checked, with advice given on record keeping.

### Joint Operations

Joint operations between Licensing and Passenger Transport Unit was conducted at Abergavenny schools on May and prior to the Christmas break in 2019, 2 vehicles had minor defects and driver had not worn his badge. All were issued with a warning and penalty points. Multi Agency operations took place between Licensing, the Police, DVSA and HMRC in the Abergavenny area on 21<sup>st</sup> January and 3<sup>rd</sup> February. In the January operation 12 were inspected and complied. However in February, 4 licensed vehicles and many non-licensed vehicles were pulled over to check roadworthiness. 1 owner received an advisory to change the tyre soon. 1 driver/owner of a Hackney received 4 penalty points and received a vehicle suspension notice for a bald tyre, the DVSA prohibited its use on the road. Mobile tyre change completed same day resulting in the vehicle suspension being lifted..

#### 5.3.4 Gambling

In 2019/20, 29 gaming machines were inspected. In March 2020 Rhondda Citizens Advice Bureau (CAB) was invited to the Gwent Licensing Forum, with Monmouthshire taking the lead for this group. The group looked at the possibility of the CAB carrying out training during 2020/21 to target areas, such as Community Workers, housing officers, family information services, safeguarding, adult and children services. This training would provide assistance on how to look out for signs of families being affected by gambling and the services and signpost people to help.

### **5.4 Trading Standards & Animal Health**

#### 5.4.1 Feed

Following the four successful years of the regional approach to Feed Law enforcement, 2019/20 achieved completion once again albeit with lower inspection targets. Over two thirds of the region's total inspections fall in Monmouthshire, (just over 80% of activity this particular year). Upskilling of other Officers has proven vital to enable this work to be continued. New animal health officers will be trained to deliver some of this work going forward.

#### 5.4.2 Animal Health

The animal health function continues to be over 90% reactive. The Trading Standards team leader is strategic lead nationally for animal health matters and continues to be heavily involved in working with Welsh Government, to develop and deliver the Partnership Delivery Plan with associated additional funding. This is based on a regional approach and mirrors the footprint of the Cardiff Capital Region City Deal. Monmouthshire has approximately 50% of the critical control points and animal related premises within this region, but current capacity, at 2.4 FTE's, limits this opportunity. Regional Coordination for Animal Health across Wales, and the additional feed income, has enabled additional animal health capacity. Two new animal health officers are in the process of being trained in all aspects of the role.

#### 5.4.3 Fair Trading

We were successful in being selected to work on a funded project by the Department for Business, Energy and Industrial Strategy – second year pilot testing a enforcement strategy and toolkit for the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. Now commencing July 2020.

A trader was successfully prosecuted and convicted, Yadgar Abdini pleaded guilty to 9 counts of the possession for supply of counterfeit products at the European Mini Market, Chepstow. Abdini was ordered to pay a total £1,913 in a combination of fine and costs. We also obtained a destruction order for 3480 cigarettes and a quantity of rolling tobacco that was seized from the premises during the course of investigation. Continued enforcement action at the European Mini Market, in co-ordination with HMRC, included the seizure of 3,977 cigarettes and 2kg of Hand Rolling tobacco, which was a combination of Counterfeit and Illicit Whites.

#### 5.4.4 Consumer Protection

A priority for the service has been dealing with a variety of scams and bringing them to the attention of both the public and businesses whenever possible. We are all potential victims and, by reaching out and working alongside adult safeguarding, vulnerable victims can be kept out of overburdened local care systems.

The key focus has continued to be working with vulnerable victims through priority referrals and ensuring they are given the advice and assistance required and/or referred as appropriate. Call Blockers have been distributed to the vulnerable who have been targeted by scam calls, and support given to WASP (Wales Against Scams Partnership) on behalf of the Authority, including initiatives such as Friends Against Scams and Mail Marshalls.

There have been a few multi-agency approaches undertaken targeting rogue traders, doorstep callers, poachers and itinerant businesses.

#### 5.4.5 Weights & Measures

We participated in the Trading Standards Wales, Metrology group's 19/20 project on Non Automatic Weighing Instruments within independent retailers. This was a continuation of a national project from 18/19 which identified a number of non-compliances with scales in supermarkets. 16 scales were tested for accuracy and conformity in a variety of small retail premises across the County. It was noted that there was a high rate of compliance (94%) within smaller retailers within Monmouthshire, which has been fed back into the Metrology Group.

#### 5.4.6 Product Safety

We instigated and managed a voluntary recall with local importer on two products that were found to be unsafe under the Electrical Equipment Safety Regulations, involving two products and approx. 500 units affected by the recall.

A formal caution was issued to another local trader which was importing and supplying non-compliant electrical equipment.

We worked with eBay Home Authority on the removal from sale of an unsafe electrical product sold across 195 separate listings.

Work commenced with Global Furniture Alliance on the implementation of PAS 7100 - Supporting Better Product Recalls within their company.

#### 5.4.7 Air Quality – Lorry Watch

Vehicle spotter reports continue to be followed up with checks that the vehicles are legitimately travelling through the two restricted areas in Usk. These vehicles contribute significantly to the levels of air pollution but the majority are legitimately using the routes.

#### 5.4.8 Income Generation

In 2019/20 Feed funding generated approximately £20,000 allowing us to retain additional capacity. Animal Health PDP regional co-ordination and additional project work, Primary Authority and other regional initiatives brought in around £8,000.

### 5.5 Event Safety Advisory Group

A number of Public Protection staff are involved in Monmouthshire's Event Safety Advisory Group, (ESAG). This is a partnership designed to help organisers run safe and successful events. It is recognised a proactive advisory stance is preferable to reacting to problems after events have occurred. Events held in 19/20 included food festivals, music concerts, agricultural shows, cycling events etc. and safety/noise/licensing/other advice was provided. As per Figure One, 105 were reviewed during 19/20.

## 6 PERFORMANCE SUMMARY 2019/20 year

- 6.1 Public Protection teams, with only a small number of exceptions, continue to meet the Authority's legal obligations. However, Officers are typically operating at maximum level and are put under increased pressure when colleagues have any long term absence. Where pressures are found, for example regarding our private water supply (PWS) duties, managers have collaborated to find workable solutions.
- 6.2 Service request levels across all teams remain high, so there has been a need to prioritise our reactive work over our proactive activities.
- 6.3 The performance data in Figure One illustrates teams maintaining proactive and reactive services well. As outlined in the analyses in Section 5, teams have some pressures, due to work volumes and limited Officer capacity.

- 6.4 Last year more work was undertaken to supplement our safeguarding role. Services typically protect some of our most vulnerable members of society, and this report has highlighted specific pieces of work. These include Licensing working to protect children (5.3.2), and Trading Standards intervening with rogue traders (5.4.3) and scams (5.4.4).
- 6.5 Members can gain some assurance that performance is in line with other Authorities via regular monitoring by the external governing bodies referred to in section 4.2, for example, the Food Standards Agency.

## **7 2020/21 AND BEYOND**

- 7.1 Public Protection services will continue to seek more capacity to deal with more air quality activity, private housing interventions and consumer protection issues. Our 2020/23 Business Plans are seeking to better reflect our longer term vision and future planning. This tallies with the Well Being of Future Generations expectations, with Public Protection services contributing directly to a more prosperous, resilient, healthier and more equal county. Digital solutions will be pursued to help capacity issues.
- 7.2 When new legislative requirements are introduced, via Welsh Government or Westminster, our professional bodies will seek proper funding to implement. Provisions of the Public Health (Wales) Act 2017 are now being implemented, to include licensing of intimate piercing and new age restrictions. The Chief Medical Officer's Annual Report for 16/17 was released in February 2018, with a big focus on 'gambling and health'. Public Protection services will link with other partners, eg. Gambling Commission, to seek to protect 'problem gamblers' noting the public health impacts on individuals, families and communities. New Minimum Unit Pricing legislation has been implemented with funding to ensure Trading Standards can work with business to ensure compliance with the new requirements.
- 7.3 Collaborative opportunities are being considered at regional and national level, and this Authority will play a part in developing future service models. Further income generation opportunities will continue to be pursued. Following an approach from the Chief Veterinary Officer for Wales a proposal was submitted on behalf of Trading Standards Wales, which has resulted in a significant 3 year Dog Breeding Project being led by the TS Manager and Animal Health Regional coordinator. As well as bringing about much needed change, this should also support resource constraints placed on the team.
- 7.4 Our services, together with delivering statutory responsibilities, acts on local intelligence and welcomes input from local Councillors, other stakeholders, etc. to improve outcomes for our citizens. The services enjoy an excellent reputation, due to the commitment of the Officers, and will continue to contribute to the wider agendas and our core purposes, as provided in 2.1. To protect existing budgets, other routes will be sought to improve the profile of these services, both locally and nationally.