

REPORT TO PERFORMANCE & OVERVIEW SCRUTINY COMMITTEE

18th June 2024

PUBLIC PROTECTION PERFORMANCE REPORT 2023/24

INTRODUCTION

- 1.1 Since 2015 annual performance reports on Public Protection services have been provided to Scrutiny Committees. This has proved beneficial for Members to understand the broad range of services provided by the teams, overall performance and how this compares to previous years. It has also triggered follow-up reports on specific issues that Members have requested.
- 1.2 The Public Protection division, which sits within the Social Care & Health Directorate, comprises of 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 2022/28, which sets out the

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

3. RESOURCES

3.1 Staff resource

(i) Environmental Health – Commercial:

- 7 Environmental Health Officers including Principal EHO, 6.8 FTE's (Full Time Equivalents). 1 FTE has been seconded to Covid and health protection related work since September 2020.
- 2 Commercial Services Officers, 2 FTE's

(ii) Environmental Health – Public Health:

- 6 Environmental Health Officers, including Principal EHO, 5 FTE EHO's
- 2 Enforcement Officers, 1.9 FTE's

(iii) Licensing:

- 5 Licensing Officers, including Principal, 4.5 FTE's
- 1 Systems Administrator, .8 FTE

(iv) Trading Standards & Animal Health:

- 3 Trading Standards Officers, 3 FTE's (including TS&AH Manager post)
- 1 Senior Fair Trading Officer, 0.6 FTE (0.6 from 1st April 2023)
- 2 Fair Trading Officers, 1.6 FTE (1 reduced to 0.6 during 23/24)
- 4 Fair Trading (Animal Health) Officers, 3.8 FTE (1 temp to 31st March 2026)

Animal Licensing Project attached to TS but Wales wide:

- 1 Project Manager/Regional Co-ordination role, funded by Trading Standards Wales
- 9 Animal Licensing Officers

- 1 Animal Licensing System Coordinator
- 2 Support Officers

Animal Regional Coordination Support Officer (TSW)

(v) Support team:

- 4 Support Officers, 4 FTE's

Above staff resource adds up to a total of 37 Officers, 34 Full Time Equivalents, excluding the national Animal Licensing team of 13 Officers. The Public Protection division also comprises the Authority's Registrar service, but this report covers 1.2 services only, as directed by Members in January 2015.

3.2. Financial resource

In 2023/24, the budget allocation and actual spend is shown below –

| SERVICE | Budget | Net Spend | Under or (Over)spend |
|--|-------------------|-------------------|----------------------|
| Environmental Health – Commercial | £604,095 | £559,281 | £44,814 |
| Environmental Health – General public health | £532,651 | £517,441 | £15,210 |
| Trading Standards & Animal Health | £516,926 | £488,804 | £28,122 |
| Licensing | £76,057 | £68,296 | £7,761 |
| Management & generic costs (eg software) | £50,142 | £185,589 | (£135,447) |
| Total | £1,779,871 | £1,819,411 | (£39,540) |

The budget position for the 2023/24 year was an overspend of £39,540. This overspend was primarily due to the budget for the Head of Service coming out of the 23/24 budget, although the post remained. This has been corrected for 24/25 so will not be an issue in the current financial year. Delays appointing to positions across the teams contributed positively to the overall overspend. The Public Protection overspend for 23/24 represents 2.2% 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 (i) by the teams themselves, (ii) Policy & Performance team, and (iii) 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 Up to late May 2022, the Environmental Health team was still significantly involved in delivering our Track and Trace service and all teams engaged in ensuring compliance by individuals and businesses. So last year, 23/24, was the first complete year where services resumed to ‘business as usual’. 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. One of our Environmental Health Officers (EHO’s) continues to provide advice and support to our care home sector and schools, also working closely with ABUHB and Public Health Wales.
- 4.4 **2023/24 Performance** (and comparison to previous years)

The right-hand columns summarises performance during the 2023/24 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 –

| <u>Service</u> | <u>2019/20 Performance</u> | <u>2020/21 Performance</u> | <u>2021/22 Performance</u> | <u>2022/23 Performance</u> | <u>2023/24 Performance</u> |
|--|----------------------------|--|----------------------------|----------------------------|----------------------------|
| Environmental Health (Commercial) | | | | | |
| Food safety full inspections | 561 | 28 - suspension of programme due to Covid response and businesses closed, (same as all other Welsh LA's) | 152 full inspections | 681 | 551 |
| Other interventions – sampling, verification etc (Not H & S) | 336 | 287 | 160 | 260 | 343 |
| Total | 897 | 315 | 312 | 941 | 894 |
| Number of new businesses opened | 134 | 101 | 76 | 126 | 210 |
| Broadly compliant food businesses (high risk) | 93.4% | Proactive visits suspended | 94.4.% | 95% | 96.9% |
| Broadly compliant food businesses – All | 96.9% | As above | 97.4% | 99% | 95% |

| | | | | | |
|--|---|---|---|--|---|
| Service Requests - food safety | 720 (85% within 3 working days) | 453 (78% within target) | 533 | 450 | 699 |
| Food Hygiene training | 123 food handlers trained | Nil (courses cancelled due to Covid pandemic) | Nil | Nil | 39 food handlers trained |
| Communicable Disease cases | 191 (includes one case of Covid before end of March 2020) | 3,826 Covid & 142 other notifiable diseases | 15,584 Covid, 217 notifiable diseases | 915 Covid, 287 notifiable diseases all contacted within the target response times | 246 notifiable diseases, all contacted within target response times |
| Total Service requests, including H&S, TEN's, food & food standards, ID outbreaks etc. | 1444 | 1,792 but more likely ~2,500 due to under-reporting during pandemic | 1321 | 1142 | 1699 |
| Inspections – Health & Safety (H&S) | 85 project 21 hazard spotting 1 proactive | 23 project 4 hazard spotting (Most work in relation to Covid restrictions regs. Not all work recorded due to time constraints, e.g. Covid responses to schools and care homes). | 2 project 15 hazard spotting 1 proactive (Most work in relation to Covid restrictions regs. Not all work recorded due to time constraints, e.g. Covid responses to | 45 project (electrical safety and gas safety) 20 hazard spotting 2 proactive | 60 project (electrical safety and gas safety) 15 hazard spotting |

| | | | | | |
|--|---|---|---|---|---|
| Service requests – Health & Safety | 136 | 127 | schools and care homes). 121 | 131 | 133 |
| Event Safety Advisory Group (ESAG) notifications responded to (triaged for risk) | No LAE1 return (covid) | No LAE1 return (covid) | 49 | 62 | 90 |
| RIDDOR (accident) notifications | 70 | 54 | 42 | 44 | 53 |
| H&S Notices served (improvement and prohibition) | 9 | 1 | 4 | 5 | 4 |
| Environmental Health (General public health) | | | | | |
| Housing service requests (SR's) | 158 Total | 105 Total | 110 Total 79 within 3 working days = 71.8% | 207 Total 162 within 3 working days = 78.3% | 156 Total 117 within 3 working days = 75% |
| Noise | 317 Total. 258 within 3 working days = 81.4% | 366 Total. 300 within 3 working days = 82% | 388 Total. 308 within 3 working days = 79.4% | 405 Total. 319 within 3 working days = 78.8% | 385 Total. 285 within 3 working days = 74% |

| | | | | | |
|---|---|---|---|---|---|
| | 181 closed within 3 mths = 57.1% | 199 closed within 3 mths = 54.4% | 211 closed within 3 mths = 54.4% | 217 closed within 3 mths = 53.6% | 219 closed within 3 mths = 56.9% |
| Statutory nuisance, excluding noise | 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% | 166 Total. 131 within working 3 days = 78.9% 96 closed within 3 mths = 57.8% | 153 Total. 122 within working 3 days = 79.7% 93 closed within 3 mths = 60.8% |
| Environmental Protection (fouling, littering, fly tipping etc.) | 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% | 771 Total. 721 within 3 working days = 93.5% 616 closed within 3 months = 79.9% | 619 Total. 525 within 3 working days = 84.8% 440 closed within 3 months = 71.1% |
| Pest Control | 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% | Total 109, 82 within 3 working days = 75.2% | Total 131, 98 within 3 working days = 74.8% |

| Licensing | | | | | |
|--|--|--|--|--|--|
| Applications dealt with by Licensing | 1666 applications, including 384 TEN's | 1142 applications - 31% decline from previous year as a direct result of Covid lockdown and restrictions. 2 TEN's due to ban on events | 1515 applications, including 210 TEN's. Big increase due to events recommencing after lockdowns. | 1603 applications, including 373 TEN's – over 50% more previous year due to lifting of all restrictions. | 1582 applications including 546 TEN's –, TEN's which has a 24 hour window to process, increased by 46% |
| Inspections carried out | 247 inspections (133 of which were risk rated premises for alcohol, entertainment and late night refreshment). | 237 inspections (no risk rated premises were included this year; team concentrated on Covid advice/enforcement). | 212 inspections. Still dealing with Covid restrictions and impact on hospitality sector. | 60 premises inspected – lower number due to changeover of staff and training requirements. Risk rated inspections of premises to recommence 2023-24. | 314 premises inspected – increase of 254 inspections on previous year – this follows reintroducing risk rated inspections. |
| Service Requests carried out | 821 service request - 90% with a 3 day turnaround for first response, (on target). | 922 service requests - 92% with a 3 day turnaround for first response, (on target). | 873 service requests - 93% on target for first response. | 643 service requests – 92% on target for first response. Drop due to less Covid-related requests. | 833 service requests – increase of 190 requests on previous year – 95% on target for first response. |
| Trading Standards & Animal Health | | | | | |
| Trading Standards Visits | 113 | 115 | 78 | 50 | 58 |
| Trading Standards Complaints/Advice | 547 | 1018 | 622 | 725 | 520 |

| | | | | | |
|---|--|---|---|---|---|
| Citizens Advice Consumer Service | 322 Referrals 922 Notifications | 341 Referrals 956 Notifications | 352 Referrals 962 Notifications | 372 Referrals 981 Notifications | 316 Referrals 879 Notifications |
| Animal Health Visits | 180 | 231 | 244 | 327 | 269 |
| Animal Health Complaints/Advice | 266 | 282 | 293 | 198 | 295 |
| Inspections at our: High Risk premises, Upper Medium premises. | 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. | No formal programme due to other pressures. | No formal programme due to other pressures but looking to commence in 2024/25. |
| Feed Law Enforcement | 59% - 144 supplemented by 254 ceased trading visits | Visits were suspended with database cleansing | 68% - 93/136 64 ceased operations | 94% - 117/124 additional inspections undertaken 30 due to regional shortfalls. | 92% - 138/150 Total of 142 including revisits. |
| Programmed animal health inspections | No formal programme of inspection | No formal programme due to Covid | Combined with feed inspections. | Combined with feed inspections. | Combined with feed inspections – additional high risk to be programmed for 2024/25. |
| New Business Visits | 56% TS (32/57) 73% AH (40/55) | 61% TS (32/52) 74% AH (52/70) | 51% TS (48/95) 48% AH (32/66) | 23% (35/153) 79% (57/72) | 33% (36/108) 83% (48/58) |
| Animal Welfare Complaints responded to within 3 working days. | 63% | 74.5% | 68% | 95% | 95% |
| Vulnerable Scam Reports | 10 visits contact with | 0 visits due to Covid 187 individuals (running total) | 0 visits due to Covid | 4 visits 219 individuals (running total) | 3 visits |

| | | | | | |
|---|------------------------------------|---|------------------------------------|-----|-----|
| | 159 individuals (running total) | | 214 individuals (running total) | | |
| Other | | | | | |
| FOI Requests (PP Total) | 74 | 39 | 79 | 51 | 199 |
| Events requiring advice via Safety Advisory Group | 105 | 39, 30 cancelled due to national restrictions | 63 | 118 | 124 |

5. **ANALYSIS AND ACTIVITY 2023/24**

Each section provides the following narrative for their work last year -

5.1 **Environmental Health – Commercial**

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

In 23/24 the Commercial team delivered a full programme of high-risk premises inspections (A-Cs) whilst levelling out the post Covid backlog of lower risk inspections (D-E's) and new business registrations, using the full range of enforcement options available to us to secure compliance and protect public health. Indeed, out of Monmouthshire's 1156 food premises in 23/24, 95% are broadly compliant in terms of food hygiene requirements – indicating the Commercial team's commitment to the improvement and maintenance of the very highest standards. We have continued working with our established Primary Authority Partners on a range of nationally focussed regulatory matters, impacting better regulation at a local level. The team works efficiently in delivering positive outcomes – it's renowned for its 'can-do' and problem-solving approach. The following extract is an example of the praise we have received for delivering our services from members of the community, testament to our vocational dedication to improving public health outcomes in support of businesses:

'Dear Xxx

I just wanted to write to you to thank you and Xxx for your support of the event last weekend but also to recognise the incredible support Xxxxxx and I have received from Xxx as we have worked towards setting up Xxxxxx's bakery business - I know we would not have got to this point without Xxx's incredible hard work and commitment.

Xxx has been there with us every step of the way, nothing has been too much trouble, from sharing materials in Ukrainian to answering all our questions, and her personable approach is to be commended, she has always been patient and willing to explain things and has gone above and beyond to help us move forward. She is a credit to your team and to the council.

I am copying Xxx in as I feel it is important for her to know how much we have appreciated her support and for me to acknowledge all she has done to support us - thank you Xxx.

Thank you for your support too Xxxx with the event last weekend, and please do share this as you see fit.

5.1.2 Assisting businesses and income generation

We have supported many new and improving businesses through our ACCESS consultancy scheme, alongside the delivery of our well-regarded Level 2 food hygiene training courses, which generated £3185 and £2300 of income respectively, (nearly £5500 in total). Officers have also supported schools in reviewing their food safety management procedures, and we have been actively involved in assisting community food projects under the Council's Foodie Foundations scheme.

5.1.3 Responding to complaints and service requests

The team continued to respond to a significant number of varied service requests in 23/24, a total of 1699. This is an increase of 48% from the previous year, (up from 1142). These requests for service cover food hygiene and standards, allergen management, health & safety, infectious disease control and special procedures (tattooing and piercing, etc).

5.1.4. Communicable Diseases

In 23/24 we again investigated all cases of statutory notifiable diseases, a total number of 246 in the year. These included cases of Shigella, E Coli, salmonella and campylobacter, complying with the response times under the terms of PHW's Expert Rules. This key area of work is essential to prevent the spread of infectious disease in the community. The Lead Officer for Communicable Disease also sits on the regional Covid response cell (an evolution of the TTP systems in place during the pandemic), giving Monmouthshire an enhanced preparedness in terms of any future outbreak response.

5.1.5 Health and Safety at Work

In 23/24 our Officers engaged in health and safety project work relating to gas safety and electrical safety in hospitality premises – aligned with HSE national priorities, and exceeded inspection targets set by our intervention plan. We used a range of enforcement notices to deal with several dangerous premises, protecting the public and employees from harm.

Our work as a key member of the event safety advisory group (ESAG) saw the team respond to 90 ESAG notifications in 23/24. Liaising with partners such as the police, fire service, highways, SWTRA, and the Welsh ambulance service (amongst others), we provided important advice to event organisers on matters such as crowd safety, emergency egress and food hygiene, which included several site visits to higher risk events.

The team handled 53 RIDDOR (statutory workplace accident) notifications in 23/24, all subject to triage using the HSE's Incident Selection Criteria. 4 were serious enough to warrant a formal investigation by a visit to the premises, with 14 subject to formal non-visit investigations.

We continued to work closely with Welsh Government as a member of the Special Procedures Implementation Group as Wales moves to a licensing scheme for tattooing, piercing, semi-permanent make-up, acupuncture and electrolysis in Autumn 2024. As a key deliverable of the scheme under WG grant funding, members of the Commercial team and the Head of Public Protection have been responsible for procuring and implementing a national online register, which is now fully tested and ready to go live in 2024. The team also carried out 10 special procedures inspections (tattooing & piercing registrations) for new businesses in 23/24 under the current registration scheme.

5.2 Environmental Health – Public Health

5.2.1 Housing

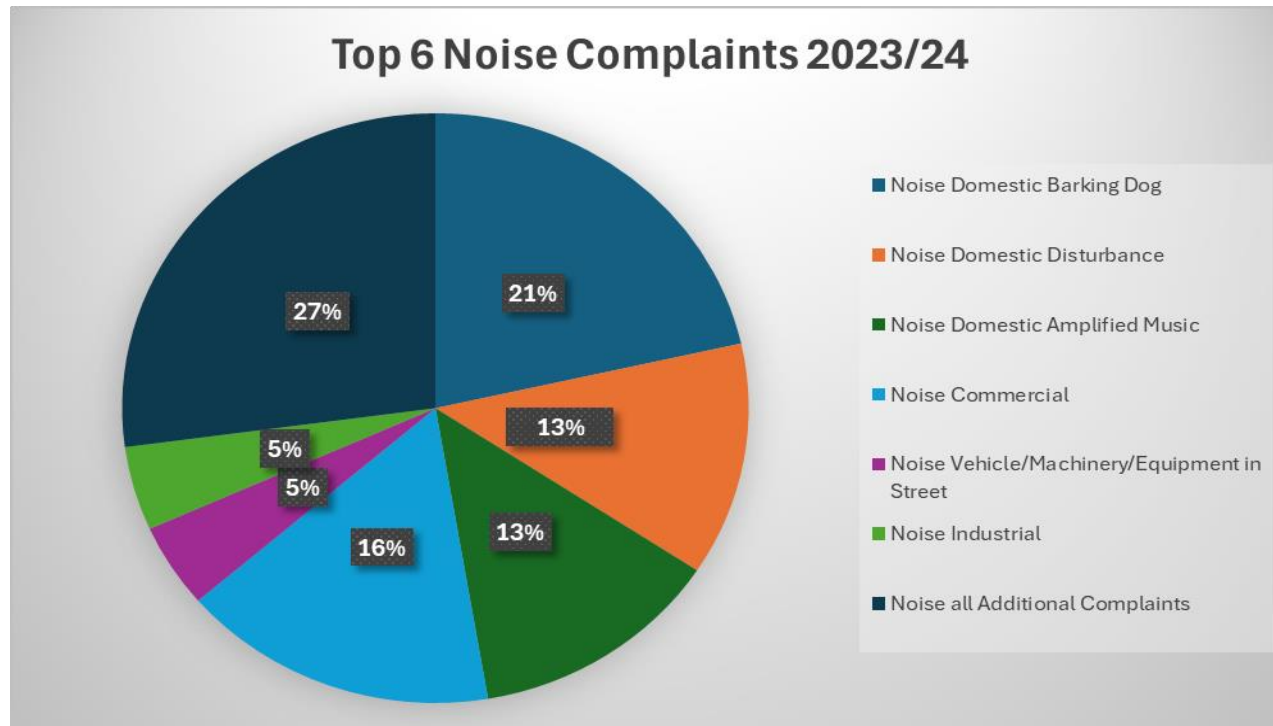
23/24 saw requests for advice in the private rented housing sector return to pre-Covid levels with 156 received compared with the record high in the county of 207 requests the previous year. The total number of inspections though remained much the same (39:42) and there was an increase in the number of category 1 hazards (most serious) identified (26) together with category 2 hazards (54). Of the total of 80 hazards identified, a substantial number (46) related to damp, cold and fire safety issues.

In the 39 dwellings inspected, 78 adults and 34 children were exposed to significant hazards. Officers engage with landlords, make clear their responsibilities under 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, (nil served) and in the most serious cases Prohibition Orders (3 served). A total of 24 adults and 17 children protected in the period as a result of landlords undertaking the required remedial works, with works ongoing to protect the others identified.

5.2.2 Noise

The post-Covid high level of noise complaints continued with 385 complaints received, although slightly down from the previous year (405 in 22/23). Complaints of noise from residential properties, mainly barking dogs, loud music and domestic disturbance, account for 48% of these (185).



Significant effort is put in by Officers in the early stages of an investigation to try to deal with the complaints quickly, in the hope of limiting escalating tensions and ultimately enforcement action. A noise abatement notice had to be served on 1 occasion (barking dog) and prosecution proceedings for breach of that notice are currently being considered.

In the 22/23 Performance report members were advised of a case involving loud music emanating from a dwelling which was causing neighbours substantial disturbance throughout the night on a regular basis. Warrants had been obtained from the Magistrates Court on 2 separate occasions to enable our Officers to enter a person's home and seize the music equipment. Breach of the noise abatement notice prohibiting the loud music was prosecuted in 23/24 and the Magistrates fined the offender £300 and ordered to pay the Council's costs of £2192.

The importance of our interventions in noise cases such as this and the dedication of officers, are best highlighted by feedback from a complainant:

'Over the last 14 months (approx) xx has been working to resolve the impact on myself and others, ----- specifically noise nuisance. The level of which has been beyond tolerable and, I have been informed, exceptional in both duration and level. During this time I have found xx professionalism and personal drive to bring about a resolution to this awful blight, beyond reproach with not just a timely response to my questions, enquiries etc. but also a very personable and supportive response, be it by email, telephone or during personal visits. His willingness to explain and offer suggestions gave hope and made me feel more included in the process, rather than just a victim. This at times has been even beyond what one would expect, for example when xx was off work unwell with Covid, I had contacted him at work, and was informed of his illness. Rather than just wait, he telephoned me and addressed the issues, even while obviously unwell. I cannot say how much this meant as at that point I was almost at breaking point with the continued, almost continuous noise nuisance. Xx, in addition to keeping me updated as to the actions being taken (and explaining the implications /outcomes) throughout this very stressful period, has ensured that I had a very "real world" expectation of these, and what the next step would be if, or in this case, when they were needed. In addition I am disabled, when visiting /telephoning, he invariably took this into account, in a very inclusive, dignified manner. Small adjustments (e.g. to telephone 2/3 times in a row as he knew I could not get to a telephone quickly) that meant so much and made things just that bit easier during those awful months. I dearly hope never to need such intervention again, but I am heartened that such dedication, professionalism, humanity and commitment do exist'.

5.2.3 Environmental Protection

In 23/24 there was a drop in the number of complaints that fall in this area of work from 771 in 22/23 to 619. This was mainly due to a change in the way, in accord with national guidance, the team report fly tipping investigations which are part of the Environmental Protection statistics. This change in reporting largely accounted for a drop in cases investigated from 487 in 22/23 to 276 cases in 23/24. Evidence gathered resulted in 1 fixed penalty notice being issued and a cross border prosecution case compiled with colleagues in Newport CC and Torfaen CBC against an individual for fly tipping across the 3 counties. This included 4 incidents in Monmouthshire. The case is to be heard in Crown Court shortly.

Collaboration with colleagues from the Waste and Street Cleaning section and Town & Community Councils continues in the ninth year of the '**Give Dog Fouling the Red Card**' scheme which endeavours to maximise our shared resources. Progress continued to be made on the introduction of a Public Spaces Protection Order (PSPO) for dog controls with a public consultation on the draft Order held in October and November 2023. This resulted in 500+ responses. The Order to commence 1st June 2024 with clear controls on dog fouling and dogs on leads / exclusion areas.

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 121 'small' and 61 '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 recruitment of an additional EHO in February 2023 helped the team allocate some resource to this area of work but a lot remains to be done:

40 of the 61 known 'large' supplies in high risk category = 66%

73 of the 121 known 'small' supplies in high risk category = 61%

It is hoped that Officer time can be focused in 24/25 to bring about a reduction in the number of these high risk category supplies.

5.2.5 Pest Control

Complaint levels remain very similar to previous years with 131 in total, the majority of these relate to rats (84).

5.2.6 Air Quality

The team met its inspection targets for the industrial permitted sites (19 inspections) and petroleum certified sites (16 inspections) which we have responsibility for from a pollution legislation perspective, ensuring continuing compliance. Permit work can be complex with the varying nature of the industry involved – we have a total of 26 permitted sites in the county.

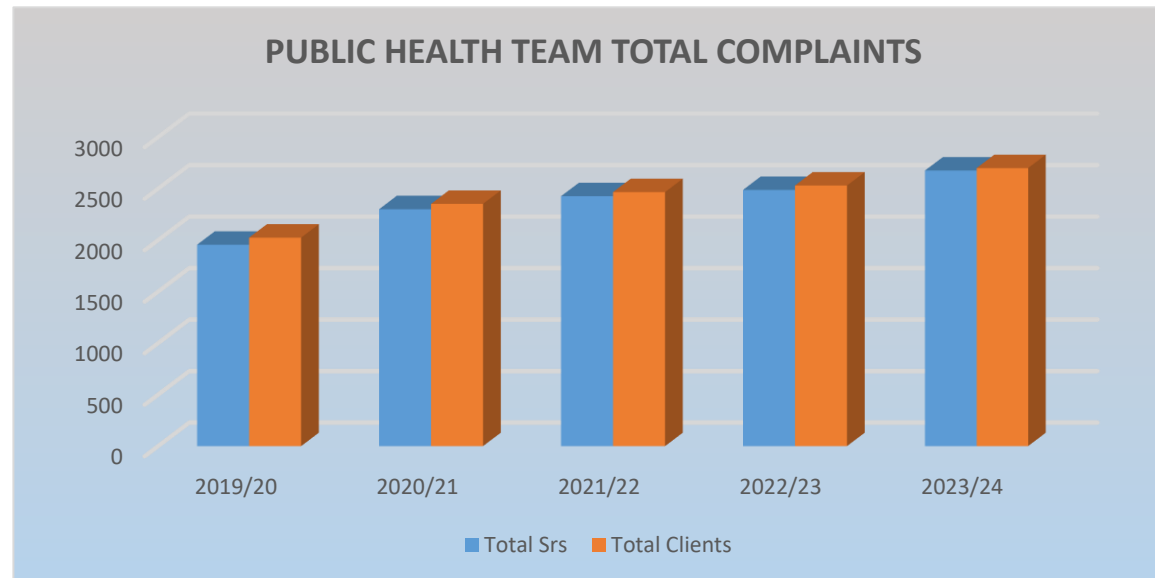
Monitoring continued of traffic related pollution (nitrogen dioxide) in our 4 major towns and advice given in meetings of the steering groups in the Chepstow and Usk Air Quality Management areas.

Again there were no exceedances in the county in 2023 (calendar year) of the nitrogen dioxide annual objective level, which builds on the previous three compliant years.

2023 was the 9th year that levels in the Usk Air Quality Management Area (AQMA) were below the nitrogen dioxide objective level and the sixth 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. Making allowances for lower traffic levels during the 2 years of the covid pandemic, if 2024 is again below 10% of the objective level, consideration will be given to revoking the AQMA status.

5.2.7 Total Enquiries

2023/24 continued the trend of increasing service requests across the range of functions delivered by the team, with an increase to 2675 received comparable with 2485 in 22/23 (7.6% increase). This continuing pressure on reactive work makes it more difficult for the team to focus on very important areas of proactive work, as highlighted in the service plan, such as carrying out inspections of residential accommodation above takeaways which can be particularly high risk (fire safety etc) and private water supplies. The trend can be illustrated as follows:



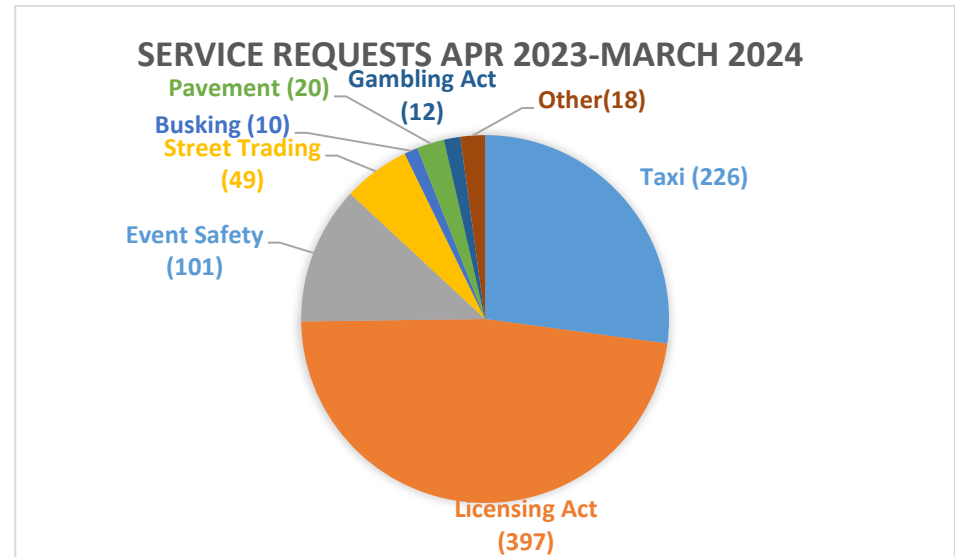
5.3 Licensing

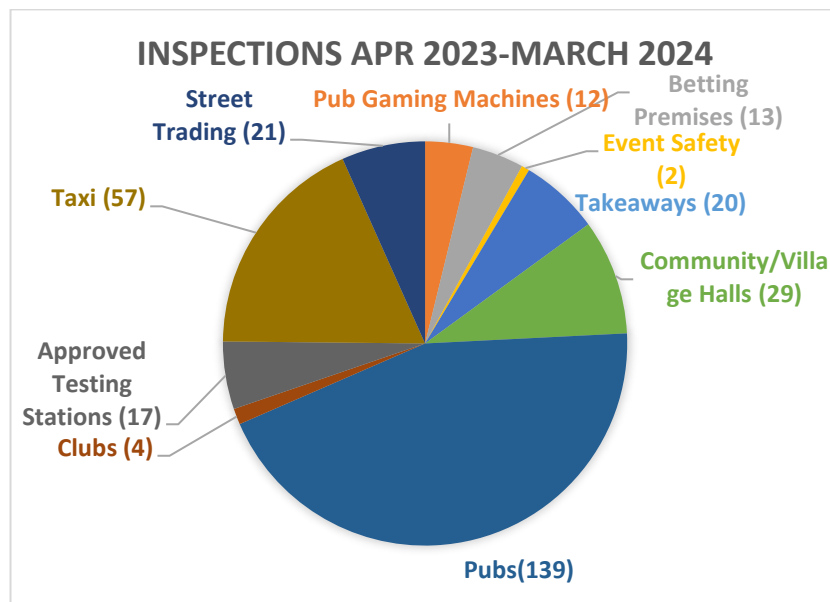
5.3.1 General

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.

833 requests for service were processed by Licensing between April 2023 – March 2024 (71 of which were complaints). This is an increase of 190 for the same period last year. A breakdown of the requests by licence types is shown opposite.

The predominant requests are for the Licensing Act, which deals with alcohol, entertainment, and late-night eating venues. These requests range from giving licensees advice or assisting the public who have concerns relating to antisocial behaviour, safety, and nuisance that the night-time economy can bring.





314 inspections were carried out by Licensing between April 2023 – March 2024. An increase of 243 for the same period last year. A breakdown of the types of venues inspected is shown pictorially.

The predominant inspections being at pubs as this is where licensing also gets the biggest requests for assistance. We have also reintroduced a risk rating programme for such venues, following a break during Covid. The rating given to a premises will put them in a high, medium or low category, with high receiving 6 monthly visits, medium annual visits and low visited every 3 years. The risk rating programme ensures that those venues that are either being poorly managed or have the highest rate of incidents, will receive more visits. It also means that every premises will have a rating so no one gets overlooked. This has proved invaluable with licences also being updated to the needs of the licence holder following visits.

Other work carried out by Licensing during 2023/2024 include:-

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

Noise Complaints

Noise complaints can be disruptive, affecting residents' quality of life. Joint operations between Licensing and Environmental Health were carried out.

- On 21st June there was a joint operation in Monmouth following a noise complaint at a pub. Advice was given as a result.
- Similarly, on 3rd August another joint operation took place at a different pub in Monmouth due to noise complaints, and advice was provided.

Underage Sales and Challenge 25

Ensuring compliance with licensing regulations is crucial for maintaining a safe and responsible drinking environment.

- On 2nd December, Licensing and the Police visited pubs in the Chepstow and Caldicot area. They focused on underage sales and provide advice on licence permissions.

- Challenge 25 posters were issued to raise awareness about age restrictions. Additionally, two premises were found to have breached their conditions and received written warnings.

Immigration and anti-slavery

Environmental Health raised concerns with Licensing regarding potential modern day slavery and right to work issues at a food outlet following a routine visit. This was addressed through an operation with Immigration and Licensing. The outcome of the operation indicated that no issues were found, and no further action was taken. It's important for businesses to comply with the law and regulations to ensure the welfare of all employees.

5.3.3 Taxis

Gwent Taxi Awards 2023

On 25th April 2023 Monmouthshire Licensing, along with Newport, helped set up the first awards ceremony for the taxi trade, working with the Gwent Community Cohesion Team, Gwent Police and the Wales Hate Support Centre. The purpose of the ceremony was to recognise the outstanding community contribution in the Gwent area conducted by taxi and private hire drivers. It acknowledged how these drivers worked throughout Covid, to enable key workers transport, for the public to pick up much needed supplies and to also attend medical appointments. A tribute was paid to a taxi driver from Newport who sadly lost his life to Covid at that time, with the family picking up an award for his services.

Nominations were received from the taxi trade. Two awards were given to each area of Monmouthshire, Newport, Torfaen Caerphilly and Blaenau Gwent. A driver from Abergavenny was awarded the 'Outstanding Service Award' having represented the trade for a number of years. A driver from Chepstow received the 'Going the Extra Mile Award', where it was recognised that he uses his office for local events including Ramadan Iftar events to serve a diverse community.



Mental health and wellbeing of drivers was also identified at this event and presentations were provided. The focus was to raise awareness of a range of support services for those working in the night-time economy, emphasising that it is not acceptable to feel threatened, receive abuse or be the victim of hate crime.

Taxis and School Contracts

- On 22nd February 2024, Licensing and Passenger Transport Unit conducted joint checks on taxis at a school in Monmouth. Fortunately no issues were identified.
- This collaborative effort helps ensure the safety and reliability of transportation services for school children.

Passenger Transport Forum

- On 19th March 2024, Licensing participated in the Passenger Transport Forum. This platform allowed companies involved in school contracts to seek advice on legislation relating to hackney carriage and private hire services.
- Forums like these promote knowledge sharing and improve compliance with regulations.

5.3.4 Gambling

Licensing has introduced a new risk rating system for gambling premises as a proactive step to maintaining high standards of compliance within gambling premises. Inspections were carried out on the racecourse and all premises licenced for gambling namely, 6 adult gaming centres and 6 betting shops. All venues complied with the advice given for improvements.

Licensing conducted refresher e-learning with the Gambling Commission, and this proved to be beneficial, covering essential aspects such as local risk assessments and dealing with problem gambling. The thorough assessment and in-depth inspections that followed the training are indicative of a diligent effort to implement the new risk rating program effectively.

5.4 Trading Standards & Animal Health

5.4.1 Feed

The Feed Programme allocation for 2023/24 was significantly delayed after it was acknowledged that there had been no increase in the inspection fees paid to local authorities for several years. This led to an uplift in fees of 20% which impacted on the resource available for undertaking feed work. It also identified that a further piece of work was required as it was felt that some of the higher risk inspection fees still didn't cover the cost of the work undertaken. This will be followed up along with a request to Welsh Government to increase the baseline amount provided for the feed programme of official controls. There was an increase in the number of inspections able to be delivered, achieving 92% completion of the allocated programme. As the regional lead Authority

2023/24 saw an Officer step up to take the lead and regional lead feed role following the retirement of the previous lead, which is already having a positive impact.

5.4.2 Animal Health

The animal health function has seen improvement with the additional support developing into a small supportive team that will now be able to start some proactive inspections and not be purely reactive. 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. Notification has already been received that this funding will be reduced by 50% for 2024/25. The programme 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.

There has been some successful cross border working with neighbouring colleagues to tackle sheep scab. As disease does not recognise borders and requires all affected to treat their livestock, it is important that joint enforcement approaches can be agreed. This has led to positive intelligence exchanges to identify further cross-border concerns and non-compliances that can then be tackled.

A guidance document was produced for organisers of the major shows held every year across Monmouthshire, with Officers focussing on any issues that occurred during the 2022/23 show period. This also included wider compliance requirements across animal health and trading standards areas of responsibility.

The Trading Standards Wales (TSW) Local Authority Enforcement Project, now formally known as Animal Licensing Wales continues to be being led by Monmouthshire. It underpins the delivery of some of the Programme for Government commitments identified in the Animal Welfare Plan for Wales. During 2023/24 the team had a significant turnover in staff with five new starters during the reporting period and another three due to start early in the following quarter. This has been offset though with the loss of a very experienced Officer, changes in personal circumstances of some of the new Officers as well as two maternity absences for original team members. In total there has been a 50% turnover within the team which inevitably impacted on the planned deliverables. The funding is currently until the end of March 2025 and will impact heavily should it cease, as currently the team support and provide specialist support for all Local Authorities in Wales. Currently priorities are being determined to progress the commitments including the regulation of establishments not currently caught by legislation such as sanctuaries. The end of year update report contains more detailed information on the team's work.

5.4.3 Fair Trading

Vaping and illegal vapes continued to be a growing problem and recognising a lack of understanding, a detailed guidance pack was produced, aimed at informing small independent businesses about the legal requirements concerning illegal and oversized vapes. This was drafted by the TS section and distributed to all known independent small retailers across the county that sell vapes. It provided all the necessary information in layman's terms and provided a point of contact for businesses to seek further advice if they were unsure of their obligations.

Following this a program of unannounced visits was undertaken with Officers assessing stock, answering the questions of shopkeepers but also seizing non-compliant vape products. In total 460 illegal products were removed from sale and formed part of a Wales wide Welsh Government funded operation. Visits will continue in this area into the 2024/25. TS continue to receive complaints regarding children accessing vapes. It's recognised the limited success that test purchase exercises can achieve in certain circumstances, so work has been done with local high schools, community policing teams and the Youth Service to help guide and inform our enforcement work.

Over 230,000 illicit cigarettes were seized from a vehicle at Magor Services. These were passed to Avon & Somerset Police following intervention by the South Wales Regional Organised Crime Unit.

Early 2023/24 saw the sentencing, following the three-year investigation, of a significant rogue trader. Martin Evans was prosecuted for Fraud and Consumer Protection offences after complaints were received from 6 victims living in Monmouthshire, Caerphilly, Herefordshire and North Somerset. Complainants reported being charged significant amounts upfront for home improvement projects. Whilst work commenced it then slowed until the victims were left wondering if it would ever be completed. Work that was completed was done to a poor standard and required rework. After pleading guilty and following several court delays, on Friday 26th May 2023, Evans was sentenced to 45 months and 12 months (to run concurrently) so a total of three years and 9 months with at least 50% to be served in prison.

5.4.4 Consumer Protection

Support was given to a Monmouthshire family who had paid over approximately £10,000 to a firm as a deposit for an extension. When no work was undertaken and it looked like the firm had abandoned their premises, Officers attended to gather information for enforcement purposes and to investigate options of recovering any funds. Following the advice from Officers the family were able to successfully recover the full amount from a Contingency Reimbursement Scheme run through certain UK financial institutions.

5.4.5 Weights & Measures

Conscious of the rising price of the average weekly shop, Officers participated in a National Metrology Retail Survey checking that the weight and volume on prepacked food and household products was compliant with the controls set out in The Weights and Measures (Packaged Goods) Regulations. Products tested included laundry detergents, children's yoghurts, cheese, lamb chops, sausages, chicken, strawberries and crisps. Multiple premises were visited across the county with hundreds of products checked. Most products tested were compliant, but when a single package was found to have a significant deficiency, Officers liaised with colleagues elsewhere in the UK and the retailer to establish this was an isolated incident.

5.4.6 Product Safety

As mentioned above 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. Waste product is also a concern as the huge rise in disposable vapes means that, as well as increased littering issue, there is an increased risk of fires due to the product containing batteries which should be disposed of appropriately. Construction product work continues to develop on the back of the Grenfell Enquiry with a National Lead Regulator being developed.

5.4.7 Internal Audit, Staffing and Income Generation

During 2023/24 an Internal Audit was undertaken of certain aspects of the Trading Standards team. The following areas were examined:

1. Strategic plans and policies are in place alongside documented written processes which set out a robust internal control framework in which to effectively deliver the functions objectives.
2. The provision of the Animal Health Function within Trading Standards is effectively monitored and managed, to deliver the animal licensing activities, planned work and reactive work (based on intelligence and complaints).
3. A systematic and robust process exists for the administration and distribution of grants awarded on behalf of Trading Standards Wales.

4. Suitable budget and performance monitoring arrangements are in place and report appropriately to ensure the objectives of the Animal Health Function and Trading Standards Wales are achieved.
5. Management of staff and assets are effective to facilitate the delivery of the service.

Limitations to Scope:

The review will focus specifically on Animal Health functions of the service and so will only provide limited coverage of other Trading Standard functions, where cross team working has occurred.

Audit Opinion:

In summary, although our audit identified some significant and moderate risks which require addressing, no critical risks were identified. Consequently, we have given a **'Reasonable'** assurance rating which reflects that there is a generally sound system of governance, risk management and control in place with some improvements identified.

Unfortunately, one of our new starters from early 2023 had an opportunity to travel and left her post after 9 months, midway through 2023/24. Although two Officers reduced to 3-day weeks, this presented an opportunity for an existing member of staff to move post and complete the first year of the TS professional qualification. This Officer was mentored and assessed by the Trading Standards Officers to complete an extensive Portfolio of Evidence, covering multiple areas of enforcement including Animal Feed, Investigations, Product Safety and Fair Trading. This does have a significant effect on a small team, impacting both on those supporting and covering day to day activities. It also enabled a new Animal Health Officer to be appointed.

In 2023/24 feed work undertaken increased funding to approximately £30,000. Animal Health PDP regional co-ordination, and additional project work, brought in around £31,000.

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. 124 events held in 23/24 received ESAG advice, a return to levels in the pre-pandemic years. Advice was sought and provided from all our typical organisers of music, sporting, agricultural, food events, etc. Some singular events, eg. a music event with 15,000 in attendance, can take a lot of Officer time via supporting the organiser, liaising with the site provider and other departments and partners. As referenced in section 5.1.5, Environmental Health (Commercial) are

heavily involved in providing health and safety advice to various settings used for events. This is supplemented with proactive help concerning noise mitigation and licensing.

Public Protection Officers are well placed in providing holistic advice to event organisers and can signpost to different disciplines for specialist advice. This includes liaising with Gwent Police on reducing crime and disorder and counter-terrorism measures, Wales Ambulance Service on medical provision, Fire and Rescue regarding fire safety and evacuation, together with various other Council departments dependant on the type of event, eg. MonLife, Grounds, Environment, Highways and Emergency Planning.

5.6 Local Toilets Strategy

The Head of Public Protection currently leads on compiling this statutory strategy. This involves mapping out all publicly available facilities via Data Map Cymru, updating what's available at each venue (disabled facilities, baby changing, opening times, etc.), liaising with Landlord Services on proactive maintenance work and incorporating comments from the public and Members. Environmental Health inspect the 18 publicly available 'traditional blocks' annually and report to those who manage the toilets, Town and Community Councils, etc. Progress is reported annually via Place Scrutiny Committee.

6 SUMMARY & LESSONS LEARNT 2023/24

- 6.1 Every PP team continues to be busy, as reflected in section 5 of this report. Environmental Health (Commercial) report a 48% increase in requests for their services last year compared to 2022/23, (section 5.1.3); Licensing report a 30% increase; Animal Health witnessed a 49% increase. Environmental Health (Public Health) saw the least increase at 7.6% (see 5.2.7) but they deal with the highest number of service requests per year, at 2675 in 23/24. **Prioritisation** of workloads is therefore crucial, to ensure our finite resources are best placed to deal with vulnerable persons, struggling businesses, etc. The majority of our activities are statutory duties. Our current Business Service Plans are informed by what's gone well, what's slipped, etc. up to the end of 23/24. Our capacity to deliver the range of services saw an uplift 2022/23, (£223,000 budget increase) which assists us in achieving our goals. The teams will be moving to a new (cloud-based) software system that should provide benefits for both Officers and service users, eg. easier payments for licences, etc. Anything that releases Officer time for front-line delivery will be highly beneficial. Licensing will be the first team to go live on the new system in 2024.
- 6.2 The report highlights a number of examples of **partnership working**. This remains a core activity, be it dealing with organised events (see 5.5) or Gwent Police, Immigration, etc. (see 5.3). Together with day-to-day work, PP Officers work regionally and nationally on various consultation documents so they are considered centrally, hence avoiding duplication. The linkages made with

PHW and ABUHB can be capitalised on to focus on key health improvement objectives, (better living conditions, improved animal welfare, etc.). There are various national groups our PP Officers actively engage with, eg. Gwent Licensing Forum, Trading Standards Wales, Environmental Health Wales and various working groups considering specific topic areas.

- 6.3 **Scrutiny** – our services welcome both internal and external scrutiny. In March 2024, reports were presented to (i) this Committee on PP’s response to the pandemic and (ii) Local Toilets Strategy to Place Committee. Both proved helpful in shaping service delivery and what should be prioritised in the future. Trading Standards & Animal Health were subject to an Internal Audit in 23/24 which gave ‘reasonable assurance’, (see section 5.4.7). Externally our activities are reported to various organisations, (see section 4.2), which adds to the assurance of the quality of services provided.
- 6.4 2023/24 was the first year where the pandemic didn’t have a significant impact on our overall performance levels, (the Monmouthshire Incident Management Team for Covid disbanded in May 2022). So a return to **‘business as usual’** Public Protection services, for example food safety inspections, proactive licensing, trading standards and animal health visits is evident. Programmed food safety visits achieved expected national targets. There continues to be a scaled down Covid response into 24/25 to support, particularly, our care homes sector.
- 6.5 **Innovative working** continued to be progressed in the year – (i) the TSW Local Authority Enforcement national project (referred in 5.4.2) led by our Trading Standards team; and (ii) Special Procedures work, to be implemented under the Public Health (Wales) Act 2017. PP also continues to work changing our software system to be more user friendly to our various customers.
- 6.6 Ultimately PP services are here to **help and assist the public and local businesses**, albeit we can revert to formal enforcement in extreme cases. The positive feedback received – see the quotes provided in sections 5.1.1 (support to a bakery start-up), 5.2.2 (assistance to a disabled person adversely affected by noise), 5.4.4 (trading standards), are testament to Officers ‘going the extra mile’ to help others.

7 2024/25 AND BEYOND

- 7.1 There is a welcome return to proactive inspections, most notably getting back to our food safety/standards inspection programme. Environmental Health continue to assist in infection control management in care homes, with WG funding to 30th June 2024. A regional Business Plan has been submitted by the 5 LA’s in the Aneurin Bevan region to the Health Board to continue the health protection work into the future, working with our Public Health partners.
- 7.2 Current Business Service 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. Our plans will reflect the Council's Community & Corporate Plan 2022/28 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. A return to previous income generation opportunities will be pursued, eg through the ACCESS scheme (see 5.1.2), providing hygiene training and animal feed/welfare income (5.4.7). The national Local Authority Enforcement Project and Special Procedures work shows our desire to seek more effective ways of working. The collaborative working with PHW and ABUHB, in response to the pandemic, will continue to be built on to tackle public health priorities together. In Licensing, for example, protecting vulnerable people engaging in the night-time economy and checking controls on problem gamblers will be key priorities.
- 7.4 Our services, together with delivering statutory responsibilities, act 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, and partly due to our key role in reducing the spread of Covid-19 for over two years (2020 to 2022) is high, so Officers are now positioned to capitalise on this momentum.
- 7.5 Officers are confident they can sustain our high-quality, well-respected services, and PP will continue to report progress to DMT's, Members via this scrutiny committee and our external Governing Bodies.