

REPORT TO PERFORMANCE & OVERSIGHT SCRUTINY COMMITTEE

17th January 2023

PUBLIC PROTECTION 2021/22 PERFORMANCE REPORT

1. INTRODUCTION

- 1.1 In 2015 Cabinet requested that Strong Communities Select Committee receive regular performance reports on Public Protection services. Members wished to review the impact on performance of budget reductions implemented since April 2014. For the last few years Public Protection performance has been brought to this Committee for scrutiny annually, as previously agreed.
- 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 (PP) 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 Community & Corporate Plan 2022/23, which sets out the

Authority's goals under the current administration. PP services contribute to the goals of making Monmouthshire (a) safe place to live, (b) a fair place to live, and (c) a green place to live.

2.3 A summary of Public Protection's purpose, staffing numbers and some key performance figures is provided at the end of this report, in an infographic.

3. RESOURCES

3.1 Staff resource

(i) Environmental Health – Commercial:-

- 6 Environmental Health Officers including Principal EHO, 5.4 FTE's, (Full Time Equivalent). 1 FTE has been seconded to TTP since Sept 20, 1 FTE seconded to Corporate Health and Safety work, since early 2022.
- 2 Commercial Services Officers, 2 FTE's
- 1 Systems Administrator, 1 FTE

(ii) Environmental Health – Public Health:-

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

(iii) Licensing:-

- 5 Licensing Officers, including Principal, 4 FTE's

(iv) Trading Standards & Animal Health:-

- 3 Trading Standards Officers, 3 FTE's (including TS&AH Manager post)
- 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)
- 3 Animal Health Officers, 2 FTE (1 temporary to 31st March 2022, 1 temporary to 30th September 2023)

(v) Support team:-

- 5 Support Officers, 4 FTE's

Above staff resource adds up to a total of 35 staff, 30.4 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 2021/22, the budget allocation and actual spend is shown below -

<u>SERVICE</u>	Budget	Net Spend	Under or (overspend)
Environmental Health – Commercial	£479,350	£440,148	£39,202
Environmental Health – General public health	£435,282	£400,319	£34,963
Trading Standards & Animal Health	£368,446	£374,232	£(5,786)
Licensing	£34,131	£58,346	£(24,215)
Management & generic costs (eg software)	£118,532	£69,749	£48,783
Total	£1,435,741	£1,342,794	£92,947

The budget position for the 2021/22 year was an underspend of £92,947. However, £86,800 of this underspend was due to a Covid Hardship Fund payment from Welsh Government in-year. If this element was subtracted from the total, then the underspend for 21/22 was only £6,147 or 0.4% 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 In 2021/22 additional performance was monitored in relation to our Track and Trace service, noting the pandemic was still a public health emergency for the entirety of the 2021/22 year. Reports were submitted to Welsh Government and Aneurin Bevan University Health Board, (ABUHB) on number of cases, clusters investigated, enforcement of isolation rules and business compliance. Significant work was done internally, supporting our care home sector and schools.
- 4.4 **2021/22 Performance** (and comparison to previous years)

The right-hand columns summarises performance during the 2021/22 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

<u>Service</u>	<u>2017/18 performance</u>	<u>2018/19 Performance</u>	<u>2019/20 Performance</u>	<u>2020/21 Performance</u>	<u>2021/22 Performance</u>
Environmental Health (Commercial)					
Food safety full inspections	513 (100%)	513 (100%)	561	28 - suspension of programme due to Covid response and businesses closed,	152 full inspections

Other interventions – sampling, verification etc (Not H & S)	427	285	336	(same as all other Welsh LA's) 287	160
Total	940	798	897	315	312
Inspection within 28 days of scheduled date	87%	88.6%	86% (incomplete programme)	As business closed and inspections suspended due to Covid this figure not collected 20/21	On catch up and carry over from lockdown when premises closed – data not collected
Number of new businesses opened	110	151	134	101	76
Broadly compliant food businesses (high risk)	94.3%	93.2%	93.4%	Proactive visits suspended	94.4%
Broadly compliant food businesses – All	97.4%	97.2%	96.9%	As above	97.4%
Service Requests - food safety	736 Total SR's 1350	456 (85% within 3 working days) Total SR's 1463	720 (85% within 3 working days) Total SR's 1444	453 for food (78% within target) Total SR's 1,792 but major under recording – more likely 2,500	533 for food Total SR's recorded on system 1,321 (84% within target)
Food Hygiene training	257 food handlers trained	208 food handlers trained	123 food handlers training (courses in March cancelled due to Covid)	nil	nil

Communicable Diseases cases dealt with	183	210 including Typhoid outbreak	191 (includes one case of Covid before end of March 2020)	3,826 Covid 142 notifiable disease	15,584 Covid 217 notifiable diseases
Health and Safety notifications	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	Vast amount of proactive and reactive work in relation to Covid regs. Not all work recorded due to time constraints, e.g Covid responses to schools and care homes.	36 reportable accidents with 2 formal investigations. 95 Service Requests from businesses
Notices served		12 Notices served (gas and cellar safety)	2 Notices served (gas safety)		4 Notices served, (2 prohibition)
Environmental Health (General public health)					
Housing service requests (SR'S)	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%	105 Total 70 within 3 working days = 66.7%	110 Total 79 within 3 working days = 71.8%
Noise	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%	366 Total. 300 within 3 working days = 82% 199 closed within 3 mths = 54.4%	388 Total. 308 within 3 working days = 79.4% 211 closed within 3 mths = 54.4%
Statutory nuisance, excluding noise	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%	236 Total. 209 within working 3 days = 88.6% 155 closed within 3 mths = 65.7%	182 Total. 153 within working 3 days = 84.1% 114 closed within 3 mths = 62.6%

Environmental Protection (fouling, littering, fly tipping etc.)	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%	705 Total. 651 within 3 working days = 92.3% 534 closed within 3 months = 75.7%	743 Total. 697 within 3 working days = 93.8% 598 closed within 3 months = 80.5%
Pest Control	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%	Total 113. 95 within 3 working days = 84%	Total 129, 96 within 3 working days = 74.4%
Licensing					
Applications dealt with by Licensing	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 on the previous year)	1666 applications. This includes 384 TENs requiring a 24 hour turnaround (a decrease of 41 TENs on the previous year due to Covid lockdown in March and events being cancelled)	1142 applications (down by 524 on the previous year, 31% decline). This is as a direct result of Covid lockdown and restrictions. Only 2 TEN's within these applications and this is as a result of events not being permitted.	1515 applications. (up by 373 applications on the previous year – 33% increase). This includes 210 Temporary Event Notices. Huge increase due to events recommencing, after lockdowns.
Inspections carried out	329 inspections (261 of which were risk rated premises for alcohol, entertainment and late night refreshment)	325 inspections (174 of which were risk rated premises for alcohol, entertainment and late night refreshment)	247 inspections (133 of which were risk rated premises for alcohol, entertainment and late night refreshment). Inspections were down by 78 due to long term sickness	237 inspections (no risk rated premises were included this year, concentrated on Covid advice/enforcement).	212 inspections. Frequent legislative changes 20/21 led to the slightly higher number, dealing with Covid restrictions and impact on hospitality sector.

Service Requests carried out	868 service requests (784 - 90% - with a 3 day turnaround for first response – on target).	974 service requests (895 - 92% - with a 3 day turnaround for first response – on target). An increase of 106 service requests from 17/18	821 service requests (739 - 90% - with a 3 day turnaround for first response – on target). A decrease of 153 service requests from 18/19	922 service requests, (846 - 92% - with a 3 day turnaround for first response – on target). An increase of 101 (12%) from 19/20	873 service requests, (809 - 93% - with a 3 day turnaround for first response – on target). A decrease of 49 (5%) from 20/21
Trading Standards & Animal Health					
Trading Standards Visits	110	126	113	115	78
Trading Standards Complaints/Advice	452	443	547	1018	622
Citizens Advice Consumer Service	302 Referrals 808 Notifications	305 Referrals 863 Notifications	322 Referrals 922 Notifications	341 Referrals 956 Notifications	352 Referrals 962 Notifications
Animal Health Visits	258	219	324	231	244
Animal Health Complaints/Advice	264	242	266	282	293
Inspections at our: High Risk premises, Upper Medium premises.	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	No formal programme of inspection due to other pressures.	No formal programme due to other pressures but looking to commence in 2023/24.
Feed Law Enforcement	100% - 235	100% - 212	59% - 144 supplemented by 254 ceased trading visits	Visits were suspended with database cleansing	68% - 93/136 64 ceased operations

Programmed animal health inspections	10% (30/294)	No formal programme of inspection due to long term sickness	No formal programme of inspection	No formal programme due to Covid	Combined with feed inspections.
New Business Visits	56% TS 59% AH	29% TS (23/80) 66% AH (18/27)	56% TS (32/57) 73% AH (40/55)	61% TS (32/52) 74% AH (52/70)	51% TS (48/95) 48% AH (32/66)
Animal Welfare Complaints	91.4%	92.6%	63%	74.5%	68%
Vulnerable Scam Reports	10 visits contact with 135 individuals	12 visits contact with 149 individuals	10 visits contact with 159 individuals (running total)	0 visits due to Covid 187 individuals (running total)	0 visits due to Covid 214 individuals (running total)
Other					
Freedom of Information Requests (PP Total)	51	66	74	39	79
Events requiring advice via Safety Advisory Group	137	156	105	39, 30 cancelled due to national restrictions	63

5. ANALYSIS AND ACTIVITY 2021/22

This was the second full year of the Covid-19 pandemic, so a significant element of Public Protection Officer time was involved in responding to the numerous lockdowns and changes in regulations. There were two significant impacts – (1) providing the Track and Trace (T&T) service for the county, which was a 12 hours a day, 7 days a week response, ie. 84 hours a week. There have been fluctuations in the size of the T&T team, with up to 87 staff at its' peak, (mainly externally provided and directly financed by WG), depending on the case numbers and contact tracing guidance from WG. EH Commercial Officers led the T&T response with their capacity often being 90% dealing with Covid. (2) Responding to the cases, determining likely sources of the Covid spread. This involved extensive work with care homes, schools and various workplaces. All sections of the Public Protection division

provided advice and enforced the WG requirements of the Covid legislation, which changed regularly and had to be communicated to local businesses, event organisers, internal departments, members of the public, etc.

5.1 Environmental Health – Commercial

5.1.1 Food safety (food hygiene and food standards)

Delivery of food hygiene and standards inspection programme – there was a backlog of food safety inspections to catch up on, due to our Covid response work taking precedence, and over 100 unrated businesses in system. The total outstanding at end of March 2022 was over 1,000. All Commercial EH Officers were engaged in setting up and working in TTP from May 2020 onwards and remained heavily involved with care homes up until the end of 2021 taking up around 2 FTE officers at most times. The Omicron variant peaked in case numbers during December 2021. The majority of businesses were closed and those that were open given advice and visits as they sought to diversify. The team prioritises high risk businesses for reactive and proactive responses, with statutory notices and a prosecution being undertaken at non-compliant premises with serious breaches.

5.1.2 Business improvement – typically the team provide advice to improve the food hygiene rating score of businesses, which has been recognised to improve both the economy and food safety. In 21/22 the team were unable to carry out advisory, income generating ACCESS visits due to starting recovery of the food safety programme. This was in line with the service plan and recovery plan of the Food Standards Agency, (FSA).

5.1.3 Responding to complaints

Complaint numbers remained high, as per Table One, and the public continue to have high expectations of responses to service requests.

5.1.4. Communicable Diseases

Investigation of all cases of statutorily notifiable diseases received. The numbers of Covid cases remained high and cases reported on the system were over 15,000. An Officer was seconded to the TTP service, dealing with care homes and other high risk cases, and this vital work continues until March 2023. The numbers of infectious disease cases in 21/22 returned to pre-

pandemic days. Cases of E Coli, Salmonella, Giardia, cryptosporidium, legionella and high numbers of campylobacter were investigated in the year.

5.1.5 Income-generating consultancy work. Primarily through ACCESS programme (see 5.1.2) and Primary Authority partnerships. Income generating work was still on hold in 21/22, due to Officers being diverted to Covid-19 work.

5.1.6 Health and Safety at Work

(a) Reactive service to ensure protection of employees at work particularly at high risk premises, together with advice on event safety. 95 service requests were responded to, together with supporting 30 local businesses with advice. 49 interventions were made in relation to health and safety at events. The latter involved safety advice to music events, firework displays, travelling fairgrounds, etc. 36 accidents were followed up, 2 via formal investigations.

(b) 24 inspections were made to Special Procedure premises, for example tattoo parlours, to ensure standards upheld.

The equivalent of 1 FTE EHO has been seconded to corporate Health and Safety since February 2022.

5.2 Environmental Health – Public Health

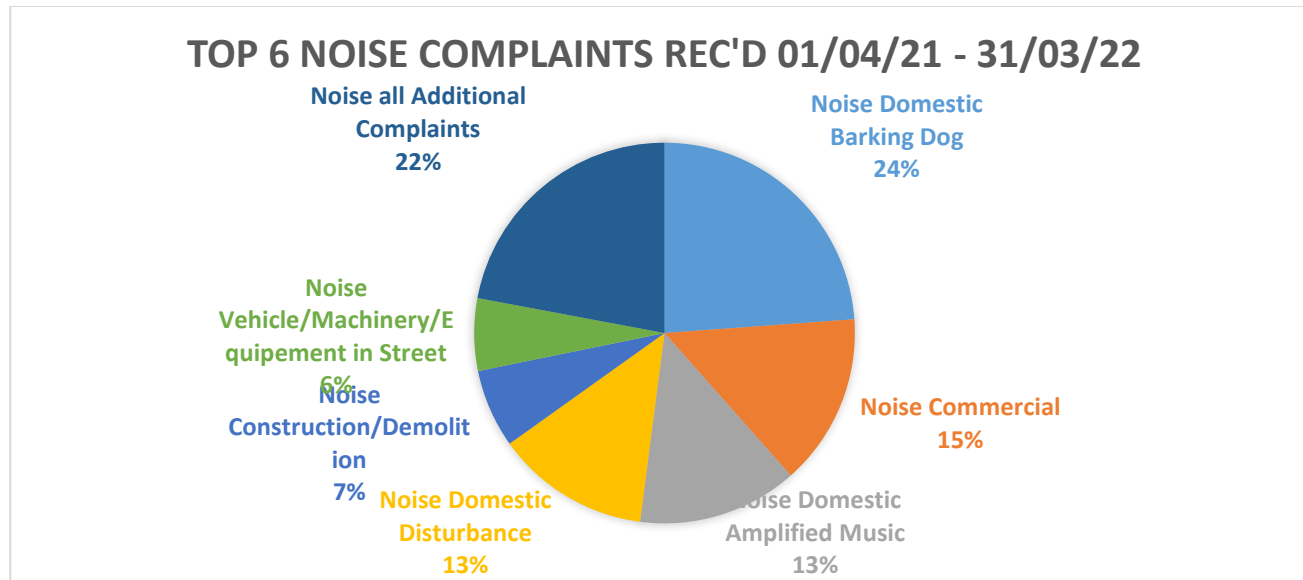
5.2.1 Housing

In 21/22 the team continued to provide an effective and early response to complaints and requests for advice in the private rented sector. The period saw a similar number of service requests to 20/21 with a slight increase from 105 to 110. There was an increase in the number of inspections from 23 in 20/21 to 37 in 21/22, with 22 category 1 hazards (most serious) and 70 category 2 hazards identified. Of the total of 92 hazards, a substantial number (38) related to damp, cold and fire safety issues. It will be interesting to see if the current fuel price hikes result in an increase in related cold and damp complaints in 22/23.

In the 37 dwellings inspected, 69 adults and 30 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 and in the most serious cases Prohibition Orders. By the 31st March 2022, 28 adults and 7 children had been protected by landlords undertaking the required remedial works.

5.2.2 Noise

The 388 noise complaints received amounted to the highest recorded for the section, eclipsing the previous 374 complaints in 18/19. Complaints of noise from residential properties, mainly barking dogs, loud music and domestic disturbance, account for 58% of these (197). Noise complaints from commercial type premises saw an expected significant spike, with premises opening again after Covid lockdowns, increasing from 34 to 57 (68% increase), and construction sites remain sizeable with 26 service requests. Officers endeavour to respond and deal with complaints quickly, with 308 responded to within 3 days (79.4%) and 211 closed within 3 months (54.4%).



5.2.3 Environmental Protection

2021/22 also saw an increase in the number of complaints on the previous year up from 705 to 743. Of these 445 related to fly tipping incidents. Evidence gathered resulted in 3 fixed penalty notices being issued and 2 cases currently being considered for prosecution.

The team continues to lead, together with colleagues from the Waste and Street Cleaning section, in the seventh year of the ‘**Give Dog Fouling the Red Card**’ scheme which has the majority of Town and Community councils participating. The scheme is about collaboration, maximising resources and raising awareness that dog mess must be bagged / binned. While Members continue to report generally good news dog fouling hot spot areas continue with fouling on play areas and sports pitches of particular concern. A second report was considered by Strong Communities Select Committee in March 2022 on the potential introduction of a Public

Spaces Protection Order for dog controls (fouling, dogs on leads / exemption areas) in the county. Members endorsed the proposed next stage of consultation with stakeholders which is currently underway.

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. There is an ongoing statutory requirement to risk assess supplies every 5 years and this area of largely proactive work has been highlighted consistently in the last 5+ years in the service plan as an area of significant resource pressure.

The 21/22 post Covid recovery position meant that little progress was made in this proactive area of work.

41 of the 64 known large supplies in high risk category = 64%

61 of the 119 known small shared / domestic tenancy supplies in high risk category = 51%

5.2.5 Pest Control

Complaint levels remain very similar with 129 received compared with 113 in 20/21. The majority of these relate to rats (101).

5.2.6 Air Quality

The team met its inspection targets for the industrial permitted sites (17 inspections) and petroleum certified sites (18 inspections) which we have responsibility for from a pollution legislation perspective, ensuring continuing compliance.

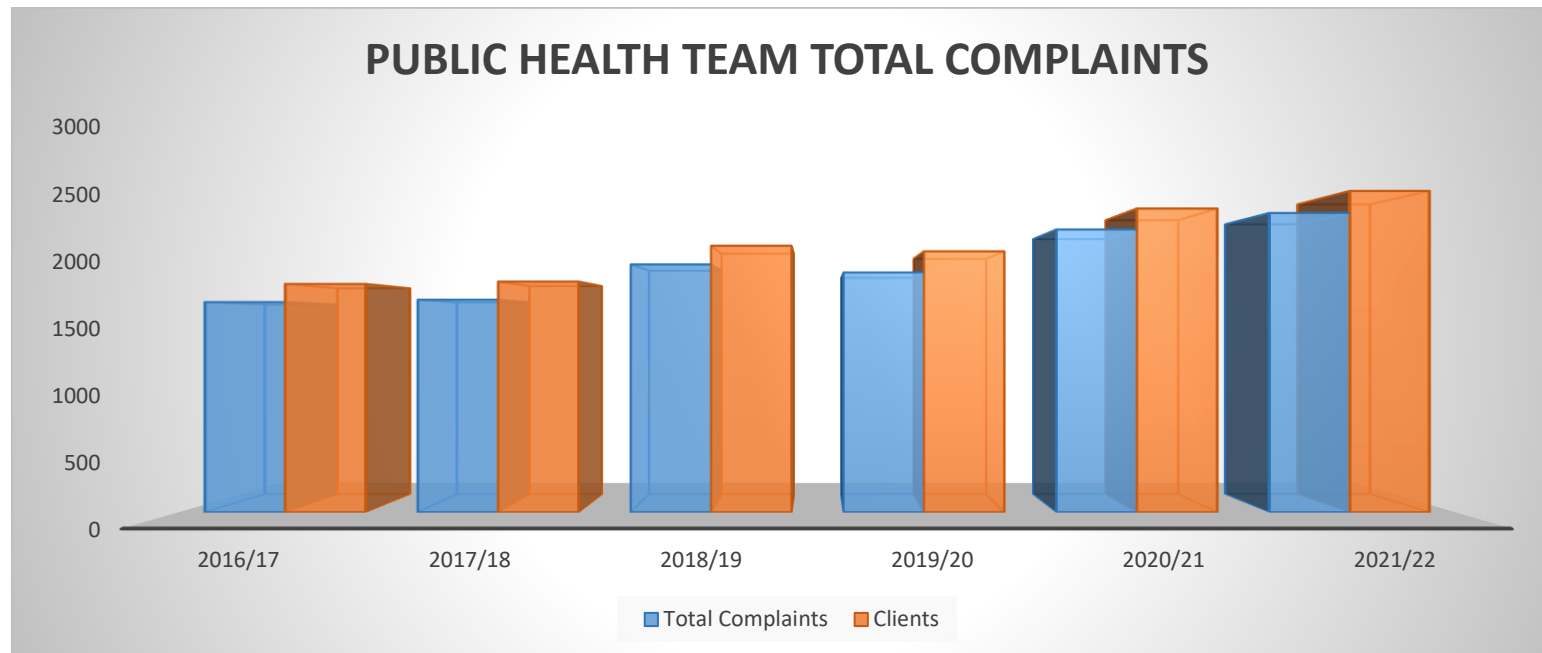
Monitoring continued of traffic related pollution (nitrogen dioxide) in our 4 major towns and advice given in meetings of the steering groups in the Chepstow and Usk Air Quality Management areas.

There were no exceedances in the county in 2021 (calendar year) of the nitrogen dioxide annual objective level, which builds on the 2020 compliant year.

2021 was the 7th year that levels in the Usk Air Quality Management Area (AQMA) were below the nitrogen dioxide objective level and the fourth year below 36 µg/m³ (which is below 10% of the objective level). Welsh Government have suggested that five years below 10% of the objective level is appropriate to consider revocation of the AQMA.

5.2.7 Total Enquiries

2021/22 continued the trend of increasing service requests across the range of functions delivered by the team, with a substantial hike to 2426 received comparable with 2293 in 20/21 (5.8% increase). The trend is best shown as follows:



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.

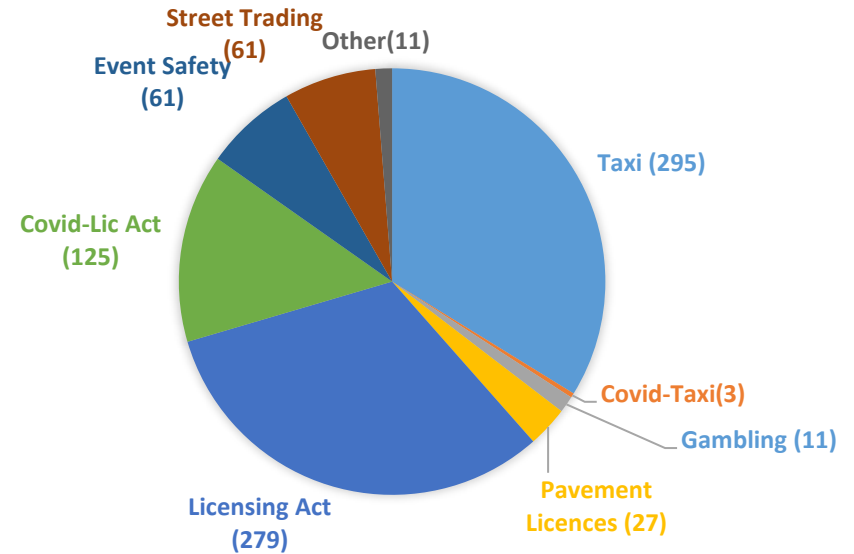
877 requests for service were processed by the Licensing between April 2021 – March 2022. A breakdown of the 877 requests is shown here -

The majority of the service requests involved giving Covid advice, enforcement and dealing with queries. Licensing were consulted upon and actively involved in the processing of pavement licences in order for the hospitality sector to open up outside, whilst putting in measures to control the spread of Covid. The team assisted the consultation to award urban grants to this sector who suffered financial hardship as a result of lockdown restrictions.

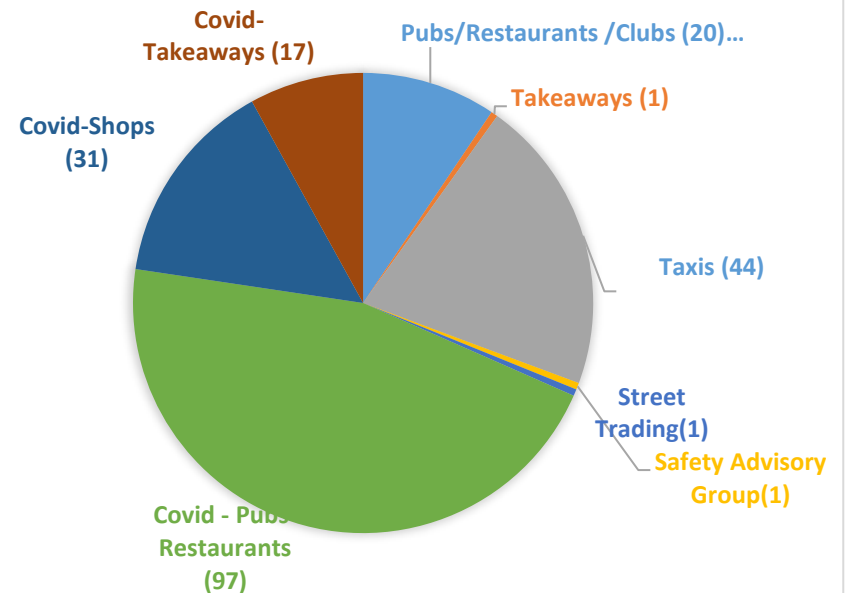
Throughout this period Welsh Government made 7 legislative changes to deal with the pandemic, which hugely affected the hospitality sector. This resulted in guidance being issued by Licensing along with inspections for compliance to such changes. 212 inspections were carried by Licensing last year. A breakdown of the 212 inspections is shown here.

1515 applications were processed in 2021/22, up by 373 on the previous year. This includes 210 Temporary Event Notices (TENs). An increase of 208 TENs on the previous year as a direct result of Covid restrictions starting to be lifted during this period, with events recommencing.

SERVICE REQUESTS APR 2021-MAR 2022



INSPECTIONS APR 2021-MAR 2022



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

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

Night Time Economy and Joint Enforcement

On 26th April Covid restrictions moved to level 3. Restrictions permitted hospitality to re-open outdoors. It also allowed events and weddings of up to 30 people to take place outdoors. Licensing gave advice on use of marquees being 51% open to be classed as outdoors. Advice was given on how this sector could get financial support in readiness for opening fully and to keep customers safe.

On 17th May they were permitted to open indoors, advice given on screens, sanitation, number permissions, seated at tables for ordering and consuming food and drink, face coverings and how to collect the correct data for Track Trace and Protect (TTP) for each person. On 27th May live music was permitted indoors, with recorded music still to be played at background level. Dancing was still not permitted and no change on the use of face coverings and table service. This all changed on 7th August when Wales went to level zero where all restrictions were lifted. Businesses and employers had to do a risk assessment and this included those licensed under the hospitality sector, shops and takeaways. The requirement to wear face coverings was required for indoor public places but it excluded the hospitality sector. This advice given to licence holders along with their duty under the risk assessment to carry out reasonable measures to prevent the spread of Covid-19.

26 December – Wales moved back to alert level 2 requiring 6 to a table in the hospitality sector along with table service. Further restrictions that events were limited to 30 indoors and 50 outdoors. Dancing was not permitted. Advice given to hospitality of restrictions in particular to those who had arranged events for New Year's Eve.

15th January – Outdoor event limit rose from 50 to 500

21st January – Outdoor events moved to level zero, which removed the restriction on numbers attending an event.

28th January – Indoor hospitality moved also to level zero, scrapping table only service and restrictions. However, Covid passes were still required for large events, nightclubs, cinemas and theatres. This was later scrapped on 18th February.

All of the changes put pressure on the Licensing Team to ensure compliance and that information was provided to the hospitality sector, to help and assist as much as possible at such difficult times.

Not all complied so 2 Improvement Notices were served in the Monmouth area, one being a pub and the other a takeaway. The pub was served the notice as restrictions at the time was for outside use only. They failed to have the proper facilities for this use and permitted customers inside their venue, with the excuse they did so as the weather was poor. The Improvement Notice required measures to be put in place to ensure customer use outside only, putting measures in place for customers to use toilet facilities

indoors, such as one way systems and avoiding congregation of customers inside. The takeaway failed to have in place a Covid risk assessment, along with lack of signage and social distancing. Both complied with the Improvement Notices, negating any further action.

5.3.3 Taxis

Welsh Government and Department of Transport introduced more stringent measures to safeguard the public by increasing the requirement for Enhanced Disclosure and Barring Service (DBS) checks, from 3 years to every 6 months, for drivers along with the requirement for operators and vehicle proprietors to do DBS checks. This was approved by the Licensing and Regulatory Committee. A further measure to ensure safety was to sign up to a central register for all Local Authorities to access refusals and revocations of drivers, issued by all Authorities which were previously not recorded.

The Welsh Government secured a number of Electric Vehicles, which were offered to taxi drivers on a free trial basis from the 1st December 2021. Monmouthshire has 2 vehicles allocated for this purpose. Licensing has informed the trade of this trial and carried out the requirements needed for the users to be licensed for this scheme. The pilot scheme is intended to assist Welsh Government in achieving its target of de-carbonising the taxi fleet entirely in Wales by 2028.

Licensing introduced changes to the way in which Hackney Carriage and Private Hire Vehicles could be tested by using approved garages that carry out MOT tests (subject to conditions). Previously testing was restricted to a few contracted garages. This change enabled the taxi trade to have more accessibility, choice and they could now shop around for the cheapest price.

During 2021/2022 Licensing worked closely with DVSA and Passenger Transport Unit and carried out 2 joint operations in the Abergavenny area in March. The first operation resulted in 15 vehicles being stopped, 5 of those having defects, (2 vehicles plated by Monmouthshire, 1 vehicle plated by Torfaen and 2 over 8 seater vehicles licensed by the Department of Transport). Licensing dealt with the vehicles plated by this Authority, which had minor defects and informed and worked with the respective external licensing regimes. The second operation at a school resulted in 12 vehicles being stopped, with a failure rate of 4 Monmouthshire plated vehicles. These had minor defects that were rectified. However, one vehicle plated by Blaenau Gwent failed to stop, and the matter referred to that Authority.

5.3.4 Gambling

The Gambling Policy, which must be revised every 3 years, was conducted. After extensive consultation and preparation, it was approved at Full Council on 4th November 2021. Each Licensing Authority prepares and publishes a policy statement that it proposes to apply in exercising its functions under the Gambling Act. The policy enables consistent decisions, collaborative approaches and

follows guidance and legislative requirements under the Act. It also looks at wider issues that gambling addiction can lead to such as poverty, exploitation, family and wider society problems.

5.4 Trading Standards & Animal Health

5.4.1 Feed

The Feed Programme was reinstated for 2021/22 but based on an agreed achievable level subject to any further interruptions due to the pandemic. There were further lockdowns that impacted on front line delivery although it allowed additional database cleansing to be undertaken, with feed related advice and complaints still responded to and dealt with. New members of the animal health team were able to undertake virtual training to maintain their competence with practical experience taken at every opportunity. The final report following the Feed Audit undertaken in early 2020 was received and recognised the significant improvements that had been made through this alternative delivery mechanism.

5.4.2 Animal Health

The animal health function continues to be over 90% reactive but was bolstered by the recruitment of an officer to cover maternity leave who has wide experience. The Trading Standards and Animal Health Manager is strategic lead nationally for animal health matters and continues to be heavily involved in working with WG, 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. Capacity issues had been recognised and supported by a pressure in the medium-term financial process, providing much needed additional resource for 2022/23.

August 2021 saw the successful animal welfare prosecution that followed on from the previous year's seizure of 128 cattle. The defendant was sentenced to 12 weeks imprisonment, suspended for 2 years, disqualified from owning or being involved with the upkeep of cattle for 10 years and ordered to pay costs of £5,239.

An illegal dog breeder avoided prosecution after signing a consent order which included undertakings to cease such activities and sign over 8 puppies that enabled the Authority to cover the costs involved in dealing with the matter.

January 2022 saw the conclusion of an animal by-product case with a formal caution and full cost recovery.

The Trading Standards Wales Dog Breeding Project, being led by Monmouthshire, underpins the delivery of some of the Programme for Government commitments identified in the Animal Welfare Plan for Wales. During 2021/22 it evolved into the Local Authority Enforcement Project as the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations, revoked the

pet shop licensing requirements from 1952 while introducing modernised requirements for sellers of pets. October marked the start of a small team of animal licensing officers (8) based right across Wales who will form specialist support for all Local Authorities.

5.4.3 Fair Trading

The enforcement strategy and toolkit for the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 work continued and resulted in a data sharing agreement being put in place with all Local Authorities across Wales and Rent Smart Wales. Work continues to identify non-compliant premises with advice and enforcement where necessary, to bring Landlords of non-complying properties up to the minimum standards required. It is proposed to look at non-domestic property when capacity allows.

The Public Health (Minimum Price for Alcohol) (Wales) Act 2018 was implemented on 2 March 2020 just before the first lockdown commenced and minimum unit pricing visits had to be put on hold. It had been requested by WG that all off-licences were visited in the first 3 months to support the implementation of the new 50p per unit minimum requirement. These were completed by the end of 2021 as agreed due to the pandemic.

2021/22 saw the commencement of two significant investigations which had a considerable impact on one particular Officer's time and subsequently knocked on to the capacity of the team. Both cases were ongoing at the end of March 2021 but one was due to Court delays due to the backlog of cases following the pandemic.

Responses to consultations on the future of single use plastics, that will undoubtedly fall to local authorities to enforce, has been contributed to as part of a wider Trading Standards Wales. One of our TSO's has also taken on a support lead officer role on environmental issues.

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. All are 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 continues to be working with vulnerable victims through priority referrals and ensuring they are given the advice and assistance required and/or referred as appropriate. During the pandemic though this work has had to be put on hold as visiting often the more vulnerable in society would not have been appropriate.

Work has begun on developing a partnership approach to protecting and educating as many Monmouthshire residents as possible. A multiagency approach should ensure most efficient use of resources and hopefully prevent anyone not receive the necessary support, initially this will focus on known victims and raising awareness with those involved with potential victims in their day-to-day work.

5.4.5 Weights & Measures

There was a significant increase in the number of new business enquiries during the pandemic from individuals that were looking to new areas of work that required advice and this continued in 2021/22.

5.4.6 Product Safety

There has been increasing problems with the rise in sale of vapes and whilst this has included an increase of a few premises selling to underage children, it has also included non-compliant and potentially dangerous products entering the market. Construction product work continues to develop on the back of the Grenfell Enquiry with a National Lead Regulator being developed.

5.4.7 Income Generation

In 2021/22 feed work undertaken increased funding to approximately £26,000 and included work undertaken to support a neighbouring LA within the region as well as AH work. Animal Health PDP regional co-ordination, and additional project work, brought in around £30,000.

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. 63 events held in 21/22 received ESAG advice, significantly less than in pre-pandemic years. A return to pre-pandemic organised event levels is expected in 22/23, with restrictions lifted on maximum spectator numbers. Advice was sought and provided from all our typical organisers of music, sporting, agricultural, food events, etc.

6 PERFORMANCE SUMMARY 2021/22 year

- 6.1 Public Protection teams rallied to provide a robust response in the second full year of the pandemic. This was achieved both by providing a Track and Trace service and assisting members of the public, other MCC Departments and local businesses in responding to WG restrictions in a safe and responsible manner. The various legislative changes are outlined in 5.3.2 above and this took significant effort of PP Officers to advise businesses, internal departments and members of the public accordingly.
- 6.2 Inevitably our traditional Public Protection services – food safety inspections, proactive trading standards and animal health visits, housing inspections, etc. – continued to suffer as a consequence of dealing with this public health priority. Proactive inspections recovered to an extent, eg. routine food safety visits, but the priority throughout the year was our Covid-related responses. These included continual advice and support to our care homes, licensed premises, schools, local businesses and events.
- 6.3 Service request levels across all teams remained high throughout 2021/22 – as per Figure One - notably across Environmental Health, so reactive work was prioritised over our proactive activities.
- 6.4 A budget pressure mandate was submitted to seek further new recurring funding for Public Protection services for 2022/23 and beyond. More capacity to deal areas of work that have slipped, such as private housing interventions and consumer protection issues, was deemed essential, also noting the general increase in service demand. A £223,000 increase in the PP budget was secured since April 2022, allowing for the recruitment of 2.4 FTE EHO's, 1 FTO Trading Standards and 0.5 FTE Licensing Officer. For small teams with high service demand, this new investment was welcomed. As well as easing some capacity pressures, it also secures more sustainable services moving forward.
- 6.4 The joint working with Public Health Wales and Aneurin Bevan University Health Board, in response to the pandemic, was excellent and provides opportunities for further collaborative working when services return to more normality.
- 6.5 Members can gain some assurance that performance is in line with other Authorities, including the drop in proactive work, via regular monitoring by the external governing bodies.
- 6.6 Despite the typical service pressures, some innovative working was progressed in the year. This included the Dog Breeding national project (5.4.2) led by our Animal Health team, and progressing the Special Procedures work, to be implemented under the Public Health (Wales) Act 2017. This Authority has led the work in establishing a national register for tattooists and other similar procedures. The department is also changing our software system to be more user friendly to our various customers.

7 2022/23 AND BEYOND

- 7.1 It will be some time yet until Public Protection can fully recover from the pandemic. There is a significant backlog of proactive inspections needed, eg. 5.1.1. refers to a backlog of over 1,000 food safety visits that requires attention in 22/23. Our interventions to help reduce the spread of Covid-19 remained a priority until May 2022. WG funding, secured to 31st March 2023, ensures we can continue Environmental Health support to care homes, (eg. cluster management), and our schools for the whole of 22/23.
- 7.2 Our 2022/23 Business Plans seek 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 are being pursued to help capacity issues. 23/24 Plans will reflect the latest Community & Corporate Plan 22/23 and PP's contribution to those goals.
- 7.3 Collaborative opportunities are being pursued 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 explored, albeit most new income streams had to be paused in 21/22. The Dog Breeding Project, led by the TS Manager and Animal Health Regional Coordinator, shows our desire to seek more effective ways of working. The collaborative working with PHW and ABUHB, in response to the pandemic, will be built on to tackle public health priorities together. Protecting vulnerable people engaging in the night-time economy will be a key priority for MCC Licensing working with Gwent Police.
- 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 and local businesses. 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. The profile of our Public Protection services, both locally and nationally, has never been so buoyant, so Officers are now positioned to capitalise on this momentum.
- 7.5 To maintain our high quality, well respected services, PP will continue to report progress to Members and our Governing Bodies.



Purposes of Public Protection

Protect people from harm and promote health improvement



Promote a fair and just trading environment for the public and businesses

Improve the local environment to positively influence quality of life and promote sustainability



Ensure the safety and quality of the food chain to minimise risk to human and animal health



Finance - Budget of £1.342 million



Environmental Health (Commercial)

Food Safety Inspections



152

Tattooing Inspections 24



Complaints 1321

Environmental Health (General Public Health)

Housing Service Requests (SR'S)



110



Noise 388



Air Quality Inspections
Industrial Permitted 17
Petroleum Certified 18

Licensing Applications

1010 Visits 244



Farm



Consumer Safety Advise Calls

622

