

**REPORT TO LICENSING & REGULATORY COMMITTEE**  
**PUBLIC PROTECTION 2017/18 ANNUAL 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 Full Time Equivalents (FTE's)
- 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 Intelligence & Advice Officer, 0.8 FTE's
- 2 Animal Health Officers, 1.5 FTE's

(v) Support team:-

- 5 Support Officers, 4.1 FTE's

Above staff resource adds up to a total of 34 staff, 29.5 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

The total budget for 2017/18 across the four services, with Support team costs spread across the professional teams, was just under £1.3 million. This can be broken down as follows –

Budget (net, after income)	
Environmental Health – Commercial	£438,402
Environmental Health – General public health	£383,590
Trading Standards & Animal Health	£331,267
Licensing	£29,976
Management & generic costs (eg software)	£114,129
<b>Total</b>	<b>£1,297,364</b>

The reported budget position at the end of 2017/18 was an underspend of £30,400, which represents 2.3% of the total annual budget.

## 4. PERFORMANCE

- 4.1 Internal performance monitoring – the four teams within Public Protection each complete an annual Service Improvement Plan (SIP). 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 Internal Audit conducted a review of Licensing and their final report is awaited. They reported ‘considerable assurance’ which is positive and provides valuable independent opinion of how the service is currently performing.

#### 4.4 2017/18 performance (and comparison to previous years)

The right hand columns summarises performance during the 2017/18 year. The left hand columns cover the previous 3 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>2014/15 performance</u></b>	<b><u>2015/16 performance</u></b>	<b><u>2016/17 performance</u></b>	<b><u>2017/18 performance</u></b>
<b>Environmental Health (Commercial)</b>				
Food safety full inspections	551 (100% of these programmed)	510 (100%)	502 (100%)	513 (100%)
Other interventions – sampling, verification etc	304	379	483	427
Total	855	889	985	940
Inspection within 28 days of scheduled date	88%	95%	88.4%	87%
Number of new businesses opened	124	138	130	110
Broadly compliant food businesses (high risk)	88.5%	89.0%	90.4%	94.3%

Broadly compliant food businesses – All	93.8%	94.0%	95.2%	97.4 %
Service Requests - food safety	503 400 within 3 working days=79.5%	569  Total SR's 1169	718 (86% within target time)  Total SR's 1340	736  Total SR's 1350
Food Hygiene training				257 food handlers trained.
Communicable Diseases cases dealt with	194	183	171 (4 outbreaks and one fatality)	183
Health and Safety notifications		NR	63 accident, 33 major events	54 accidents, of which 9 reportable (serious injuries) 24 visits re asbestos also undertaken in the year.
Notices served		3 notices served	10 notices served	
<b>Environmental Health (General public health)</b>				
Housing service requests (SR'S)	153 Total 128 within 3 working days=83.7%	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%
Noise	341 Total 297 within 3 working days=87.1%  221 closed within 3 months= 64.8%	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%
Statutory nuisance, excluding noise	198 Total 180 within 3 working days=90.9%	148 Total 131 within 3 working days = 88.5%	179 Total 152 within 3 working days = 84.9%	142 Total. 122 within working 3 days = 85.9%

	140 closed within 3 months=70.7%	75 closed within 3 months = 50.7%	84 closed within 3 months = 46.9%	83 closed within 3 mths = 58.4%
Environmental Protection (fouling, littering, fly tipping etc.)	345 Total 314 within 3 working days=91%  222 closed within 3 months=64.3%	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%
Pest Control	95 Total 84 within 3 working days=88.4%	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%
<b>Licensing</b>				
Applications dealt with by Licensing	1905 (which includes 382 Temporary Event Notices requiring a 24 hour turnaround.	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
Inspections carried out	624 inspections carried out (274 of which were risk rated premises for alcohol, entertainment and late night refreshment)	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)
Service Requests carried out	932 service requests were carried out	740 service requests were carried out	879 service requests were carried out	868 service requests were carried out

	(847 - 91% - with a 3 day turnaround for first response).	(679 - 92% - with a 3 day turnaround for first response).	(816 - 92% - with a 3 day turnaround for first response).	(784 - 90% - with a 3 day turnaround for first response – on target).
<b>Trading Standards and Animal Health</b>				
Trading Standards Visits	192	317	176	110
Trading Standards Complaints/Advice	669	540	428	457
Citizens Advice Consumer Service	419 Referrals 1158 Notifications	410 Referrals 1069 Notifications	285 Referrals 785 Notifications	
Animal Health Visits	290	311	411	248
Animal Health Complaints/Advice	251	186	298	251
Inspections at our: High Risk premises, Upper Medium premises.	92% (13/14) High Risk 46% (12/16) Upper Medium	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)
Feed Law Enforcement	62% High Risk (116/186)	103% of new externally funded feed programme. 156 Inspections	118% - 223 Inspections	100%
Programmed animal health inspections	100%	100% (14 High) 40% Overall Programme	No formal programme of inspection this year	10% (30/294)
New Business Visits	26% TS 10% AH	76% TS 90% AH	52% TS 58% AH	56% TS 59% AH
Animal Welfare Complaints	92.5% within target response time	96% within target response time	90.4% within target response time	84%
Vulnerable Scam Reports	Not reported	35 visits contact with 119 individuals	9 visits contact with 121 individuals	10 visits contact with 135 individuals

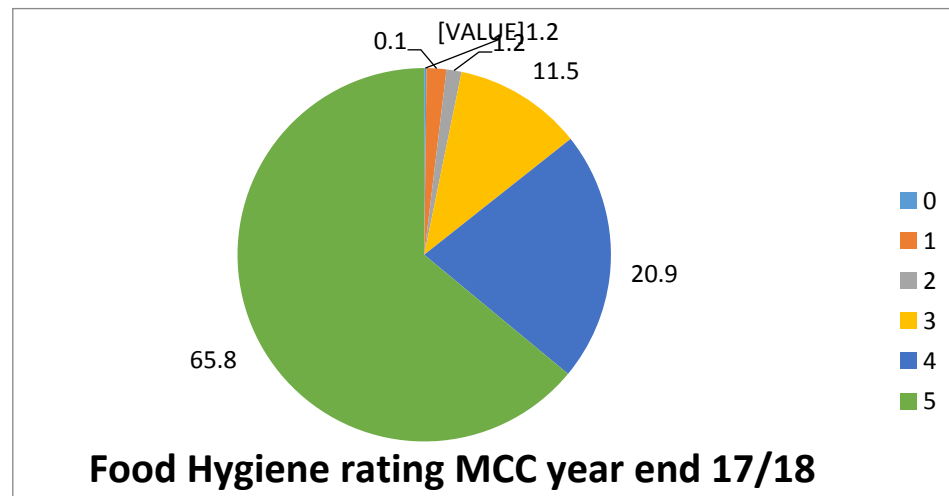
Other				
Freedom of Information Requests (PP Total)	77	85	61	51
Events requiring advice via Safety Advisory Group	110	94	102	137

## 5. ANALYSIS AND NOTABLE ACTIVITY IN 2017/18

### 5.1 Environmental Health – Commercial

#### 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. We are maintaining our record of inspections within target times with minor fluctuations depending on pull on the team's resources. 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. Anecdotal evidence shows a top food hygiene score can increase a small food business income by up to £300 a week. Much work is being done with other LA's to preserve the integrity of the mandatory Welsh Food hygiene rating scheme with the proposals by the FSA on Regulating our Future.





We had 2 prosecutions with regards food hygiene this year receiving costs in both. Prosecution is a 'last resort' but sends out a useful signal to all other businesses that action will be taken when advice is not heeded.

Access - this innovative scheme is now in its 5<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.

Food standards - Officers this year have provided legal advice on the new requirements relating to allergen declarations in food, protecting affected persons. Officers also gave advice on the new requirements relating to nutritional declarations on prepacked food produced in Monmouthshire.

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 and have done so with Stonegate Pubs, now approved by the Secretary of State, and one with the Nationwide Caterers Association.

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.

#### 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.

### 5.1.3 Health and Safety at Work

Beverage Gas Safety was a national priority for intervention in 17/18 (HSE). A pilot study conducted by Monmouthshire EH of pub cellars indicated significant risks associated with gas safety management in confined spaces. This pilot study has now informed an All Wales project led by Monmouthshire EH.

The Duty to Manage Asbestos is another national priority for intervention in 17/18. LAs across Wales have been conducting inspections in a range of premises to protect workers, customers and users of commercial premises.

Residential care homes (5 LA enforced) – all premises inspected last year are being revisited to assess progress.

Fisheries (7) - following last year's fatality in Monmouthshire, all fisheries are being visited. Protection of children and vulnerable persons key issues.

We are assisting the public health team with enforcement of Private water supplies and actively encouraging the recording of information on the database for more efficient use of time.

### 5.1.4 Income generation

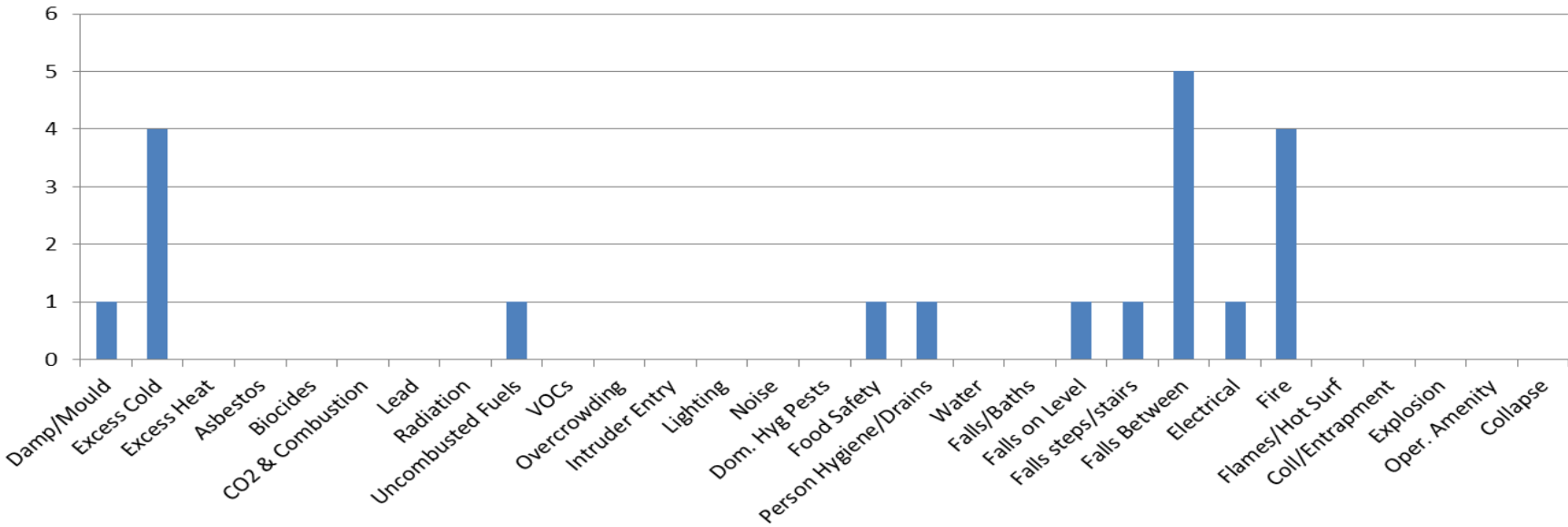
Although a regulatory function, the EH Commercial team are leading the field in Wales for innovative income generation. Further ideas are being developed and implemented, for example our MAPP (Monmouthshire Alternative to Prosecution Policy). We continue to try and think 'outside the box' and seek new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

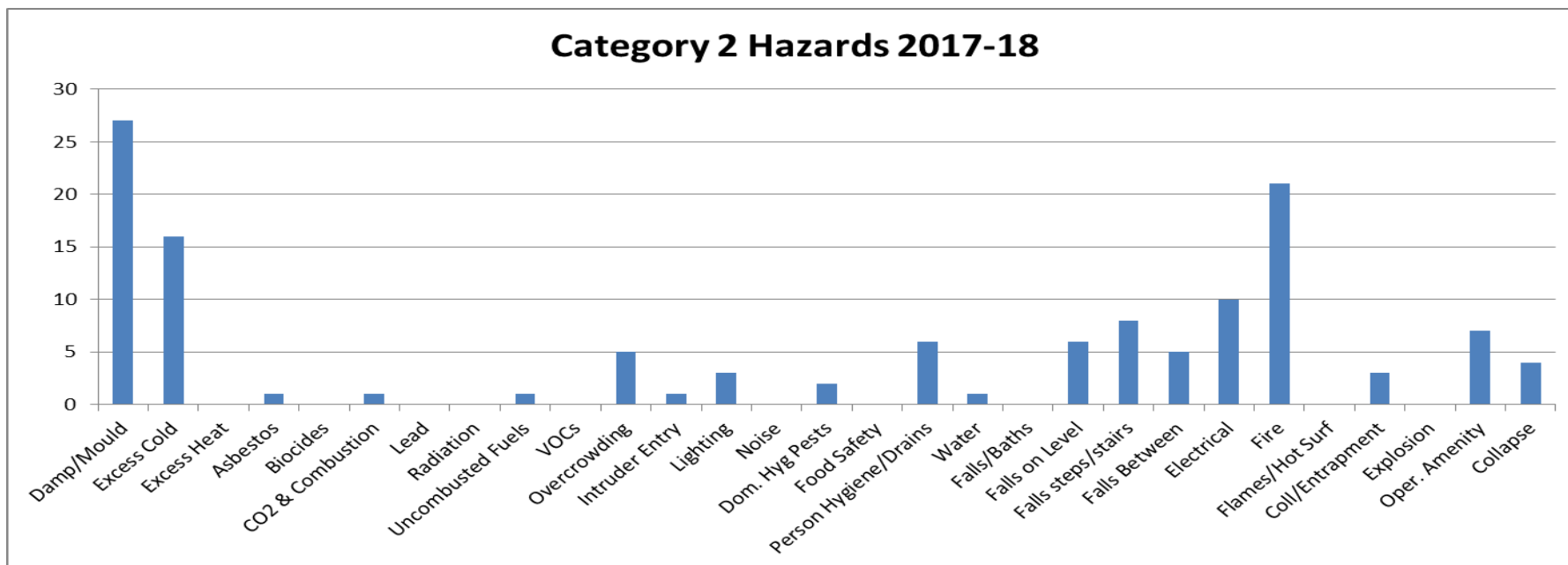
## **5.2 Environmental Health – Public Health**

### 5.2.1 Housing

In 17/18 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 153 enquiries had been received with 133 of these responded to within 3 working days (87%). 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 60 dwellings were inspected with 20 category 1 hazards (most serious) and 128 category 2 hazards identified. Of the total of 148 hazards a high percentage relate to damp, cold, falls between levels and fire safety issues. The hazard profiles are illustrated as follows:

### Category 1 Hazards 2017-18





The section also carried out 20 proactive inspections on request of Melin Homes of their privately leased properties.

In the 60 inspections, 105 adults and 39 children were exposed to significant hazards, with 29 of those adults and 6 children protected by landlords undertaking remedial works identified by 31/3/18. The remaining hazards to be undertaken by landlords during 18/19.

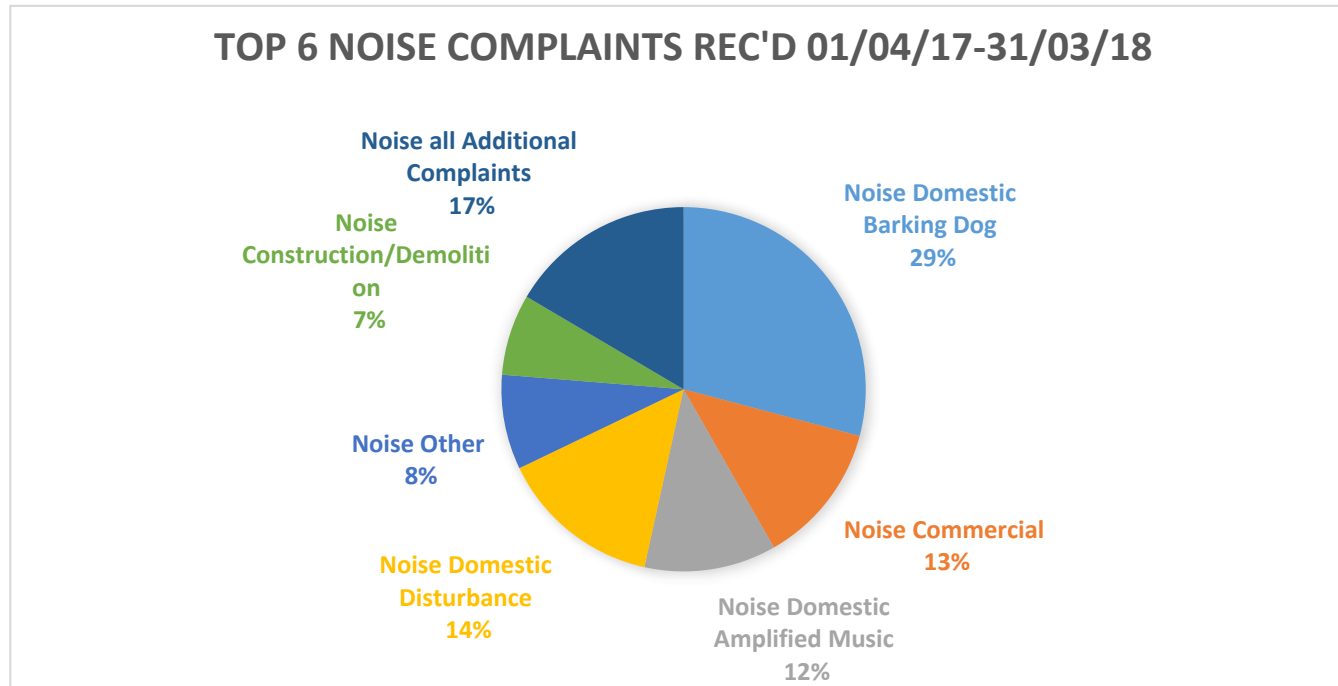
The team is being active in fulfilling the Council’s responsibilities in promoting and supporting Rent Smart Wales (RSW) with regard to the registration and licensing of landlords, which has been a requirement in Wales since 23<sup>rd</sup> November 2016. At the end of 17/18 there were 4323 registered rental properties in the County, (social landlords not included).

#### 5.2.2 Noise

The complaint level was slightly lower than the peak level seen in 16/17 but otherwise similar in number and complaint type to previous years. Dog barking and loud music continue to be the greatest source of annoyance to our residents.

Our initial response times remain high at 85% within 3 working days and the case closure rates within 3 months remains at around 50%.

As always, dog barking is the subject of many of these complaints with 97 in total (29%) though there is still a diverse nature of complaints from industrial, agricultural and commercial noise sources. The breakdown of the top 6 sources of noise complaint is as follows:



The team is particularly active in this area of work during the summer months as noise complaints increase and a lot of proactive engagement is undertaken with organisers of the various concerts / music events held throughout the County.

### 5.2.3 Environmental Protection

The 16/17 peak number of complaints received has been sustained in 17/18. Abandoned vehicle complaints remains high with 247 complaints compared with 108 in 15/16 reflecting the low value of scrap metal.

Initial response times are very high at 92% and case closure rates remain at between 60 – 70%.

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 third year with the number of participating Town and Community councils remaining at 19. Members report that dog fouling has generally reduced in their areas, although 'hot spots' persist, and complaints to the team have shown some reduction since commencement of the scheme:

13/14 – 169 complaints

14/15 – 147 complaints

15/16 – 92 complaints

16/17 – 121 complaints

17/18 – 106 complaints

Three fixed penalty notices were served, with payment received, for fouling offences.

Two successful fly tipping prosecutions resulting in a total of £400 in fines and £2830 costs awarded. This takes the total to 8 prosecutions since the start of 2014 with total fines of £3900, nearly £9000 in costs awarded and 250 hours community service.

#### 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 113 'small' and 52 'large' supplies, the vast majority of which have received an initial risk assessment. However follow up action is required on over 90 of these to ensure works required are undertaken. In addition each supply must be risk assessed every 5 years. Progress in dealing with these is very slow with 22 supplies risk assessed in 17/18. Progress is likely to continue to remain very slow at current resource levels.

In addition, The Private Water Supplies (Wales) Regulations 2017 which came into force in November 2017, has increased the burden by requiring single supplies which serve a rented dwelling to be risk assessed every 5 years, and requiring improvements where necessary. This equates to approximately 30 more supplies. The team is not currently fulfilling this duty, so will need to prioritise in 2018/19.

#### 5.2.5 Pest Control

Complaint levels remain very similar to 16/17 with 71 received compared with 74 in 16/17.

### 5.2.6 Construction

Engagement with the developers of the A465 dual carriageway and electrification of the South Wales main rail line has continued, and also in progress with the proposed M4 development. 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

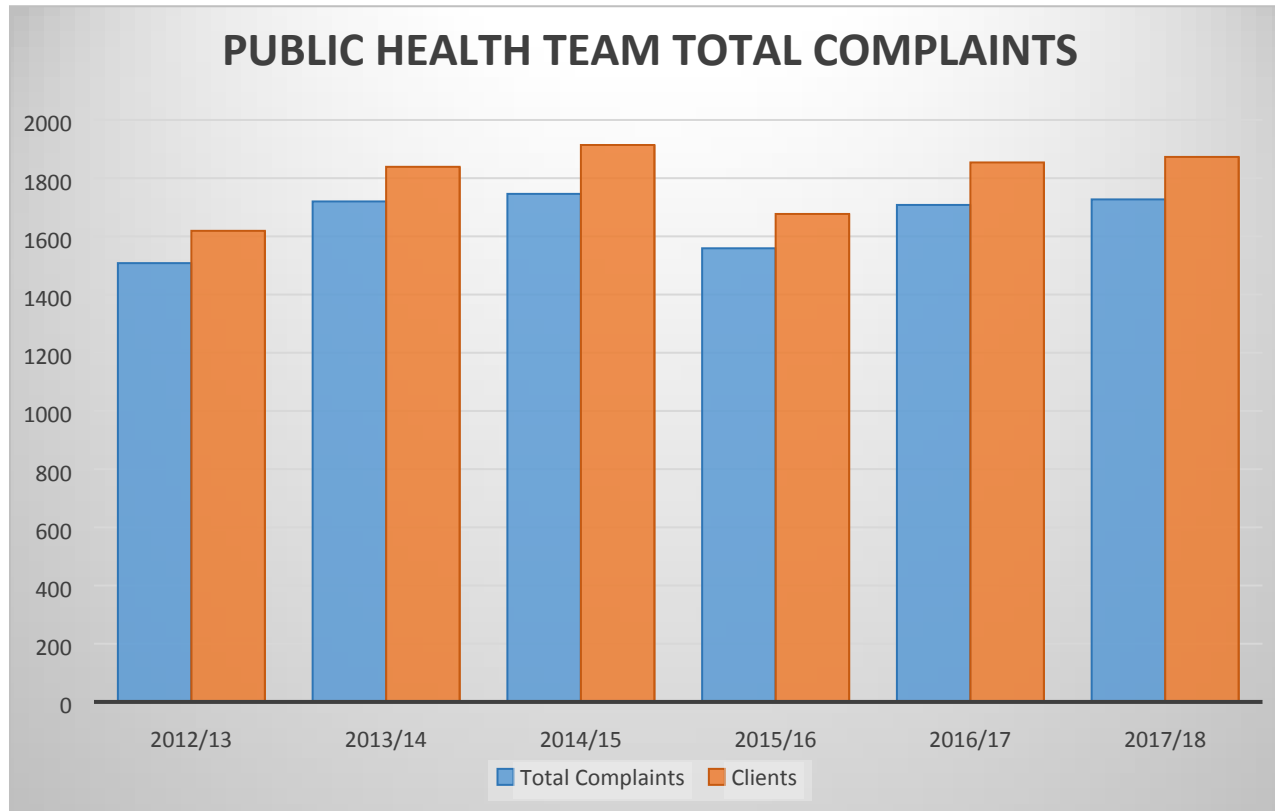
The team met its target to complete the 35 visits planned for 17/18 of the industrial permitted sites and petroleum certified sites which we have responsibility for from a pollution legislation perspective.

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.

In addition we agreed with colleagues in Education to install real time air quality monitors in the Caldicot and Monmouth 21<sup>st</sup> Century schools, on their completion in 2018, as well as installing a further 2 monitors at our Chepstow and Usk schools. As well as providing valuable data, it is hoped these will provide an excellent educational tool for our young people on air quality issues.

### 5.2.8 Total Enquiries

The total number of service requests dealt with by the team across the range of functions was 1727 (1873 clients) last year which sustained the increase seen in 16/17, which in itself was a 9.6% increase from 15/16. This is illustrated in the bar chart below:-



## 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.

868 requests for service were processed by the Licensing team last year in 2017/18. A breakdown of the 868 requests are shown below:-





1668 applications were processed in 2017/18. Some of the work carried out by Licensing in 2017/18 includes:-

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

##### Night Time Economy and Joint Enforcement

Some of the statutory enforcement officers under the Licensing Act 2003 meet monthly, namely Licensing, Police, Environmental Health, Trading Standards, Social Services and Public Health. These meetings raise issues regarding premises that are causing problems and all receive follow up visits by Licensing. During these three quarters, Licensing had to deal with reported incidents of noise issues, violence, anti-social behaviour, drug usage and reports of underage drinking. 261 premises received an inspection during this period. A venue in Monmouth received a joint visit by Licensing and the Police, following complaints that late night revellers leaving the venue taking glasses outside, smashing them in the vicinity, vomiting and causing damage to nearby properties. As a result of our visit all the door-staff were changed as it was felt they did not manage drunk persons both entering and leaving the premises. Further joint visits by Licensing and the Police were conducted in the Abergavenny area. One licensee assaulted a member of staff, and another licensee aggressively assaulted a customer - both have been issued warnings and monitoring is still in place. A club has also been given a final warning for permitting non-members into the premises, which did not comply with legislation and the conditions of their licence. There was an allegation of staff selling drugs and a person overdosing

on ketamine. It was found there was no evidence of drug sales and the premises acted appropriately in calling emergency services to deal with suspected overdose, where the person made a recovery. Doorstaff at this venue informed the Police of a possible drug dealer who has since been arrested and charged. Police and Licensing to monitor both venues. Further incidents will result in a possible review of the licence. An ongoing investigation is underway between Licensing and the Police in the Caldicot area where a complaint has been received about drinking after hours, drug usage on the venue and sexual activity. In December, late night operations took place at Abergavenny, Monmouth, Caldicot and Chepstow by the Police and Licensing at busy venues in the area leading up to the Christmas period. .

On 1<sup>st</sup> February, the Busking Code of Conduct was introduced following work carried out by the Police and Licensing, in order to provide a uniformed approach on how buskers should conduct themselves and their operating restrictions. This attracted a large amount of media attention.

### Immigration

Licensing informed Immigration of their concerns in an off-licence/shop in Abergavenny where it was suspected that employed persons were illegal immigrants. A joint operation took place with Licensing and Immigration in November 2017 and it was confirmed that persons were there illegally. A notice was served by Immigration and the person was found guilty and fined £15,000. Legislation recently changed in April 2017 where Immigration are now a consultee when dealing with applications under the Licensing Act. The legislation was changed to prevent those being exploited who have no right to work, who are very often paid low wages and can be linked to modern day slavery. Licensing welcome this change and now work closely with Immigration.

### Safeguarding

Licensing worked closely with the Newport and Monmouthshire's Multi Agency Sexual Exploitation (MASE) group - which includes the Police, Social Services and other counselling agencies - last July. Information was received from Social Services that a takeaway venue in Chepstow was possibly grooming teenage girls, with the premises offering them free food. Licensing visited the venue, gathering information of all those that work there, which was later shared with Immigration. Concerns were raised with the owner of the possible safeguarding issues taking place, which were denied. This venue, and a further venue in Caldicot owned by the same person, will continue to be monitored by Licensing working in partnership with MASE and Immigration.

Licensing, working in partnership with Gwent Police launched 'Operation Makesafe', which commenced 13<sup>th</sup> November. This involved visiting takeaways, pubs and clubs, providing posters and beer mats to highlight awareness of safeguarding issues and also providing contact details if anyone has safeguarding concerns.

Currently working on the next operation to further train hotels/guest houses that provide overnight accommodation. There will be a test purchase of underage girl/boy booking a room for one night with no baggage at these premises. The aim is to see if the business asks further questions and to assess if more training is required.

On 30<sup>th</sup> January 2018 a film classification policy was adopted by the Authority, this will ensure those seeking to classify a film under the Licensing Act will be dealt with consistently but also the policy will safeguard children of varying ages from viewing unsuitable material within films. It will prevent children and young adults from viewing certain films of an adult or sexual nature.

### 5.3.3 Taxis

During this period, 24 drivers had spot checks, with 1 being issued penalty points for not wearing a badge. 66 vehicles checked with 1 having no spare tyre, 1 defective roof light, 3 with defective lights and 1 with no safety net. All received a warning.

#### Joint Operations

Joint operations took place between Licensing and Police in August in Abergavenny, checking for possible unlicensed vehicles in the area. In December leading up to the Christmas period the Police and Licensing carried out late night operations, spot checking taxis in Abergavenny, Monmouth, Chepstow and Caldicot. A test purchase exercise took place in Abergavenny and Monmouth. Out of the 4 tested, 1 in Abergavenny overcharged and 2 further taxis in Monmouth failed to use the taximeter. Possible further action and prosecutions to be considered.

On 15<sup>th</sup> March 2018 a 'Talk Transport Day' was launched for all operators in Monmouthshire and to attract those operating outside to be licensed with this Authority. Licensing working closely with the Transport review group, Passenger Transport Unit, Procurement, Communications, Business Wales and Future Monmouthshire.

#### Disability

Licensing took a report to Licensing and Regulatory Committee on 26<sup>th</sup> September 2017 for the Authority to adopt a list of wheelchair accessible vehicles that will be displayed on the Councils internet. By adopting the list it gives Licensing Officers further powers to take action against drivers and owners of vehicles if they fail to carry a passenger while in their wheelchair, or if they make additional charges for wheelchair users using their vehicles.

Information leaflets and guidance was provided to the taxi trade in December, reminding them of their duties and best practice when dealing with passengers travelling with assistance dogs. This followed as a result of a presentation by the Guide Dogs Cymru at the Welsh Institute of Licensing meeting in September where they raised concerns that persons throughout Wales were not being picked up by taxis if they had assistance dogs. Guide Dogs Cymru requested that the top tips leaflet be issued to the taxi trade when assisting blind and partially sighted passengers. This has been duly carried out by Monmouthshire Licensing.

## Safeguarding

In April, 11 taxi drivers had their Hackney Carriage/Private Hire Driver Licence suspended until they carry out the Safeguarding training, as required in the conditions of their licence. 283 drivers have now completed the safeguarding training. This training provides guidance and reporting mechanisms if they feel there are any safeguarding issues when carrying passengers. It also provides further guidance and assistance on how they themselves should conduct themselves towards passengers.

During the last quarter Licensing, working with the Police and Social Services dealt with 2 separate drivers within a strategy meeting. The one received a warning letter and given advice about their conduct. The other driver had his licence revoked following information received for inappropriate language and aggressive behaviour towards a schoolchild, further incidents of violence were also taken into consideration.

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

### **5.4.1 Feed**

Following the successful two years of the regional approach to Feed Law enforcement, the third year has followed the same formula. With over two thirds of the region's inspections falling in Monmouthshire, this has allowed us to retain the additional Officer with vital knowledge and skills (not just in feed) and without any cost to the Authority. However maternity leave had an impact and a number of illness absences once again showed how easily the service can be significantly affected when trying to deliver a programme that has a direct effect on additional funding. Upskilling of other Officers has been completed but this does have a direct effect on the wider trading standards remit. Cross-border authorisation was used to call on additional resource from neighbouring authorities. 90% of farm based visits were completed and 53% of other premises although there was a problem in the original regional allocation that accounted for the majority of this shortfall.

### **5.4.2 Animal Health**

As previously reported, since the loss of the additional funding animal health is now over 90% reactive. As strategic lead for Wales Heads of Trading Standards in relation to animal health, the Trading Standards team leader has been heavily involved in working with Welsh Government to develop a 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 1.5 FTE's, limits this opportunity. A vacancy has been combined with a wider regional resource to create a new post which it is hoped will be filled imminently with an experienced, qualified animal health officer.

To date enhanced surveillance at critical control points including the market and slaughterhouse has been undertaken; a pilot survey into small holders and hobby farmers (as despite being assessed as low risk for health and welfare, they are felt to a more

likely disease risk); a review of the recent dog breeding changes and a mobile animal exhibits assessment, as these are likely to become more prevalent.

#### 5.4.3 Fair Trading

There are ongoing investigations into further supplies of illicit tobacco and a further pending prosecution.

Unlicensed Dog Breeder has been prosecuted by the RSPCA but in the meantime has been evicted from his rental property in Monmouthshire.

Lighting Electrical Safety - Following a complaint from a resident a light was test purchased and examined which established it to be non-compliant and led to a nationwide recall. A small project undertaken as a result led to further recalls after a referral to the Primary Authority.

From 1 April 2018, landlords of buildings within the scope of the Minimum Energy Efficiency Standard (MEES) must not renew existing tenancies or grant new tenancies if the building has less than the minimum energy performance certificate (EPC) rating of E, it applies to non-domestic and domestic properties. Presentations were made to Monmouthshire and Torfaen Landlords Forum. E-cigarette safety complaint following fire in consumers pocket while carrying a digital device. Further investigations established that it was not the device at fault but actually due to carrying spare batteries unprotected.

Primary Authority related enquiries has led to a couple of more time consuming pieces of work.

A Local trader started to generate a number of complaints particularly in relation to vulnerable adults which has led to a joint investigation with another South Wales Authority.

A Rogue Trader incident in January where a vulnerable resident was being asked for £8,000 for some tarmacking has led to a number of visits and advice being offered to the resident in conjunction with Police support for the victim.

#### 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. 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 and 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

Whilst no national surveys/projects took place there were a number of verifications and equipment checks carried out with no significant problems identified.

#### 5.4.6 Underage Sales

Additional resource has been agreed to develop the local intelligence picture and will continue into the new financial year.

#### 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, as these vehicles contribute significantly to the levels of air pollution.

#### 5.4.8 Income Generation

Feed funding generated in excess of £21,000 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 £12,000.

### 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. A number of large events were held last year including food festivals, music concerts, (eg. Little Mix in Caldicot last July), agricultural shows, cycling events etc. and safety/noise/licensing/other advice was provided. As per Figure One, 137 events received advice from the group, which is a significant increase from the previous year.

## 6 PERFORMANCE SUMMARY 2017/18

- 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. Managers will continue to monitor performance, review workloads, etc. to protect Officer well-being as far as possible.
- 6.2 To summarise the performance data in Figure One, the Commercial team and Licensing are maintaining proactive and reactive services well. As outlined in the analyses in Section 5, the Public Health and Trading Standards/Animal Health teams have some pressures, due to work volumes and limited Officer capacity. Joint working such as event support has increased, eg. through providing expert advice on MCC's own organised events. Services have participated in successful initiatives throughout 2017/18.
- 6.3 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 2018/19 AND BEYOND**

- 7.1 Future Monmouthshire principles – the section seeks to progress from predominantly dealing with the ‘here and now’ needs of residents, visitors and businesses, (though clearly crucial), to activity with greater public health gain, ie. a focus on ‘growing’ our services. Examples would include more air quality activity, private housing interventions and consumer protection. Our 2108/21 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.
- 7.2 Public Protection services will continue to explore further income generation opportunities, building on the good work within the Commercial team.
- 7.3 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.
- 7.4 Collaborative opportunities are being considered at regional and national level, and this Authority will play a part in developing future service models.
- 7.5 Noting the role of these services - protecting vulnerable people, reducing anti-social behaviour, improving our environment, ensuring safe food from farm to fork, etc. – the service would welcome actively engaging with Members. The service, 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.