

WORCESTERSHIRE DISTRICT COUNCILS

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD
(PREVIOUSLY WORCS SHARED SERVICES JOINT COMMITTEE)

THURSDAY 6TH OCTOBER 2016 AT 4.30 P.M.

PARKSIDE SUITE - PARKSIDE, MARKET STREET, BROMSGROVE,
WORCESTERSHIRE, B61 8DA

MEMBERS: Bromsgrove District Council: Councillor R. J. Laight
 Bromsgrove District Council: Councillor P. J. Whittaker
 Malvern Hills District Council: Councillor B. Behan (Chairman)
 Malvern Hills District Council: Councillor D. Chambers
 Redditch Borough Council: Councillor B. Clayton
 Redditch Borough Council: Councillor J. Fisher
 Worcester City Council: Councillor L. Denham
 Worcester City Council: Councillor J. Riaz
 Wychavon District Council: Councillor E. Stokes (Vice-Chairman)
 Wychavon District Council: Councillor M. King
 Wyre Forest District Council: Councillor S. Chambers
 Wyre Forest District Council: Councillor J. Hart

AGENDA

1. Apologies for absence and notification of substitutes
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meeting of the Worcestershire Regulatory Services Board held on 22nd June 2016 (Pages 1 - 8)
4. Air Quality - Update (Pages 9 - 14)
5. WRS Revenue Monitoring 2015/2016 - Quarter 1 (Pages 15 - 22)
6. Enforcement Policy (Pages 23 - 36)
7. Activity and Performance Data Quarter 1 (Pages 37 - 72)
8. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the

commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting.

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

27th September 2016

WORCESTERSHIRE DISTRICT COUNCILS

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD (PREVIOUSLY WORCS SHARED SERVICES JOINT COMMITTEE)

WEDNESDAY, 22ND JUNE 2016 AT 4.39 P.M.

PRESENT: Councillors K.J. May (substituting for R. J. Laight), B. Behan, D. Chambers, G. Hopkins (substituting for B. Clayton, during Minute No's part of 7/16 to 9/16), Y. Smith (substituting for J. Fisher), J. Squires (substituting for J. Riaz), E. Stokes, M. King, S. Chambers and J. Hart

Partner Officer Representatives: Mr. P. Merrick, Malvern Hills District Council, Mr. D. Sutton, Worcester City Council, Mr. V. Allison, Wychavon District Council, Mr. M. Parker, Wyre Forest District Council and Ms. J. Pickering, Bromsgrove District Council and Redditch Borough Council

Officers: Ms. J. Pickering, Mr. S. Wilkes, Mrs. S. Sellers, Mr M. Cox, Mr. D. Mellors, Ms. K. Lahel and Mrs. P. Ross

1/16

ELECTION OF CHAIRMAN

A nomination for Chairman was received in respect of Councillor B. Behan, Malvern Hills District Council.

RESOLVED that Councillor B. Behan, Malvern Hills District Council be elected as Chairman for the ensuing municipal year.

The Chairman took the opportunity to welcome Members and nominated officers to the first meeting of the reconstituted Worcestershire Regulatory Services Board.

2/16

ELECTION OF VICE-CHAIRMAN

A nomination for Vice-Chairman was received in respect of Councillor E. Stokes, Wychavon District Council.

RESOLVED that Councillor E. Stokes, Wychavon District Council be elected as Vice-Chairman for the ensuing municipal year.

3/16

APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were received from Councillors R. J. Laight and P. Whittaker, Bromsgrove District Council, J. Fisher and B. Clayton, Redditch Borough Council, L. Denham and J. Riaz, Worcester City Council.

It was noted that Councillors K. May, Bromsgrove District Council was in attendance as substitute Member for R. J. Laight, Y. Smith, Redditch

Borough Council substitute Member for J. Fisher, G. Hopkins, Redditch
Borough Council substitute Member for B. Clayton and J. Squires
substitute Member for J. Riaz.

4/16

DECLARATIONS OF INTEREST

No declarations of interest were received.

5/16

MINUTES

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 18th February 2016 were submitted.

It was noted that Councillors M. King, Wychavon District Council and J. Hart, Wyre Forest District Council were in attendance during the meeting held on 18th February 2016 and agreed that the minutes were a correct record.

RESOLVED that the minutes be approved as a correct record.

6/16

PROGRESS ON RECONSTITUTION OF WORCESTERSHIRE SHARED SERVICES PARTNERSHIP

Following on from the meeting held on 18th February 2016, whereby the Worcestershire Shared Services Joint Committee received a further update on the progress on the reconstitution of Worcestershire Shared Services Partnership of Worcestershire Regulatory Services, the newly constituted Board were asked to note the progress made since that meeting.

The Head of Regulatory Services informed the Board that all partner authorities had completed the sign off of the previous Worcestershire Shared Services Joint Committee's decision, which allowed the legal agreement to create the district only partnership for delivering the relevant regulatory functions to come into effect, as scheduled, on 1st April 2016.

It was confirmed that Worcestershire County Council's (WCC) exit from the partnership to the role of customer had occurred as planned. The Head of Regulatory Services informed the Board that he had entered into an agreement with WCC for the delivery of Trading Standards and Animal Health functions. This agreement was signed by WCC, Head of Community Services on 31st March 2016. A further legal agreement with WCC which enabled them to take back control of Trading Standards and Animal Health functions was signed in May 2016. This was to ensure that the proposed date of 1st June 2016 for transferring staff back to the employment of WCC was achieved. It was noted that under the new arrangement WCC continue to pay for some elements of support from WRS such as legal administration of case files.

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Worcestershire Regulatory Services Board (previously Worcs Shared Services Joint Committee)
22nd June 2016

Members were reminded that at the Worcestershire Shared Services Joint Committee meeting on 25th June 2015, the Joint Committee had agreed to recommend that partner authorities dissolved the current Worcestershire Shared Services Partnership agreement on 31st March 2016 and constitute a new partnership comprising of the six district councils on 1st April 2016, along with a new Service Level Agreement (SLA) between the new partnership and WCC for the provision of Trading Standards and Animal Health Services.

WCC's exit from the partnership resulted in a payment to partners to cover the overheads that would have been allocated to the Trading Standards and Animal Health cost centre had WCC remained engaged with WRS. The overhead costs would be paid for a period of twenty two months, such time period being based on an agreed period of two years, reduced by two months to reflect the interim arrangements whereby the County Council paid for Trading Standards services as a customer from 1st April 2016 to 31st May 2016. The payment figure was modified to reflect:-

- WCC's purchase of ICT and accommodation from Wyre Forest, resulting in a subsequent reduction to the charge on WRS.

This payment received would be held by the Host Authority, Bromsgrove District Council as a WRS reserve to support the service in seeking business to replace WCC's contribution and to help fund any changes to the establishment that may need to take place should this not be successful.

With reference to the legal agreement which set up the new style District only partnership, it was noted that the agreement was drafted following discussions between the legal officers of the six district partners and ratified in the way required by each partner authority with the new agreement coming into effect on 1st April 2016. The legal resource required to produce and complete the various legal agreements was provided by the Host Authority, Bromsgrove District Council on behalf of WRS and the legal officers at WCC on behalf of Trading Standards.

RESOLVED that the report detailing the progress on the reconstitution of the Worcestershire Shared Services Partnership be noted.

7/16

WORCESTERSHIRE REGULATORY SERVICES ANNUAL REPORT 2015 / 2016

The Board considered a report which detailed the Worcestershire Regulatory Services Annual Report 2015 / 2016.

The Head of Regulatory Services informed the Board that under the Worcestershire Shared Services Partnership Service Level Agreement (SLA) the Board was required to receive the annual report at its annual meeting. The report covered the performance of the service for the period 1st April 2015 to 31st March 2016.

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Worcestershire Regulatory Services Board (previously Worcs Shared Services Joint Committee)
22nd June 2016

The Head of Regulatory Services further informed Members that the report detailed both Key Performance Indicators (KPIs) and highlights of activity, with a short summary activity report, as detailed at Appendix 5 to the report. The following areas were also included in the annual report:-

- A summary of the financial position.
- Key achievements.
- Issues relating to human resources.
- Risk management and equalities.

The Head of Regulatory Services highlighted that key performance measures continued to focus on customer satisfaction and the positive compliance of businesses. The vast majority of higher risk businesses had been subject to inspection or some other form of suitable intervention and the key priorities of each partner authority had been fulfilled.

In response to questions from Members, the Head of Regulatory Services informed the Board that the touch down points retained at each of the partner authorities had provided an excellent venue for licensing surgeries and these had been welcomed by the taxi trade. The move to Wyre Forest had also enabled staff to strike a better work/life balance which was essential for good morale.

Sickness absence levels were running at 2.3 days per Full Time Employee (FTE). This continued the downward trend seen previously, but with levels this low, the focus would be on maintaining these levels. The figures so far would suggest that WRS had a fairly resilient staff cohort and that managers were doing their best to support staff and deal with any issues.

The Head of Regulatory Services further responded to Members with regard to the performance commentary provided. He explained to the Board that a more detailed register was kept on compliments and complaints, but Members had never requested that detailed information be presented to a meeting of the Board.

With regard to the number of non-business customers (over 250) and businesses (over 550) who replied to the questionnaires sent out by WRS, non-responses were not followed up. A significant number of questionnaires were posted out, the figure being higher than the number of questionnaires returned. It would be extremely resource intensive to follow up non-responses. Any negative responses received were followed up by the management team. Email addresses were not requested from non-business customers but officers were now recording business customers email addresses.

In respect of domestic nuisance, a self-help package had been developed to encourage customers away from the traditional 'one size fits all' direct intervention route which was adopted in all cases. Self-help tools were introduced to help customers to try and resolve their own

problems informally and amicably in the first instance without the immediate escalation to formal Environmental Health intervention. Very few complaints ever reached the stage of being classed as a statutory nuisance whereby an abatement notice would be issued. The team were working on the IT system to develop measures to assess the effectiveness of this approach.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council (BDC) responded to questions from Members and informed the Board that with regard to the questions raised on the financial information included in the annual report, further detailed information was provided at Agenda Item 9, Worcestershire Regulatory Services Revenue Monitoring April to March 2016 and the Annual Return. The specific questions raised by Members would be covered in more detail during this agenda item. The Executive Director, Finance and Corporate Resources, BDC, agreed that detailed financial information should have been included in the annual report.

The Chairman thanked officers for an excellent report.

RESOLVED:

- (a) that the Worcestershire Regulatory Services Annual Report 2015/2016 be noted; and
- (b) that a copy of the Worcestershire Regulatory Services Annual Report 2015/2016 be forwarded to the Chief Executive, Managing Director and Members of each partner authority and Worcestershire County Council.

8/16

ACTIVITY AND PERFORMANCE DATA QUARTERS 1,2,3 AND 4

The Board were asked to consider a report that covered both district and county functionality and the wide range of each local authorities corporate priorities to which regulatory services contributed. The report detailed Worcestershire Regulatory Services Activity Data for Quarters 1, 2, 3 and 4, 2015/2016.

The Technical Services Manager, Worcestershire Regulatory Services (WRS) introduced the report and in doing so informed Members that, with regard to district functions, as usual, licensing and environmental nuisance continued to make the most impact in terms of demand which was understandable given their direct impact on the public.

The Team Manager had provided a good outline of work carried out by the Community Environmental Health teams. Quarter 4 saw an increase in nuisance related issues compared with quarter 3, but still in line with the same quarter for the previous year. January to March 2016 saw an increase in the common issues of domestic accumulation, noise and similar nuisance cases compared with October to December 2015.

Service requests for both food safety and Health and Safety at Work were up compared with the previous quarter, but on a par with previous

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22nd June 2016

periods. Over 350 food hygiene inspections were carried out in quarter 4 and the food hygiene inspection programme was completed as anticipated.

During quarter 4, WRS received the Better Business for All Innovation Award from the Better Regulation Delivery Office for its work in supporting Asian catering businesses in the County, with compliance across a range of areas which included food hygiene, food standards and health and safety.

Planning consultations continued to make large demands in terms of numbers and complexity on the team. The number of applications referred or requiring a response were higher than the previous quarter but similar to the same quarter last year, however, the requests to discharge conditions based on our input was significantly up on quarter 4 last year and higher than the previous quarter. Requests to discharge tended to be more time consuming and technical.

The number of stray or lost dogs reported fell slightly. This was an ongoing trend, which could be attributed to the two main factors as detailed in the report.

In response to questions from Members with regard to the reporting of stray or lost dogs, the Technical Services Manager, WRS, informed the Board that WRS issued press releases in order to encourage residents to report stray or lost dogs direct to the dog wardens or WRS and not through social media.

The licensing statistics chart, as detailed on page 85 in the report, showed that applications and service requests remained a consistent demand across all four quarters during 2015/2016.

Activity continued to be focussed on rogue traders who targeted vulnerable people, consumer products that were dangerous and could cause people harm and traders with a large number of complaints against them.

Full details of the year end performance were also included in the Worcestershire Regulatory Services Annual Report 2015/2016.

The Chairman expressed her thanks to officers.

RESOLVED that the Activity Data Report for Quarters 1, 2, 3 and 4, 2015/2016, be noted.

9/16

WORCESTERSHIRE REGULATORY SERVICES REVENUE
MONITORING APRIL - MARCH 2016 & ANNUAL RETURN

The Board considered a report which detailed the financial position for the period 1st April 2015 to 31st March 2016 and the Annual Return.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council (BDC), introduced the report and in doing so informed the Board that the report presented the final financial position for Worcestershire Regulatory Services (WRS) for the period 1st April 2015 to 31st March 2016. The financial accounts were reported previously to the Worcestershire Shared Services Joint Committee on a quarterly basis. The final position was shared with senior officers, treasurers and partner finance teams to enable accounting arrangements to be completed.

The Executive Director, Finance and Corporate Resources, BDC, drew Members' attention to Appendix 1, page 109 in the report which provided the variance summary. Appendix 1 detailed the agency costs used to cover vacant posts and maternity leave. The disturbance allowance, furniture and equipment spend with the relocation of WRS staff to the new WRS premises at Wyre Forest House was also detailed.

The Executive Director, Finance and Corporate Resources, BDC, responded to questions from Members with regards to the pension strain 2015/2016 as detailed at Appendix 3 to the report. The Executive Director, Finance and Corporate Resources, BDC explained that the majority of districts had reserves for the pension deficit. The deficit figure was the figure as confirmed by the actuary.

In respect of the income of £390,000 generated into the service and the ICT underspend, she had to agree with the comments made by Councillor M. King, Wychavon District Council, that the significant income generated was not an underspend. With regard to the ICT underspend the original budget of 1.2 million had been allocated for a technological model to meet the requirements of the service. The significant underspend on ICT had been reported to Members during the last three years. The situation with regard to the ICT underspend should have been clarified more clearly to Members. It had become clear quite quickly, that the private sector advice provided on the technological model vision originally budgeted for; was somewhat different to what was actually needed and achievable to fit the requirements of the service.

The Technical Services Manager, WRS, responded to questions from Members with regard to 'other income', 'Stray Dog Income' and the amount of £13,316.00 being shown as 'To be paid back to Customer'. The Technical Services Manager, WRS, explained that WRS were required to recover any costs from the owners, the fees were collected on behalf of each authority so therefore had to be paid back to them.

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22nd June 2016

RESOLVED:

- (a) that the final financial position for the period 1st April 2015 to 31st March 2016 be noted; and
- (b) that the refund of the 2015/2016 underspend of £149,000 to the participating Councils be approved as follows:

Council	Refund of Savings £'000
Bromsgrove	17
Malvern Hills	15
Redditch	20
City of Worcester	20
Wychavon	26
Wyre Forest	19
Worcestershire County Council	32
	149

The meeting closed at 5.30 p.m.

Chairman



Worcestershire Regulatory Services Board

Date: October 5th 2016

Title: Local Air Quality (an update for District Councils)

Recommendations

The Board is recommended to note the update for each District.

Contribution to Priorities

Improving Health & Wellbeing

Summary

WRS undertakes the District Council work relating to Local Air Quality Management which includes the monitoring and reporting on air quality. This report provides a summary of the current situation for each district.

Monitoring of Nitrogen Dioxide is undertaken using diffusion tubes to establish an annual average in many locations across the County. In areas of particular concern where it is suspected national objectives are being breached, a more accurate but expensive method, using a continuous analyser is put in place. A continuous Analyser is currently in place on Foregate Street, Worcester and Worcester Road, (A38) Wychbold.

Report

General:

The purpose of Local Air Quality Management is to establish whether there are breaches of National Objectives for specified pollutants and declare an Air Quality Management Area (AQMA) if identified. Recent Defra guidance has shifted emphasis from monitoring and identification to resolution of air quality concerns. WRS has identified priority actions for all established AQMAs and is working to resolve those issues with steering group members.

WRS has produced Air Quality Action Plan Update for 2016 on work undertaken which published this on our website.

The Action Plan Update forms part of each District Council's reporting requirements on air quality and provides an update on progress made with actions to address poor air quality in Air Quality Management Areas (AQMAs). Redditch Borough Council and Malvern Hills District Council are not required to produce this as they do not currently contain AQMAs in their areas.



Defra changed the format of the wider annual reporting last year which WRS trialled in Worcester City. WRS are currently drafting the Annual Status Reports (ASR) for each of the Districts which will incorporate the Action Plan Update report and complete the reporting for this year.

The following comprises a summary of our findings this year which will be included in either the ASR or is already included in the Action Plan Update 2016.

Bromsgrove District Council

In the **Kidderminster Road, Hagley AQMA** there have been no exceedences of nitrogen dioxide levels (above the National Objective) since 2014 and with the completion of the two most significant priority actions (alteration to phasing of traffic light system and introduction of signals at the roundabout), subject to this winter being one of average meteorological conditions, WRS are confident that 2016's monitoring results will produce lower levels. Should this be the case, with three year's worth of results below the objective, WRS will be recommending BDC revoke the AQMA due to improved conditions next year.

For **Redditch Road AQMA**, nitrogen dioxide levels are slightly down but **Worcester Road AQMA** and **Lickey End AQMA** remain stable above the National Objective. The LTP4 A38 Bromsgrove Eastern Bypass Enhancement Scheme and the LTP4 Lickey End (M42 Junction 1) Major Enhancement Scheme will have a significant impact on the Bromsgrove AQMAs and WRS are liaising with the County to ensure air quality is integral to the delivery of these business cases. Little progress has been made on other priority actions.

Malvern Hills District Council

Only one area along *Upton High Street* has any air quality concerns and this related to an exceedence of nitrogen dioxide levels above the National Objective in 2013. No exceedences have been reported since and whilst levels are elevated we are confident that there is no requirement to declare an AQMA. WRS will continue to liaise with Planning Officers so that new development does not detrimentally impact this situation.

Redditch Borough Council

Only one area, which is *Other Road* has any air quality concerns. There are elevated levels but they are below the National Objective. The Town Centre Regeneration proposals will resolve Other Road being used as a thoroughfare and therefore address the concerns of creeping nitrogen dioxide levels at the terrace houses here. This will negate the requirement for AQMA to be declared in the future. WRS will continue to liaise with Planning Officers so that any new development does not detrimentally impact this situation.

Worcester City Council

Work continues with source apportionment (establishing traffic make up and the air pollution percentage that each vehicle type is responsible for) in the new **St John's AQMA** and a draft Action Plan is being finalised.

This work is to be completed before the end of 2016.

Following concerns about pollution level creep along *London Road*, Worcester, additional diffusion tube monitoring was put up and the results received to date suggest that there is a significant issue with possible breaches of nitrogen dioxide national objective levels. It is proposed that additional options are considered to establish whether an AQMA is required to be declared.

In 2015 levels of nitrogen dioxide in the Lowesmoor part of the **Lowesmoor/Rainbow Hill AQMA** were for the first time (since declaration as an AQMA) below the national objective. This looks likely to continue with the 2016 average and could be directly attributable to the traffic restriction enforcement announcement and use of the bus gate in Lowesmoor. Average levels in Rainbow Hill similarly appear to be below the national objective for the last two years and if this continues as a trend it would suggest possible revocation after 2017's results.

However, the nitrogen dioxide levels remain high in **Dolday AQMA** and exceed the national objective in various locations. A continuous analyser has been monitoring levels in *Foregate Street* for over six months and this monitoring period is to be extended. Results to date suggest levels are close to the National Objective at residential properties so a full year's worth of data is preferable to include the winter weather period. The results here will be used to determine levels further afield, along *The Butts*, *The Tything* and *Sansome Street* which appear to be exceeding the national objective from the diffusion tube monitoring. Once the enhanced monitoring period is concluded, the results will be used to undertake detailed modelling of conditions. The purpose is to establish whether levels exceed national objectives. Should they exceed, options may include extension of the Dolday AQMA or declaration of a new AQMA.

Little progress has been possible with the priority actions for the Dolday AQMA and surrounding areas and it is recognised that individually they will not resolve the complex issues associated with Worcester City Centre. A more holistic approach is the only option to resolving the air quality issues that considers the volume of traffic and access by buses and HGVs on affected roads. WRS are ensuring that these elements are considered in the County Council's Worcester City Centre Transport Model, construction of which is to be commenced during 2016/17.

Not forsaking the above the on-going and proposed Worcester A4440 improvement works are hoped to bring some improvement to the air quality in the city centre over the coming years.

Wychavon District Council

Progress appeared to be imminent for **Port Street, Evesham AQMA** with changes to traffic controls with proposed rephrasing or removal of traffic lights which benefited from local Member & WRS Board Member support. The nitrogen dioxide levels in Port Street have fallen such that since 2014 there have been no exceedences of the National Objective and should this trend continue it may be possible to revoke the AQMA in 2017.



However, the proposed traffic control changes have now been halted by the County Council whilst a new transport model is developed for the town which will incorporate considerations for the AQMA. Until the impact of any changes are known it would be premature to revoke the AQMA. WRS will be involved with the Evesham Transport Strategy Steering Group in order to promote the air quality agenda and ensure that resolution of the Port Street AQMA remains a key focus in the development of the wider transport strategy for Evesham.

WRS arranged a continuous analyser to be installed for six months at *Worcester Road, Wychbold* to supplement the existing diffusion tube monitoring at three locations which had shown exceedences of the national objective for nitrogen dioxide for the last two years. The analyser is now being decommissioned as it has clearly demonstrated an exceedence of the national objective. Detailed dispersion modelling will now need to be undertaken to establish the extent of elevated levels along Worcester Road in relation to residential properties and the cause (in terms of vehicle type and location conditions). Once the extent of the area exceeding the objective is known, Wychavon District Council will be required to declare an AQMA and WRS will produce an action plan to resolve the air quality concerns in the locality.

Wyre Forest District Council

Levels of nitrogen dioxide at the **Horsefair AQMA** remain high (the highest in Worcestershire) and appear to be increasing along Comberton Road which is currently outside the existing AQMA boundary. Little movement with the Churchfields Masterplan redevelopment proposals means many of the priority actions can not be completed. WRS are working with the WRS Board Member to gain local Member support in progressing all the priority actions.

Other areas of Kidderminster and Stourport High Street have been the subject of concerns relating to elevated levels of nitrogen dioxide historically but there are no current concerns in these localities.

The levels of exceedence at the **Welchgate AQMA** are small but persistent and difficult to resolve. The WRS Board Member has facilitated the involvement of local Members in progressing and developing the priority actions for Welchgate recently. This has provided a number of additional options to explore which local Members support. WRS are currently liaising with the County Council and Wyre Forest traffic control team to implement these proposals.

Financial Implications

The majority of the on-going work and proposals are to be met within existing partner contributions to the WRS budget.

The options for London Road will be explored with Worcester City Council.

Legal Implications

Local Air Quality Management is a service undertaken by WRS within the existing Shared Service arrangements with declaration and revocation of AQMAs retained as reserved matters by the partner authorities.

Risk

District Councils have a duty to undertake Local Air Quality Management under Part VI of the Environment Act 1995. The monitoring, annual reporting and work to progress priority actions by WRS on behalf of the District Councils addresses that duty.

Contact Points

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Background Papers

The Air Quality Action Plan Update 2016 – available on the WRS website:
<http://www.worcestershire.gov.uk/environmental-health/pollution/air-quality/air-quality-action-plan.aspx>



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Joint Committee 6th October 2016

WORCESTERSHIRE REGULATORY SERVICES REVENUE MONITORING APRIL – JUNE 2016

Recommendation

It is recommended that the Joint Committee:

- 1.1 Note the final financial position for the period April – June 2016
- 1.2 That partner councils are informed of their liabilities for 2016-17 in relation to provide pension backfunding

Council	2016-17 Value £000
Bromsgrove	14
Redditch	17
Wyre Forest	16
Wychavon	22
Malvern	12
Worcs City	17
Worcestershire County	26
	124

Contribution to Priorities

The robust financial management arrangements ensure the priorities of the service can be delivered effectively.

Introduction/Summary

This report presents the financial position for Worcestershire Regulatory Services for the period April – June 2016.

Background

The financial monitoring reports are presented to this meeting on a quarterly basis.

Report

The following reports are included for Joint committee's

Attention:

- Revenue Monitoring April – June 16 – Appendix 1

Revenue Monitoring

The detailed revenue report is attached at Appendix 1. This shows a projected outturn overspend of £7k, it is appreciated this is an estimation to the year end based on current level of expenditure. The following assumptions have been made:-

- Vacant posts within the service together with savings resulting from maternity leave, long term sick etc. Part of the underspend is offset by the costs associated with additional agency staff being used to cover the vacancies. Officers will reduce the reliance on agency over the next 3-9 months to ensure the projected outturn is as minimal as possible.
- Included in the expenditure are two months costs relating to Trading Standards / Animal Health. These services transferred back to the County 1st June 2016. County have paid WRS £110k to run these services for the 2 months and this income has been included in the income projected outturn of £312k.
- Based on the spend from April – June 2016 in relation to pest control, there will be an estimated overspend of £34k. Appendix 1 shows this cost recovered from partner councils and officers will continue to monitor and analyse the impact on each council. The individual cost allocation will be advised to partner councils once the information is analysed. It is proposed that partner councils are advised of their share of the actual cost to date for inclusion in council reporting.
- Any grant funded expenditure is shown separate to the core service costs as this is not funded by the participating Councils.
- Requirement for pension back funding 2016-17 will need to be funded by the partner Councils. This has been allocated on the 2015-16 % split. County will continue to pay for the pension deficit, therefore the cost to each Council will be:-

• Bromsgrove	11.53%	£14k
• Redditch	13.65%	£17k
• Wyre Forest	12.69%	£16k
• Wychavon	17.71%	£22k
• Malvern	9.74%	£12k
• Worcs City	13.37%	£17k
• County	21.31%	£26k
• Total:		£124k

Cabinet – date of meeting

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Agenda Item 5

The recommendation at 1.2 refers to the pension partner share.

The percentages stated above are the allocations to be used for the IAS19 / Pensions adjustment for the statement of accounts 2016/17.

The District partner percentages for all other costs / underspend for 2016/17 will be:-

- Bromsgrove 14.52%
- Redditch 17.49%
- Wyre Forest 15.30%
- Wychavon 23.16%
- Malvern 12.77%
- Worcs City 16.76%

This reflects the agreement excluding the County Council

Financial Implications

None other than those stated in the report

Sustainability

None as a direct result of this report

Contact Points

Jayne Pickering – 01527-881400

Background Papers

Detailed financial business case

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	Full year Budget	Budget 3 Months to June 16	Expenditure to June 2016	Variance	Projected outturn	Projected Outturn Variance
	£'000	£'000	£'000	£'000	£'000	£'000
Direct Expenditure						
Employees						
Salary	2,406	611	632	21	2,396	-10
Agency Staff	0	0	17	17	39	39
						Agency costs used to cover vacant post / Maternity etc
Subscription	3	0	3	3	5	3
Employee Insurance	16	4	5	1	17	1
Sub-Total - Employees	2,425	615	657	42	2,457	32
Premises						
Rent	54	14	14	1	55	1
Cleaning	0	0	0	0	0	-0
Utilities	0	0	0	0	0	0
Sub-Total - Premises	54	14	14	1	55	1
Transport						
Vehicle Hire	13	2	2	0	12	-1
Vehicle Fuel	8	1	1	-0	8	0
Road Fund Tax	1	0	0	0	1	0
Vehicle Insurance	3	1	1	0	3	0
Vehicle Maintenance	3	1	1	1	4	1
Car Allowances	87	20	21	1	92	5
Sub-Total - Transport	115	25	27	2	119	5

	Full year Budget	Budget 3 Months to June 16	Expenditure to June 2016	Variance	Projected outturn	Projected Outturn Variance
	£'000	£'000	£'000	£'000	£'000	£'000
Direct Expenditure						
Supplies and Services						
Furniture & Equipment	30	3	8	4	33	3
Test Purchases	0	0	0	0	0	0
Clothes, uniforms and laundry	3	0	0	-0	2	-0
Printing & Photocopying	18	4	3	-0	18	0
Publications	2	-0	-0	0	2	0
Postage	11	3	4	1	11	0
ICT	60	27	27	0	60	0
Legal Costs	0	0	1	1	1	1
Telephones	23	4	5	1	24	1
Training & Seminars	24	2	2	-0	24	0
Car Parking & Subsistence	0	0	0	0	0	0
Insurance	30	8	7	-0	30	0
Third Party Payments						
Support Service Recharges	100	25	25	0	100	0
Audit	5	1	0	-1	0	-5
ICT Hosting	44	11	14	3	47	3
Sub-Total - Supplies & Service	349	88	97	9	352	3
Contractors						
Dog Warden	145	35	40	5	150	5
Pest Control	46	10	18	8	81	35
						Income of £12k received from Severn Trent for Sewer Baiting, offsett in Income
Trading Standards	0	0	2	2	5	5
Licensing	12	2	2	-0	12	0
Other contractors/consultants	3	0	0	0	3	0
Water Safety	5	0	1	1	5	0
Food Safety	2	0	0	0	2	0
Environmental Protection	13	3	8	5	20	7
						Bereavement / Works in Default be charged to relevant partners
Taxi Tests	30	10	10	1	30	0
Grants / Subscriptions	11	7	18	11	22	11
Advertising	4	0	0	0	4	0
Publicity & Promotions	2	0	0	0	2	0
CRB Checks	25	6	6	-0	25	0
Sub-Total	297	73	105	32	359	62

	Full year Budget	Budget 3 Months to June 16	Expenditure to June 2016	Variance	Projected outturn	Projected Outturn Variance
	£'000	£'000	£'000		£'000	£'000
Direct Expenditure						
Income						
Training Courses / Bereavement / Works in Default / Sewer Baiting etc	-215	-71	-144	-73	-312	-97
Sub-Total	-215	-71	-144	-73	-312	-97
Total-Excl Pension Deficit / Pest Control	3,025	744	757	12	3,032	7
Pest Control overspend funded by partners	0	0	-9	-9	-34	-34
Total-Excl Pension Deficit / Incl Pest Control Cont	3,025	744	748	4	2,998	-27
** Pension Deficit - Funded by Partners	0	0	31	31	124	124
Sub-Total	0	0	31	31	124	124
Total Incl Pension Deficit	3,025	744	779	35	3,121	96

Percentage saving from original budget £7,181 in 2010-11

57.78%

2016/17 Allocation of Costs	Pension Deficit Contributions	Underspend Allocation (Incl funding for Pest Control overspend)
	£'000	£'000
Bromsgrove	14	-4
Redditch	17	-5
Wyre Forest	16	-4
Wychavon	22	-6
Malvern	12	-4
Worcs City	17	-5
County	26	0
Total	124	-27

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WRS Joint Board: 6th October 2016

Title: Enforcement Policy 2016

Recommendation

That members recommend the adoption of this amended policy by the individual partner authorities.

Background

In 2011, the then Joint Committee agreed to support the adoption of a single WRS Enforcement Policy that the service would use in relation to all of its activities. This policy would be an adjunct to other enforcement policies that each partner authority had for its remaining enforcement activities. Being based on the requirements of the then Regulator's Compliance Code, the policy would not have contradicted any approach being taken by partners in other areas of enforcement. With the amendments made recently to the partnership, the changes to the supporting Code and the time elapsed since the original policy was approved by members, the Head of Regulatory Services felt it was timely to have this policy revised and re-ratified by the new Joint Board. It is appended to the report as a separate document.

Report

Local authorities have been encouraged to produce Enforcement Policies for many years so that those they regulate know and understand what to expect. This was originally driven by the introduction of the Enforcement Concordat, created by LACORS, the Local Government Association's Regulatory Policy support framework for member authorities, and built upon by the Regulator's Compliance Code, issued by the Better Regulation Executive, under the Legislative and Regulatory Reform Act 2006, and maintained by the Local Better Regulation Office. The concordat and the code provided businesses with a clear framework within which regulation would take place and provided this community with an outline of the kind of responses they might face should they be identified as being non-compliant.

This Regulators Compliance Code has itself now been replaced with the Regulator's Code, which remains under the control of the the Department for Business, Energy and Industrial Policy. The core of the new Code has changed little from the original Regulators Compliance Code, but some aspects were clarified and tidied up, requiring some minor amendments to the WRS policy document, which have very limited impact. The Head of Service feels that the changes to the partnership probably warrant a further request for ratification of the policy by members to ensure its standing.

Before putting a case before the Courts, local authorities also need to have regard to the Code for Crown Prosecutors, which lays down the very basic provisions for evidential sufficiency and public interest before a case can be considered a sound candidate to be taken to Court. The attached policy meets the criteria of both of these documents, which should allow it to easily integrate with existing policies within the partner authorities and it will allow the service to operate in a consistent way across the county in relation to all enforcement matters.

Improved consistency is something that businesses crave, so there is a level playing field for all of those in competition. Businesses have complained for a number of years about the alleged inconsistencies in enforcement between local authorities, although the LGA has always challenged this and the responses containing real evidence have been limited. By adopting a common approach to enforcing the functions discharged by WRS, partners will directly address these concerns of the business community and show that WRS remains a tool that local authorities can use to support their economies in a positive way.

Contact

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01562-738088
Simon.Wilkes@worcsregservices.gov.uk

Background Papers

Enforcement Policy document attached as Appendix 1



Worcestershire Regulatory Services **Enforcement Policy**

1. Introduction

In June 2010, the seven Local Authorities in Worcestershire set up a Joint Committee under Section 101 of the Local Government Act 1972, comprising Members of all of the Authorities, to oversee the delivery of regulatory services across the County on their behalf, by a single body called “Worcestershire Regulatory Services” (WRS.) Between April and June 2016, Worcestershire County Council changed its relationship with the partnership, initially by moving from a partner to a customer of WRS, and then by taking back control of its functions to discharge them directly. Hence WRS no longer delivers Trading Standards and Animal Health functions for this authority.

WRS continues to deliver Environmental Health functions, including Food Safety, Health and Safety, many aspects of Pollution Control, and Licensing administration on behalf of Bromsgrove District Council, Malvern Hills District Council, Redditch Borough Council, Worcester City Council, Wychavon District Council and Wyre Forest District Council

This Enforcement Policy will be applied by Worcestershire Regulatory Services in relation to the functions it discharges on behalf of these Authorities and it has been adopted by each of them. It is distinct from the general Enforcement Policy of the individual Local Authorities, which apply to any other regulatory function provided by them, for example planning.

The primary aim of Worcestershire Regulatory Services is to ensure businesses comply with the legislative framework within which they operate so that, consumers, businesses, employees, individuals and the environment are protected, and transactions are fair and equitable. Fair proportionate and effective enforcement is essential to protecting the health, safety and economic interests of all concerned, and there is a range of tools available to the Service to achieve this.

Generally we will provide advice and support those seeking to comply and at the same time tackle those who choose not to comply, using proportionate action. The detail on how and when action may be taken is outlined in the body of this policy.

The Service must also have regard to the various general duties imposed on the partner authorities e.g. section 17 of the Crime and Disorder Act, and the general powers given to local government for the promotion of well being under the Local Government Acts. We are obliged to comply with the Human Rights Act 1998, so we will take its provisions into account when taking decisions relating to enforcement action.

This enforcement policy is a statement of how the Service will carry out its enforcement duties and, in addition, what business and citizens in Worcestershire can expect from our enforcement staff.

2. Policy Scope

We are committed to providing an effective service with officers carrying out their duties in an equitable, practical and consistent manner. To achieve this we have adopted the principles of the following:

- The Regulators Code (BIS)
- Local Government Regulation's Home Authority Principle,
- Better Regulation Delivery Office's Primary Authority Principle
- The Crown Prosecution Service Code for Crown Prosecutors (as amended.)
- The Food Safety Act 1990 Code of Practice
- Human Rights Act 1998 and the European Convention on Human Rights.

We will also comply with any statutory requirement placed upon us and seek to align our procedures with best practice.

The Policy applies to actions in relation to all of the legislation enforced by the Service. Enforcement action includes any action taken by officers aimed at ensuring that individuals or businesses comply with the law and goes beyond just formal enforcement action such as prosecution.

3. General Principles

Prevention is better than cure and our role therefore involves actively working with businesses to advise on and assist with compliance. Where we consider that formal action is necessary, each case will be considered on its own merits. However, there are general principles that apply to the way each case must be approached. These are set out in this Policy.

The majority of cases involving regulatory matters will relate to businesses, however, there will be some cases put before the Courts that relate to individuals, particularly those involving noise nuisance. These cases will be treated in the same way as those involving businesses and the general principles outlined around proportionality of action, for example trying informal approaches before resorting to formal action and the Courts, will be followed.

Enforcement decisions will be fair, independent and objective and will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source. We will take into account the views of any victim, injured party or relevant person to establish the nature and extent of any harm or loss, and its significance, in making the decision to take formal action.

This enforcement policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing

unnecessary burdens on business. We recognise the positive impact that the service can have on economic progress and growth in the local economy and see it as part of our role to encourage and support the growth of legitimate business activity within the legal framework provided by central government.

4. Risk

We will ensure that our resources are targeted where they will be most effective. We will ensure that intelligence and risk assessment inform all aspects of our approach to regulatory activity, including:

- Data collection and other information requirements;
- Inspection programmes;
- Advice and support programmes;
- Enforcement activity and sanctions.

We will normally use the appropriate Government risk assessment scheme to inform any inspection programme, but, where these do not exist, we will consult and involve businesses and other interested parties in designing any risk methodologies that are created within the Authority, and publish the details. In the absence of other factors, when determining risk, we will consider:

- Compliance history and potential future risks
- The existence of effective management systems
- Evidence of recognised external accreditation
- Management competence and willingness to comply

We will also use intelligence to direct inspection based projects, targeting goods or business where there are known issues. Obviously, a complaint may also trigger a visit if that is the most appropriate response. We will review our approach to regulatory activities from time to time, in order to remove any unnecessary burdens from businesses.

5. Advice and Guidance

We will provide general information, advice and guidance to make it easier for businesses to understand and meet their obligations. This will be provided promptly, in clear, concise and accessible language, using a range of appropriate formats and media. Information will cover all legal requirements relating to our regulatory activities, as well as changes to legal requirements. Where changes are of great significance, we will look at the best ways of informing businesses of the changes e.g. through newsletters, mail-shots or seminars.

We will provide targeted and practical advice through personal visits, telephone and promote self service via our website. We will try to maximise the accessibility and effectiveness of advice to ensure efficient use of resources and we will involve businesses in developing both the content and style of regulatory guidance to help ensure that it meets their needs.

When offering advice, we will clearly distinguish between statutory requirements and advice or guidance aimed at improvements above minimum legal standards. We seek to

provide proportionate advice, the content of which will help achieve compliance but impose the minimum burden required on the business concerned. Advice will be confirmed in writing, if requested.

Where a business knows it has a problem and seeks advice to remedy the situation, it will not normally trigger enforcement action. Where appropriate we will seek to support the remedial action to prevent future problems, however, we must reserve the right to take enforcement action in serious cases.

We provide most of our advisory services free of charge; however we reserve the right to charge a reasonable fee for services beyond the basic advice and guidance necessary to help ensure compliance. We would take account of the needs and circumstances of smaller businesses and others in need of help and support in deciding whether or not to charge. Charging will be in line with any guidance issued by the Better Regulation Delivery Office in relation to the Primary Authority principle.

We will engage with local businesses to assess the effectiveness of our information and advice services by asking them how effective our work is in raising businesses' awareness and helping them to understand legal requirements, including the extent to which they incur additional costs from obtaining external advice in order to understand and comply with legal requirements.

6. Inspection

We will ensure inspections and other visits to businesses only occur in accordance with a risk assessment methodology, except where visits are requested by businesses, or where we act on relevant intelligence. We will focus our efforts on businesses where intelligence and risk assessment shows there is a higher likelihood of non-compliance or which pose a more serious risk to regulatory outcomes. Some processes by their nature present a greater risk to health or the environment, or due to their complexity, may make it more difficult to ensure compliance. These are the areas where we will focus our inspection resources.

Where appropriate, and where required by legislation, including the Protection of Freedoms Act, we will give a minimum of 48 hours notice prior to a routine inspection unless to do so would undermine the purpose of the visit. It should be noted, however, that there is a general requirement in some Codes of Practice e.g. Food Law Code of Practice, that notice is not provided prior to a routine inspection. Where this is the case, notice will not be given unless it is necessary to achieve the services ends, for example, if the presence of a particular manager is essential.

When we visit or carry out inspections, we will give feedback to businesses to encourage and reinforce good practice. We will also share information about good practice amongst businesses, and with other regulators.

Where we and another regulator have a shared interest in a business we will work together to ensure that our activities can be rationalised to minimise the burden on the business, where such action is both of benefit to the business and does not harm the standard of enforcement for either regulator.

We will also take account of the circumstances of small, businesses, including any difficulties they may have in achieving compliance.

7. Information Requirements

Worcestershire Regulatory Services do not require large quantities of information from businesses on a routine basis. When determining what data we may require, we will consider the costs and benefits of data requests to businesses and,

- Limit the data that we request to that which is either appropriate, or required by statute e.g. food registration, licensing applications, etc,
- Minimise the frequency of collection and seek the information from other sources where relevant and possible.

We will work with our fellow local regulators to minimise the information we request from businesses, and we will seek to maximise our data sharing within the provisions of the Data Protection Act. We will seek to use compatible collection methods to give consistency.

We will involve businesses in vetting data requirements and form design for clarity and simplification. We will also ensure that, where possible, data can be returned electronically.

8.0 Enforcement Action

In accordance with good practice, we will:

- Publish our Enforcement Policy;
- Report on our enforcement activities year on year to interested parties through an Annual Report;
- Follow-up enforcement actions where appropriate;
- Be transparent in the way in which we enforce requirements and, apply and determine penalties (when such powers are made available.)

When considering what action should be taken, we will look to:

- Be proportionate to the nature of the offence and the harm caused,
- Change the behaviour of the offender;
- Eliminate any financial gain or benefit from non-compliance;
- Address the harm caused by regulatory non-compliance, where appropriate;
- Deter future non-compliance,
- Be responsive and consider what is appropriate for the particular offender and regulatory issue, and

- Avoid perverse incentives that might influence the choice of sanctioning response.

When considering formal enforcement action, we will, when appropriate, discuss the circumstances with those suspected of a breach (usually by way of formal interview,) and take these comments into account when deciding on the best approach, (unless immediate action is required to prevent or respond to a serious breach or where to do so would be likely to defeat the purpose of the proposed enforcement action.)

We will ensure that clear reasons for any formal enforcement action are given to the person or entity at the time the action is taken. These reasons will be confirmed in writing at the earliest opportunity. Complaints and relevant appeals procedures for redress will also be explained at the same time.

8.1 Deciding what enforcement action is appropriate

In assessing what enforcement action is necessary and proportionate, consideration will be given to:

- The seriousness of compliance failure;
- The business's past performance and its current practice;
- The risks being controlled;
- Legal, official or professional guidance;

There are a large number of potential enforcement options. The level of the action taken varies from no action through to proceedings in Court. Examples of the main types of action that can be considered are shown below:

- No action/ verbal advice or assistance;
- Informal Action and Advice;
- Fixed penalty Notices;
- Penalty Charge Notices;
- Statutory Notice;
- Formal closure
- Seizure of goods/equipment;
- Injunctive Actions;
- Refusal/revocation of a licence;
- Simple Caution;
- Prosecution.

8.2 No Action/ Verbal Advice or assistance

There will be circumstances where a contravention may not warrant action, or it may be inappropriate. Many minor contraventions can be dealt with via advice and/ or assistance. Domestic nuisance issues may be best resolved by the neighbours entering into dialogue without the direct intervention of officers. Where this is not appropriate, due to the behaviour of one party or where the complainant is from a vulnerable group, the service will consider the best option for intervention depending on the circumstances.

8.3 Informal Action and Advice

For minor breaches of the law we will give advice on how to put them right, including a deadline by which this must be done. The time allowed will be reasonable, and take into account the seriousness of the contravention and the implications of the non-compliance. Where the advice required is detailed, or there are potentially serious implications from the failure, the advice will be provided in writing. Failure to comply could result in an escalation of enforcement action.

Where ever possible we will advise offenders about 'good practice', but we will clearly distinguish between what they *must do* to comply with the law and what is recommended best practice.

8.4 Statutory Notices

Officers of the Service have the power under various pieces of legislation to issue notices that:

- Prohibit the sale or distribution of goods where relevant provisions may have been breached,
- Require a business to take specific actions to remedy an identified problem,
- Require a business to desist from particular activities that may not comply with legal requirements.
- Require any person to take action to ameliorate or stop nuisances being caused by their actions

Notices may require immediate action where, for example, there are risks to public health or safety, or an immediate risk of environmental damage or serious nuisance. In other circumstances, a reasonable amount of time will be given, depending on the circumstances, to rectify the problem.

Certain types of notice allow works to be carried out in default. This means that if a notice is not complied with (a breach of the notice) we may carry out any necessary works to satisfy the requirements of the notice ourselves. Where the law allows, we may then charge the person/business served with the notice for any cost we incur in carrying out the work.

In certain limited circumstances e.g. under the provisions of food safety legislation, where an authorised officer is satisfied that there is an imminent risk of injury to health from the condition of the premises, the officer may serve notice to close the premises. This would be immediately followed by an application to a Magistrates Court to confirm the closure.

All notices issued will contain details of any Appeals process that may be available to the recipient.

8.5 Fixed Penalty Notices

Certain offences are subject to fixed penalty notices where prescribed by legislation. These notices are recognised as a low-level enforcement tool and avoid the defendant obtaining a criminal record. Where legislation permits an offence to be dealt with by way of a Fixed Penalty Notice (FPN), we may choose to administer a FPN on a first occasion, without issuing a warning. They will be used in appropriate circumstances to give a fast and measured response to the situation.

8.6 Penalty Charge Notices

Penalty Charge Notices (PCNs) are prescribed by certain legislation as a method of enforcement by which the offender pays an amount of money in recognition of the breach. Failure to pay the PCN will result in the offender being pursued in the County Court for non-payment of the debt. A PCN does not create a criminal record and we may choose to issue a PCN without first issuing a warning in appropriate circumstances.

8.7 Institution of Legal Proceedings

Once an officer has completed his/ her enquiries, they will submit a case report to a senior officer, independent of the investigation, who will decide, using the criteria below, the most appropriate course of action.

Where the law has been broken, there is a range of enforcement options available to seek compliance with the law. Under normal circumstances, a process of escalation will be used until either compliance is reached or there is no option other than to instigate proceedings. Exceptions would be where there is a serious risk to public safety or the environment, or the offences have been committed deliberately or negligently or involve deception, or where there is significant economic detriment. Each case is unique and will be considered on its own facts and merits.

The senior officer will take into consideration the requirements of the Code for Crown Prosecutors and other relevant codes before deciding whether or not to pass the file to the relevant legal officer to authorise the institution of legal proceedings.

Firstly the senior officer will have to be satisfied that there is sufficient evidence to provide a realistic prospect of conviction against each defendant on each charge (i.e. that a jury or bench of Magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged). To this end, the senior officer will look at all the available evidence, reliability of witnesses, supporting documentation and any other matters relating to the investigation. Only when this evidential test has been satisfied will the public interest to proceed with the prosecution be considered.

In deciding whether a prosecution will serve the public interest, the senior officer will balance factors for and against the prosecution carefully, fairly and impartially. Some factors may increase the justification to prosecute whereas others may militate against. Below are some of the matters to be taken into consideration for and against criminal proceedings. This is not an exhaustive list and, as such, each case is taken strictly on its own individual merits:

Factors in Favour of Prosecution

- The offender was in a position of control within the business,
- The offender acted dishonestly, wilfully or negligently.
- The product or service was aimed at a vulnerable group or person.
- The product or service has caused or had the potential to cause physical or mental injury or suffering, significant harm or loss.
- The offender has received advice or a warning concerning the circumstances of the offence or similar matters.
- The offender has previous convictions that are relevant.
- The offence, though not serious in its self, is widespread in the area where it was committed.
- There are grounds to believe that the offence is likely to be continued or repeated, for example by a history of recurring conduct.
- The outcome of a prosecution might serve an important, informative purpose or establish a legal precedent.

Factors which would mitigate against the need for a prosecution

- The offence was minor in nature and as a result of a genuine mistake or misunderstanding, which did not involve significant negligence.
- The offender is elderly, or was at the time of the offence suffering from significant mental or physical ill health, which contributed to the commission of the offence, and the offence was neither serious nor likely to be repeated.
- The loss or harm could be described as minor and was as a result of a single incident, particularly if it was caused by a failure of judgment.
- The offender put right the loss or harm caused prior to the intervention of the Service.
- Prior to the Service's intervention, the offender had introduced adequate steps to prevent further similar offences.
- The defendant was a youth at the time of the offence.
- There has been a long delay between the offence and any potential court action, unless either:
 - (i) The offence is serious,
 - (ii) The delay has been caused by the defendant or his/ her legal representatives,
 - (iii) The offence has only recently come to light, or
 - (iv) The complexity of the offence meant that there has been a long investigation.

8.8 Proceeds of Crime Applications

Some cases taken by the service can lead to applications being made under the Proceeds of Crime Act 2002 (POCA) for confiscation of assets. These are the most serious cases or where there is persistence of offending over a long period of time or where the offences are deemed to be "lifestyle crime" under POCA. Their purpose is to recover the financial benefit that the offender has obtained from his criminal conduct. WRS will look to use these provisions in an appropriate manner.

8.9 The use of Simple Cautions

Where the public interest justifies it, we will consider offering a Simple Caution (or Reprimand/ Final Written Warning if the offender is below the age of 18.) In offering a Simple Caution, we will take account of the Home Office Guidelines in relation to the cautioning of offenders, and the Code for Crown Prosecutors. Where the offender is under 18 and a formal approach is being considered, appropriate bodies such as the Youth Offending Team will be consulted.

A Simple Caution requires an admission of guilt on behalf of the offender, however there is no sentence and there is no recorded conviction. A caution will remain on record for a period of 2 years and may be cited in Court should a further offence be committed and prosecuted during that time.

8.10 Injunctions

Injunctive action is a civil law process that may be used to ensure that person or business desists from a particular pattern of behaviour or action. Whilst these are not the norm in dealing with regulatory matters, seeking an injunction may be the most appropriate method of disposal for an issue. We will work with the relevant partner legal team to develop such cases and support them being taken through the Court process.

8.11 Other Orders available

There are a range of orders available in law under various provisions that can be used to tackle what is widely described as “anti-social behaviour.” Where these provisions offer a suitable way of dealing with an issue, the service will take them forward with the support of the relevant partner legal service.

8.12 Refusal, Suspension and Revocation of Licence

Where there is a requirement for a business to be licensed by the local authority, the licence may be granted unless representations or objections are received against the application. In such cases the Licensing Committee or Sub-Committee will hear the case and decide to grant, grant with conditions, or refuse the licence application. In addition, in relation to the Gambling Act 2005, applications for premises Licence, the Licensing Committee can exclude a condition of licence.

In most circumstances, a licence may be considered for suspension, revocation, or the application of further conditions, where officers become aware of either the commission of offences relating to the conduct of the business, or breaches of existing conditions or similar controls. These matters will be heard before the Licensing Committee (or a Sub-Committee,) of the relevant partner Authority, and the elected members will determine what action should be taken.

9.0 Additional Information

The Senior Managers involved in making the more serious decisions will also have regard to legal advice from the relevant partner Head of Legal Services. Once the Regulatory Service reaches a decision to prosecute, or to instigate civil proceedings, the relevant Partner Authority's Legal Services Department must authorise the action before implementation.

9.1 Standards and Accountability

We will, in consultation with businesses and other interested parties, set and publish clear standards and targets for our service and performance. These will include:

- Regulatory outcomes (e.g. proportions of businesses that comply,)
- Performance standards for contact with businesses;
- A commitment to ensuring costs to businesses of regulatory interventions are proportionate; and
- A commitment to dealing with any negative perceptions of businesses and other interested parties relating to these issues.

We will create effective consultation and feedback opportunities to ensure we have continuing cooperative relationships with businesses and other interested parties. We will ensure our officers provide courteous and efficient services to businesses. We will enable them to interpret and apply relevant legal requirements and ensure that they enforce requirements fairly and consistently between like-businesses in similar situations. We will take account of comments from businesses and other interested parties regarding the behaviour and activity of our staff.

9.2 Liaison with other regulatory bodies and enforcement agencies

Where appropriate, enforcement activities within Worcestershire Regulatory Services will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement.

Where an enforcement matter affects a wide geographical area beyond the County boundaries, or involves enforcement by one or more other local authorities or organisations; where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity coordinated with them.

Worcestershire Regulatory Services will share intelligence relating to wider regulatory matters with other regulatory bodies and enforcement agencies, and examples include:

- Government Agencies
- Police Forces
- Fire Authorities
- Other Statutory Bodies
- Local Authorities

9.3 Further Information

Anyone requiring further information on this policy should contact Worcestershire Regulatory Services by writing to:

Worcestershire Regulatory Services
Wyre Forest House
Finepoint Way,
Kidderminster,
Worcestershire
DY11 7WF

Or by e-mail to:

wrsenquiries@worcestershire.gov.uk





WRS Joint Board: 6th October 2016

Title: Activity and Performance Data Quarter 1

Recommendation

That the Joint Board notes the Report and that members use the contents of the activity data in their own reporting back to fellow members of the partner authorities.

Background

This report covers the first quarter of 2016/17 and members will note that, due to the departure of the Trading Standards team on 1st June back to direct control by the County Council, we have not included the usual tables outlining Trading Standards and Animal Health activity. For member's interest, we have included one of our final news releases as the Trading Standards delivery organisation.

Contribution to Priorities

The detail of the report focuses on Q1 but the presentation of the data allows comparison with previous quarters and previous years.

Previously, Joint Committee members have asked the service to provide data on activity levels to help reassure local members that WRS continues to tackle issues broadly across the county. This has been continued since the move to Joint Board on 1st April 2016.

Report

Activity Data

As usual, licensing and environmental health nuisances continue to provide greatest demand, which is understandable given their direct impact on the public.

The Team Manager has provided a detailed outline of work done by the Community Environmental Health teams. Whilst the number of service requests in respect of food safety and hygiene are broadly in line with previous years, food inspections are slightly down on the same quarter last year but up on the year prior to that. This reflects the resources involved in conducting the complex enforcement activities being carried out, with two premises having been formally closed during the period and several prosecutions pending. We shall continue to monitor closely progress against the full inspection programme for the year so as to ensure that it remains on track.

The service now boasts several Primary Authority agreements whereby a

business enters into a contractual agreement with us on a cost-recovery basis to receive assured advice and several new businesses have signed up to the Healthy Eating award.

On Health and Safety, the number of complaints and enquiries for the first quarter has shown a downward trend on previous years whilst the number of accident reports remains broadly the same. Officers remain involved in a number of complex investigations including fatalities, the majority of these being concluded from the previous year.

Nuisance complaints have followed a very similar track to 2015/16 so far and the noise figures are comparable. However, it should be noted that there has been a rather dramatic change in the wards included in our top 20 for noise complaints however, we are confident that this is an artefact. Wyre Forest District Council have changed their ward structure and reduced the number. This has concentrated complaints into fewer wards, hence Wyre Forest DC appearing to have 40% of the top 20 wards when, previously, these tended to be shared across Redditch, Worcester City and Wyre Forest. For reassurance, members may wish to refer to the Rate column which shows the rate of complaint per 100 residents in the population of the ward. These still remain relatively low. We are awaiting official confirmation of the new Wyre Forest ward populations in order to present these.

As members will see, the number of planning consultations follows the same trajectory as Q1 in 2016/17, so this work continues to make large demands in terms of numbers and complexity on the team.

The new graphical representation of numbers of stray dogs dealt with clearly shows the fall in numbers since 2014/15. This has been an ongoing trend, which we explained last time, due to the wardens having tackled the habitual straying dogs and packs of roaming dogs by seizing the dogs and owners repaying the charges or having their dogs rehomed, along with the increasing use of social media by members of the public to tell the world that they have found or lost a stray dog. Whilst the latter does create some concerns for animal welfare and ownership, where little evidence may be required by the person claiming the animal, it is good to see people taking the initiative themselves and reducing the burden on local services at a time of financial difficulties for local government. Empowerment of this form, with the right safeguards, is clearly supportive of the smaller government/ self-reliance agenda.

Within Licensing, the recording of applications and renewals on our Uniform database is well established and we are now starting to see patterns of where demand highs and lows might be. Once this is clear it will allow us to schedule some of our proactive enforcement work better so that it imposes a lesser burden on officer time.

The apparent large drop in numbers of licensing service requests for the first quarter compared with Q1 2015/16 is an artefact, created by changes to how we record some of our information. Reviewing our systems revealed that some pieces of work that should have been recorded against on-going activity were being recorded as new work. Also, some work was being

recorded as an action against a license when it should have been recorded as a new service request. We have provided new and clearer advice to staff on what constitutes new work and what should be simply recorded against a license so that we can now get some consistency of how this data is recorded.

A new graph has been included this year to highlight the volumes of information requests that the service has to respond to on behalf of partners. These are statutory requirements under the Freedom of Information Act, the Data Protection Act and the largest by far, those under Environmental Information Regulations, which can link into things like land charges searches and the sales of property. We work closely with colleagues at the partner authorities to provide this information and we are constantly looking for ways to reduce the burden on us by publishing data on our website. Ensuring that our public registers are available on-line has been helpful in reducing the administrative burden of dealing with requests. For Environmental Information requests we have even updated our website so that people can apply on-line for the information, as is explained in the Press Release featured below. Also, when we look at Freedom of Information requests, many are from sources such as researchers and journalists, who will contact all partners. We look to provide Worcestershire-wide data in response to such requests to avoid doing it multiple times on behalf of each partner.

Performance

For the first quarter performance reporting is limited due to the nature of the indicators.

Customer satisfaction recorded 81.3%, which is slightly above but in line with last year's outrun and similar to the Q1 figure in 2015/16. For business satisfaction we are slightly down on the outrun at 92.9% but still good. Timeliness of responding is down and we will work to improve this.

The proportion of people who feel better equipped to deal with problems for themselves in future is slightly up on last year's outrun at 81.4% but still in line with previous performance.

Staff sickness is somewhat higher than in previous year's at 1.73 days per FTE for the first quarter. A large contributing factor to this is several members of staff with long term health conditions that have required surgery followed by periods of rest and recuperation.

Numbers of complaints are low, with only 3 in the first quarter and again they are significantly exceeded by compliments at 18.

Finally, a couple of press releases from the quarter will be of interest. All WRS press releases are available on the website. The second was one of our last whilst delivering Trading Standards functions; in this case explosives/ fireworks safety and licensing. It demonstrates the excellence of what was being delivered and the focus of our officers both locally and on the bigger national picture.

Items of interest

Environmental Information Requests go on-line

The Environmental Information Regulations 2004 (EIR) provide members of the public with the right to access environmental information held by local authorities and other bodies. This information is used in many ways such as the purchase of houses (conveyance of), Property Development (Identifying land contamination and previous uses) and personal interest.

WRS have recently undertaken a number of enhancements to improve its website and enquiries can now be completed on-line instead of telephone, email or letter. The enquiry forms have been simplified for the purpose of house purchase/general information based requests in the main and there is also a separate technical enquiry form for environmental consultants for more complex searches.

Anyone can access this information through WRS, please [follow the link to make a request.](#)

Explosives conference is a real blast

More than 100 delegates attended an explosive national event to support Trading Standards and Fire Safety Officers, from across the country involved in the licensing of fireworks and explosives.

Organised by Worcestershire Regulatory Services Trading Standards Section and FELG, the Fireworks Enforcement Liaison Group, the inaugural National Fireworks Forum was held on 18th May at the Guildhall in Worcester.

Guest speakers included representatives from the Explosives Industry Group, the Chief Fire Officers Association and Just-FX, a Theatrical Pyrotechnician. Anett Polyak from TUV Rhineland, one of the leading European test houses, flew over from Hungary to speak on product compliance and testing.

WRS Petroleum and Explosives Officer Rachel Hallam said "This is the first forum of its kind and it was a huge success. To get this many nationally recognised businesses and regulators under one roof, pooling and sharing information is of massive benefit to all concerned."

"There have been incidents of huge explosions in the UK and around the world, where warehouses that store and sell fireworks have gone up in flames causing loss of life and huge devastation. It's vitally important that the industry and enforcement agencies work together for the safety of our communities"

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Background Papers

Appendix A: Activity Report (separate document)

Appendix B: Performance indicators Table

Appendix B: Performance Indicator Table

1. Indicator	Reporting period	Q1	Q2	Q3	Q4/ Outrun
1. % of service requests where resolution is achieved to customers satisfaction	Quarterly NB: fig is cumulative	81.3%			
2. % of service requests where resolution is achieved to business satisfaction	Quarterly NB: fig is cumulative	92.9%			
3. % businesses broadly compliant at first assessment/ inspection	Annually	NA	NA	NA	
4. % of food businesses scoring 0,1 or 2 at 1 st April each year	Annually	NA	NA	NA	
5. % of applicants for driver licenses rejected as not fit and proper Number of applicants refused, by district, and percentage those drivers represent of the total driver numbers in the County	6-monthly	NA		NA	
6. % of vehicles found to be defective whilst in service Number of vehicles found to be defective by district and the percentage this represents of the fleet county-wide	6-monthly	NA		NA	
7. % of service requests where customer indicates they feel better equipped to deal with issues themselves in future	Quarterly NB: fig is cumulative	81.4%			
8. Review of register of complaints/ compliments NB: See breakdown tables	Quarterly	3/18			
9. Annual staff sickness absence at public sector average or better	Quarterly	1.74 days per FTE			

Agenda Item 7

10. % of staff who enjoy working for WRS	Annually	NA	NA	NA	
11. % of licensed businesses subject to allegations of not upholding the 4 licensing objectives	6-monthly	NA		NA	
12. Rate of noise complaint per 1000 head of population	6-monthly	NA		NA	
13. Total income expressed as a % of district base revenue budget (16/17)	6-monthly	NA		NA	
14. Cost of regulatory services per head of population (Calculation will offset income against revenue budget)	Annually	NA	NA	NA	

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Worcestershire
Regulatory Services
Supporting and protecting you

Activity Report 2016/17

Produced by WRS Intelligence | intelligence@wocrsregservices.gov.uk



Bromsgrove
District Council
www.bromsgrove.gov.uk

Malvern Hills
District Council
www.malvern hills.gov.uk

REDDITCH BOROUGH COUNCIL
making a difference
www.redditchbc.gov.uk

Worcester
CITY COUNCIL

WYCHAVON
DISTRICT COUNCIL
good services, good value

Wyre Forest
District Council

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Health and Safety
Information Requests
Licensing
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Pollution
Public Health

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Bromsgrove
Malvern Hills
Redditch
Worcester City
Wychavon
Wyre Forest

Foreword

Simon Wilkes

Head of Regulatory Services

Welcome to the first edition of the activity data report for 2016/17, which of course covers Q1. We have a slightly different layout with the bar charts you were used to seeing, in the main, being turned into line graphs. Hopefully this will assist in showing some of the trends in workload for our different activities. As usual managers have spread commentary on the data through the document, as well as providing some wider feedback on some areas of work. We have retained a section for each district at the end of the report to give you a picture of what is happening on your patch. If you have any feedback, please contact either myself or the relevant member of the management team.



WRS Headlines

Dog Welfare

Members may be familiar with the story of 'Maisie' that hit the local media headlines this quarter. WRS regularly run stories of this nature hoping that someone comes forward with details of the perpetrator as well as letting the public know there are organisations including WRS who can assist with advice and practical solutions when owners run into financial difficulty or are no longer able to cope with their dog. Unfortunately the person(s) who allowed 'Maisie' to become so emaciated were never identified, but she recovered, found a new home and WRS's message received much publicity being picked up in local and national media.



Maisie the dog who was found emaciated and dehydrated in Bromsgrove [as reported in Bromsgrove Advertiser, Redditch Standard and ITV News online].

Energy from Waste Plant

Work continues with the plant and the company will move into the primary commissioning phase in July – August and will go on for 20 weeks. It is anticipated that there may be some disruption in the locality from the initial start-up from the generation of noise and steam. The steam will generate white clouds rising at ground level (this is part of the normal commissioning process). Members are advised to refer any complaints or concerns received to the Environment Agency as the regulator for the facility. Alternatively you can contact EnviRecover directly on the following contact: envirecover@severnwaste.co.uk or telephone 01299 251691.

WRS Headlines

Food Premises Closures

Premises in Redditch were closed via a Hygiene Emergency Prohibition Notice for an active mouse infestation in April. Worcester Magistrates confirmed the action by signing the Hygiene Emergency Prohibition Order. The premises were subsequently allowed to reopen after the pest problem was eradicated and the premises had been thoroughly cleansed and redecorated. In June EHOs responded to a complaint about a non-registered food warehouse in Wyre Forest. This was found to be rat infested and was formally closed with a Hygiene Emergency Prohibition Order. Several health and safety notices were also served.

Healthier Choices Food Award scheme



Bricklehampton Hall Nursing Home near Pershore, Jaipur cottage Bromsgrove, Phoenix Group and Cupcakes Catering Ltd have all achieved the Healthier Choices Food Award this period. This takes the total number of businesses holding the award across the County to sixteen. The Healthier Choices Food Award scheme, run by Worcestershire Regulatory Services, is open only to those businesses that have the highest possible five-star food hygiene rating. The award recognises Worcestershire food businesses that cater for people by offering them a variety of healthy and flexible options, with a special Gold Award for businesses that also use food that has been grown or produced nearby.

Mr Ahmed of Jaipur Cottage- 'we feel honoured and privileged to receive the award and to be leading the way forward in offering safe and healthier food for our customers'.

M5 Widening J6 to J4 (Smart Motorways project)

We are pleased to note that progression of this project has not given rise to any complaints over the last quarter and we are satisfied that DaVinci & Balfour Beattie are in

WRS Headlines

Rail works – Bromsgrove Electrification

Network rail are currently installing the electric cable gantries between Bromsgrove and Barnt Green and WRS are currently satisfied that they are doing this with the least possible disruption to local residence. WRS attended Meetings in late July with network Rail to discuss noise control measure for the next phase of electrification which will enter the Blackwell area. This work is due to take place this autumn.

Air Quality

The main focus over this quarter has been the commencement of the Air Quality Action Plan Update for all Partners utilising the new ASR review and assessment reporting tools that WRS Piloted in 2015 for DEFRA. Worcester City air quality monitoring for the initial 6 months has been completed at Foregate Street and is being extended for a further 6 months for the purpose of establishing data consistency. Due to concerns with air quality in Wychbold automatic nitrogen dioxide analysers were also installed on the A38 and will operate for 6 months until late autumn.

Other highlights have been the County Council's agreement that they will prioritise air quality improvements as part of their planned 31 Million pound investment to improve junctions and traffic flow along the A38 through Bromsgrove (Wychbold- Lydiate Ash).

Contaminated Land

WRS officers have been involved in providing on going advice and technical assistance in a number of contaminated land related matters relating to the Marlbrook Tip, Pinches Landfill site and landfill sites in Hartlebury. Such sites require significant technical input over a long period of time. At Marlbrook tip, WRS continue to support the Bromsgrove Planning Department in scrutinising the landfill gas monitoring reports and is currently working with the landowner and their consultant to revise the gas monitoring regime. At Pinches significant work has been undertaken to develop the basis of a conceptual model to determine risk from the various landfills in the vicinity. Again at Hartlebury WRS requested Worcestershire County Council undertake a risk assessment following the identification of landfill gas in locations not previously identified off-site. This is currently being reviewed.

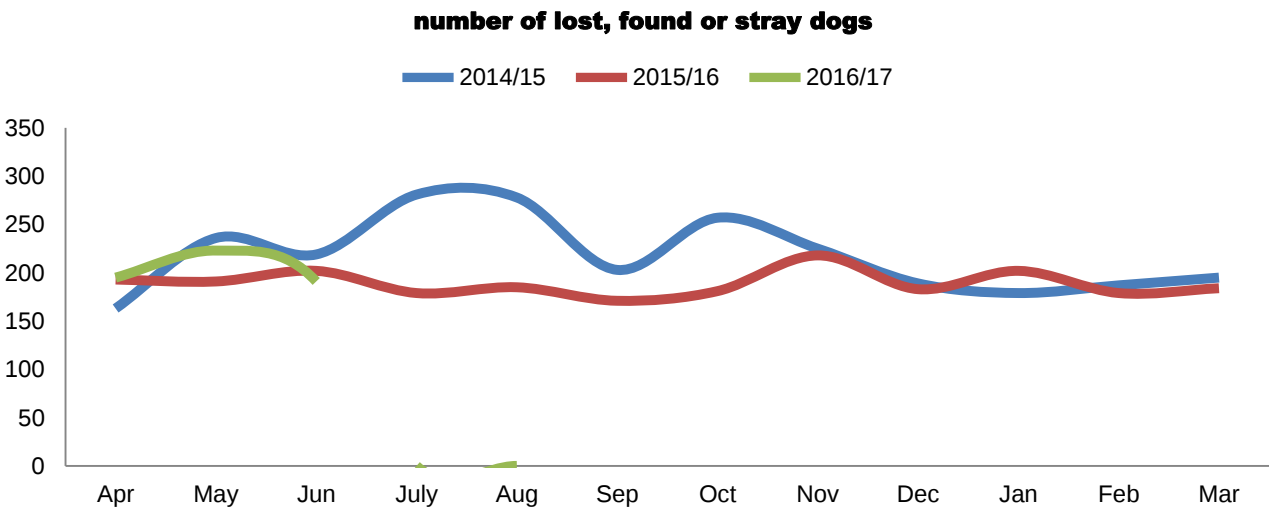
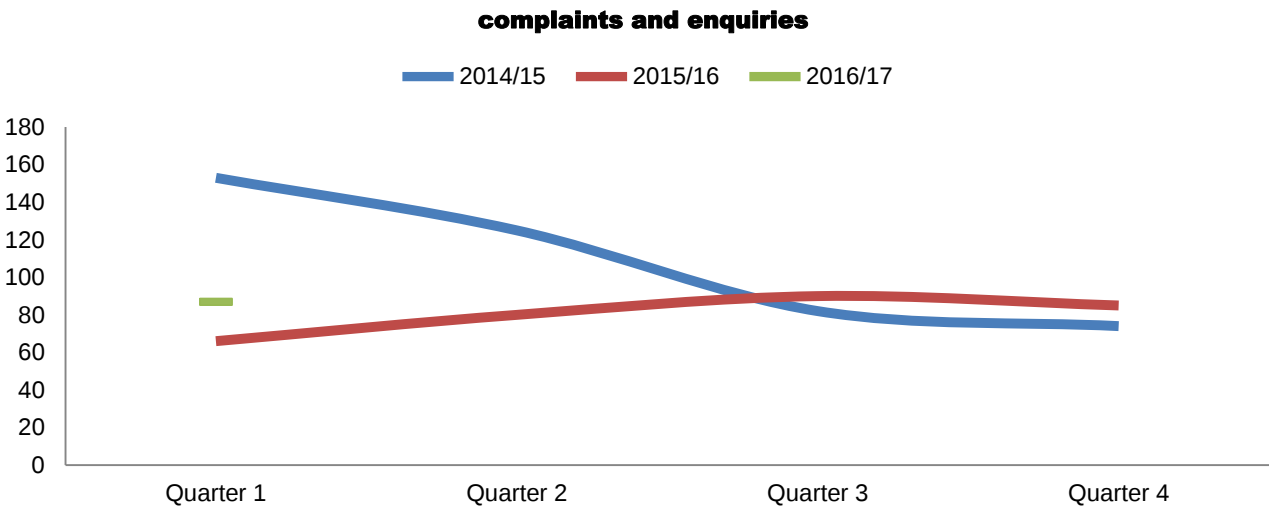
Dog Control

The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to dog control. Types of cases recorded under this category include fouling and persistent straying, dangerous dogs and welfare. The chart (bottom right) shows the number of dogs recorded by WRS as lost, found or seen straying.

Comments

Dog control statistics include work carried out by WRS on behalf of Cheltenham Borough Council, Gloucester City Council and Tewkesbury Brough Council.

Numbers of stray dogs have been falling for many years as owners realise it is not acceptable to allow their dog to stray and that there are financial consequences to retrieving their dog from the kennels. It is expected that the benefits of this will be felt across the three Gloucestershire Districts that WRS cover due to our consistent approach and so we expect overall numbers to fall for stray, lost and found dogs reported.



Environmental Permitting

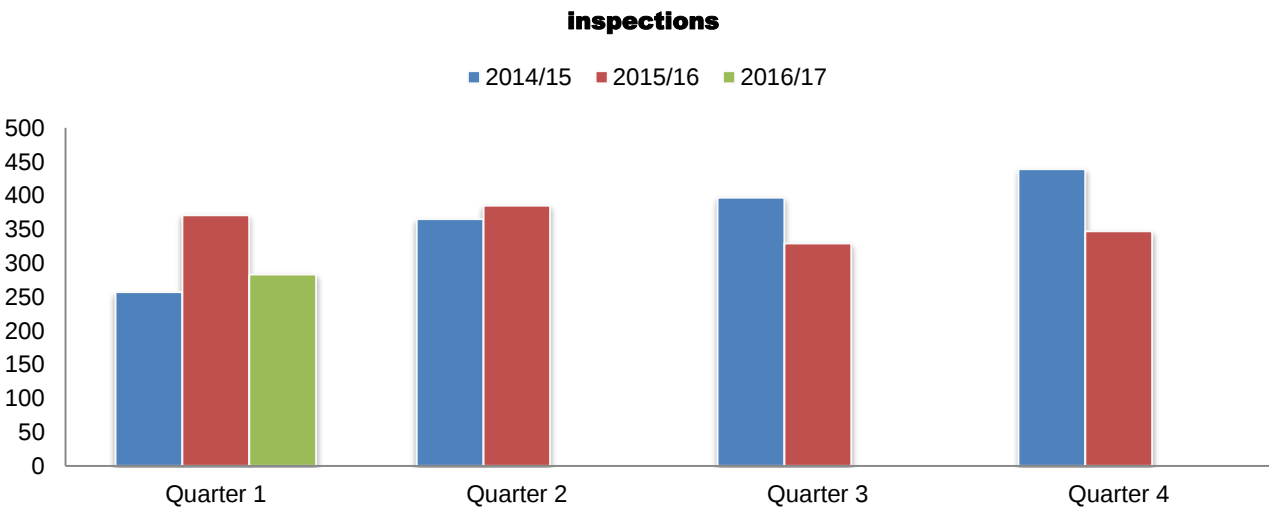
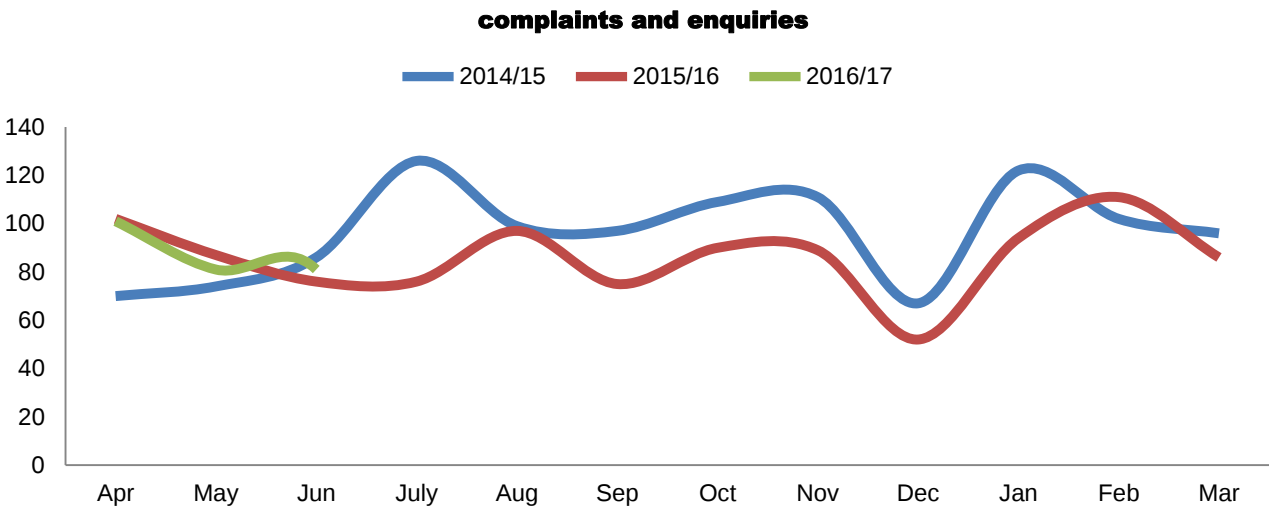
Compliance in this sector remains high and satisfactory annual activity DEFRA returns for all partners were completed on schedule including Gloucester City. WRS continue to work with Wienerberger's brickworks in resolving noise issues with their facility. WRS are currently assisting several companies in setting up environmental regulation for waste tyre and plastic recycling plants in Wychavon and Redditch along with the regulation of STOR (Short Term Operating Reserve) electrical generation sites in strategic locations within the County. WRS are also operating Gloucester City's environmental permitting service.

Food Safety

The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to food safety. Types of cases recorded under this category include hygiene of premises complaints, complaints about food products and requests for business advice. The chart (bottom right) shows the number of inspections carried out by WRS at premises included in the Food Hygiene Rating Scheme (FHRS).

Comments

These figures do not reflect the high level of enforcement activity being carried out, with two premises having been normally closed for pest infestations during the period and several prosecutions pending. Further, the service now boasts several Primary Authority agreements whereby a business enters into a contractual agreement with us on a cost-recovery basis to receive assured advice based on a detailed understanding of their operation. This helps Worcestershire businesses by preventing inconsistent interpretation of regulations by other local authorities and applies wherever that business has outlets, factories or its products are sold. Notable amongst these for the period is Servest who are a major national caterer with over 200 outlets primarily serving schools, colleges and the BBC.



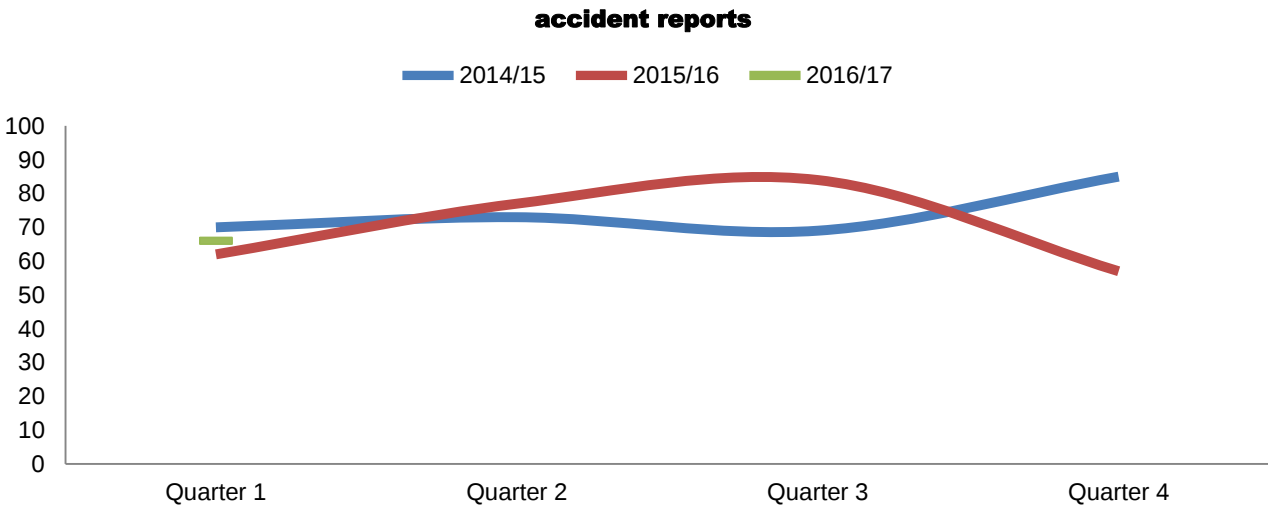
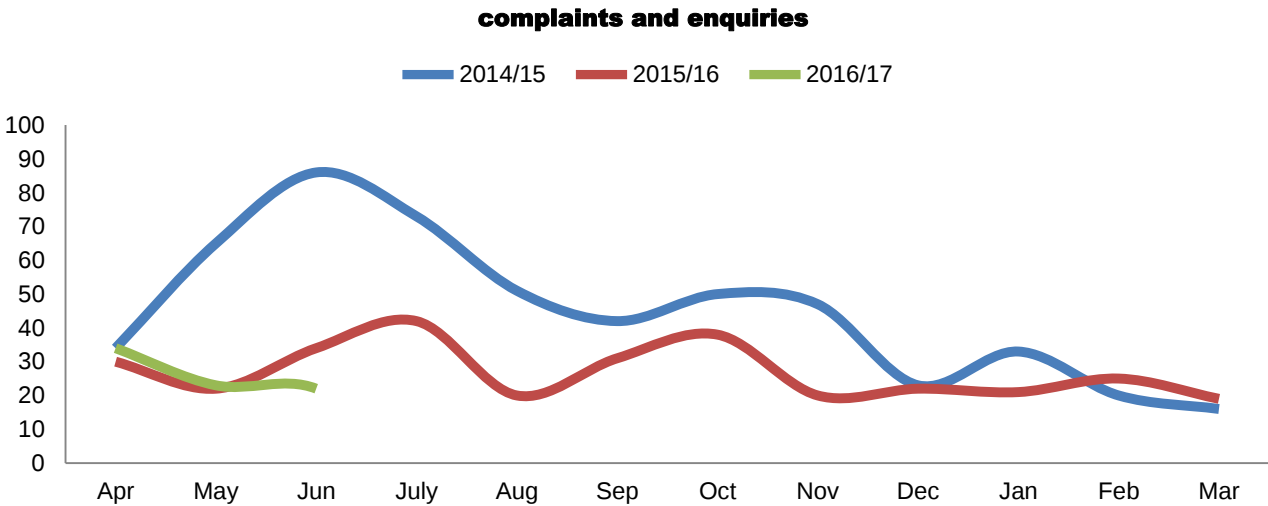
Health and Safety

The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to health and safety. This includes requests for business advice. The chart (bottom right) shows the number of notifications received by WRS relating to accidents.

Comments

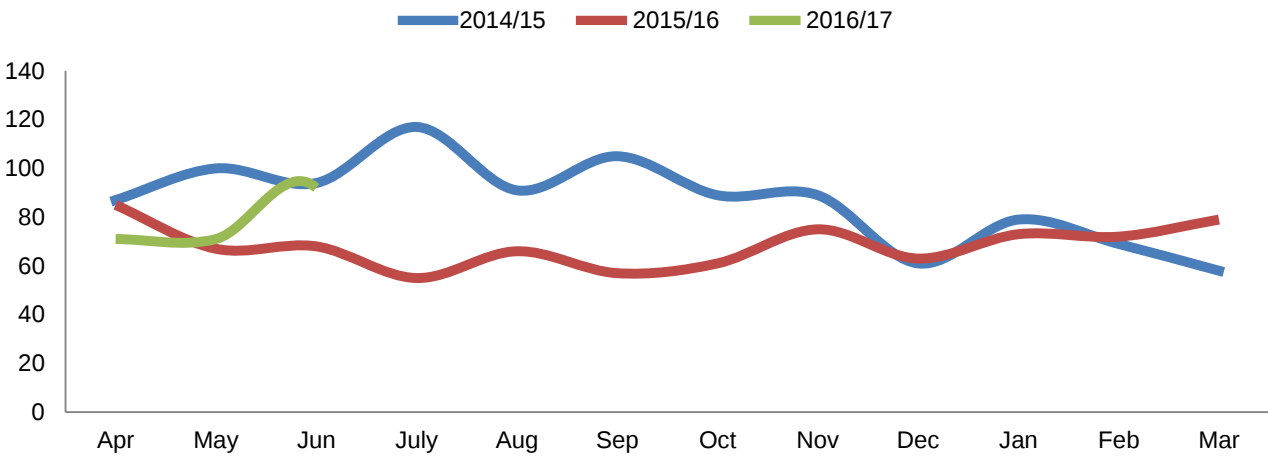
Whilst the service has no control as to the volume of demand received, the number of complaints and enquiries for the first quarter has shown a downward trend on previous years whilst the number of accident reports remains broadly the same.

These figures do not however reflect the increased level of enforcement activity being carried out, with several prosecutions pending including two fatalities.



Information Requests

The chart (right) shows the number of information requests recorded by WRS over a three year period. This includes Environmental Information Requests, Freedom of Information Requests and requests for information under the Data Protection Act 1998 which are generally received from partner agencies.



Licensing

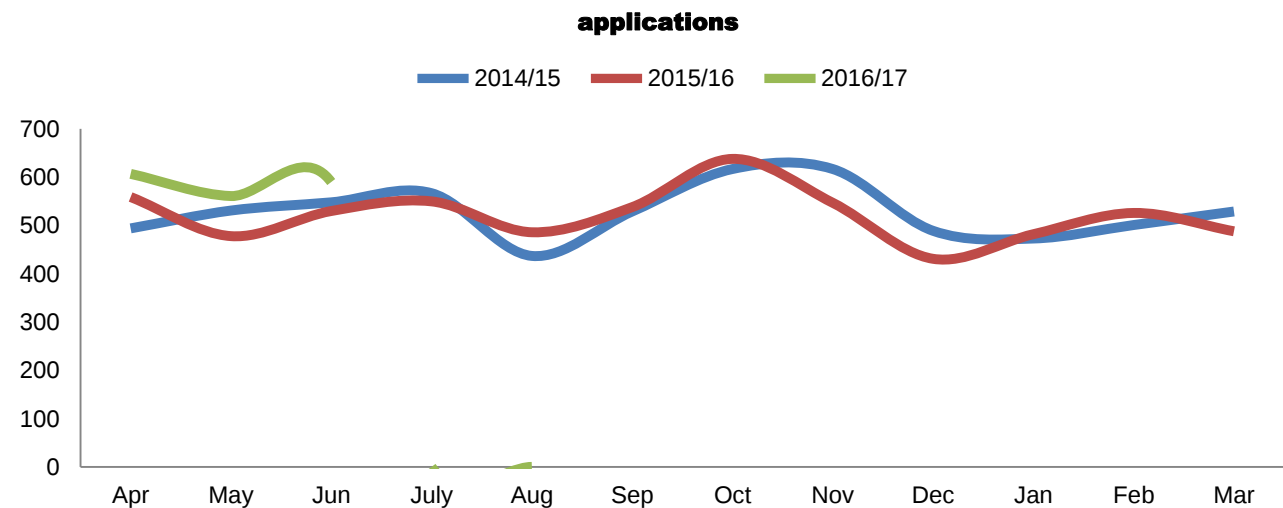
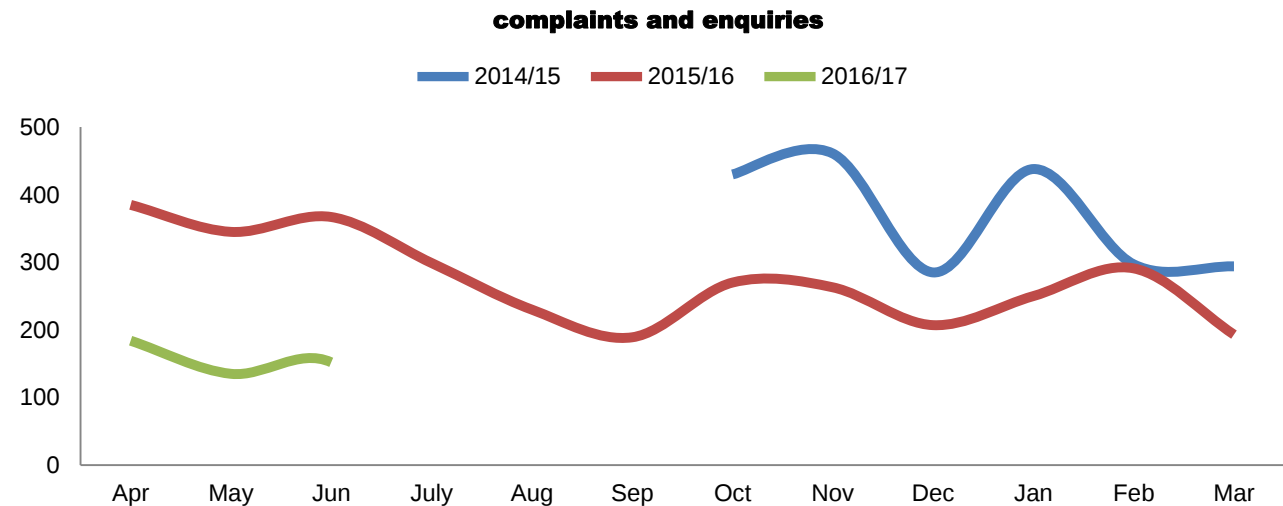
The chart (top right) shows the number complaints and enquiries recorded by WRS over a three year period relating to licensing. The chart (bottom right) shows the number of licensing applications.

Licensing complaints, enquiries and applications relate to the following:

- Alcohol and entertainment
- Animals
- Caravans
- Gambling
- Scrap metal
- Sex establishments
- Skin piercing
- Street trading
- Taxis

Comments

Data relating to licensing complaints and enquiries is only available from October 2014. The variation in case totals is due to the Licensing team establishing 'best practice' when recording complaints and enquiries and should become more consistent during the year.

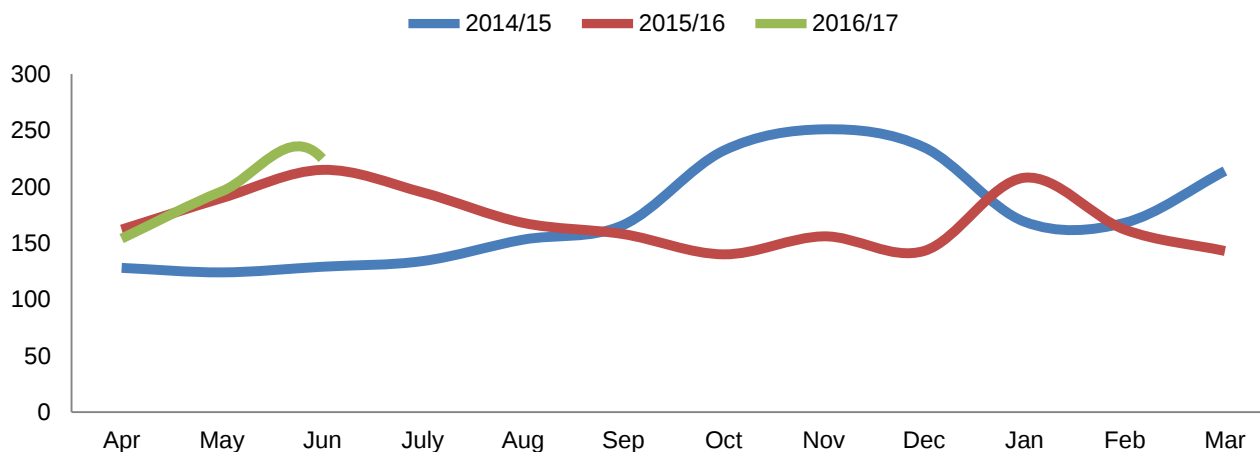


Planning

The chart (right) shows the number of planning requests received by WRS over a three year period. The majority of these requests are consultations but can also include requests to discharge conditions.

Planning requests relate to the following:

- Air Quality
- Contaminated Land
- Environmental Permitting
- Food
- Health and Safety
- Nuisance / Noise



Comments

Planning data includes work carried out by WRS on behalf of Herefordshire County Council, Stratford-on-Avon District Council and Tewkesbury Borough Council. Demand on environmental impact advice in planning remains strong showing some growth above previous year's statistics for May- June.

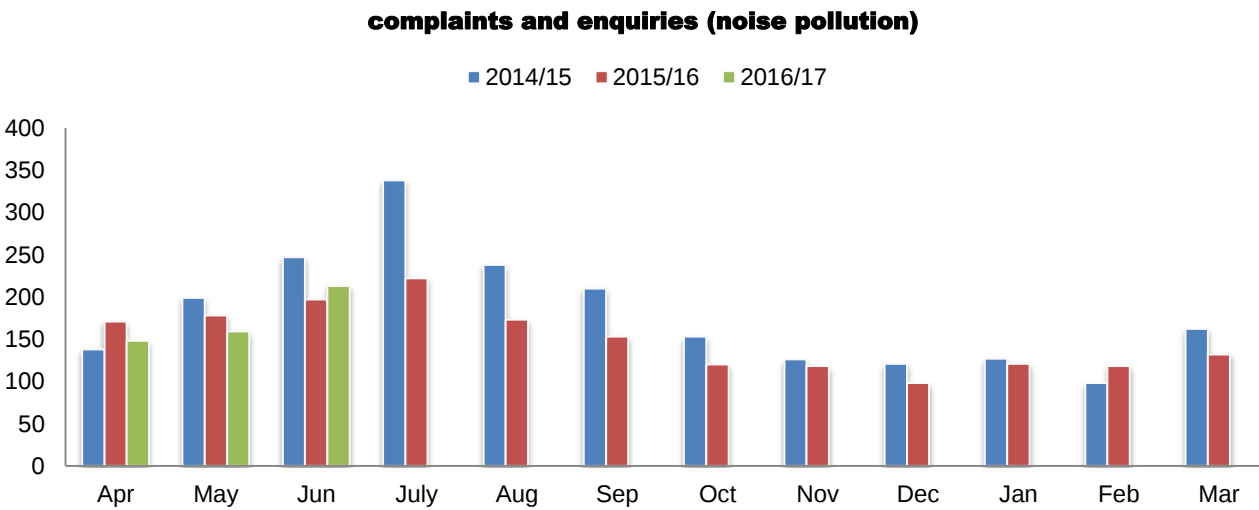
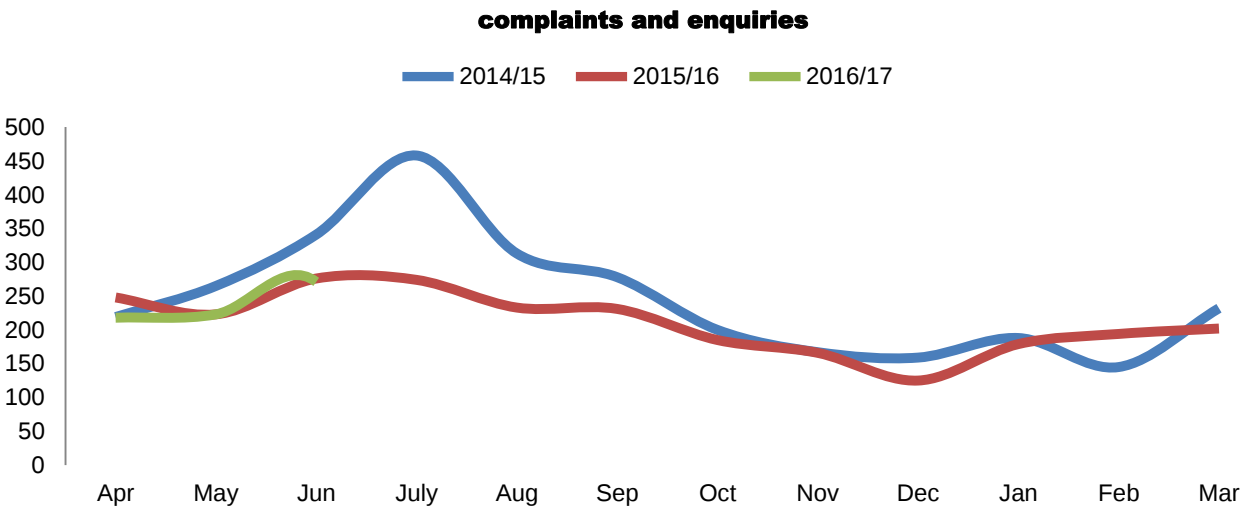
WRS are currently developing a county wide supplementary planning document (SPD) for environmental protection through the strategic and Development control planning regime . Initially discussions with Bromsgrove & Redditch planning departments on the development of this guidance has been positive and officers will be engaging with the remaining planning authorities within the partnership on the preliminary drafts for the documents. It is anticipated that a SPD will standardise technical requirements and improve consistency in the planning process.

Pollution

The chart (right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to pollution. Types of cases recorded under this category include contamination incidents, air pollution (smoke, fumes and gases), light pollution and noise pollution. The chart (bottom right) shows the number of complaints and enquiries relating to noise pollution.

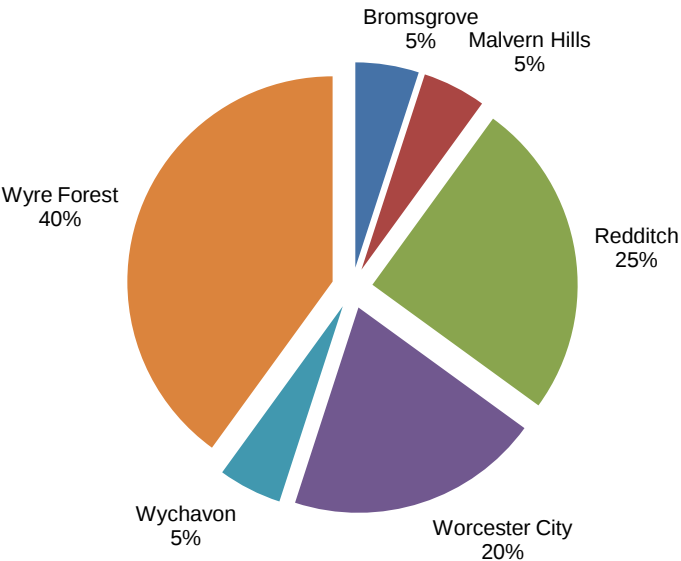
Comments

Whilst demand is broadly consistent with the previous year, the move to self help, which yielded savings for the remaining partners to adopt it, will take a little time to bed into areas where it has not been fully utilised. The Management Team will monitor first response, customer issues and staffing issues to see how these policy changes impact more widely.



Noise Pollution

Page 59



Comments

The table (right) shows the top 20 wards within Worcestershire with the highest number of noise pollution cases. Where possible, population and incident rates are also shown however, this data is not available for Bromsgrove and Wyre Forest due to recent boundary changes. The chart (left) shows the top 20 wards by district, for example, 20% of wards highlighted in the table are located within Worcester City.

Ward	Total	Population	Rate (%)
Cathedral	16	10,372	0.15%
Batchley And Brockhill	15	8,338	0.18%
Areley Kings And Riverside	14		
Matchborough	13	6,171	0.21%
Broadwaters	12		
Bewdley And Rock	12		
Bedwardine	11	7,930	0.14%
Sanders Park	11		
Blakebrook And Habberley South	10		
Winyates	10	8,409	0.12%
Greenlands	10	8,984	0.11%
Franche And Habberley North	9		
Warndon	9	5,812	0.15%
Wyre Forest Rural	8		
Foley Park And Hoobrook	8		
Broadway And Wickhamford	8	4,642	0.17%
Rainbow Hill	8	5,865	0.14%
Church Hill	8	7,982	0.10%
Priory	8	4,069	0.20%
Offmoor And Comberton	7		

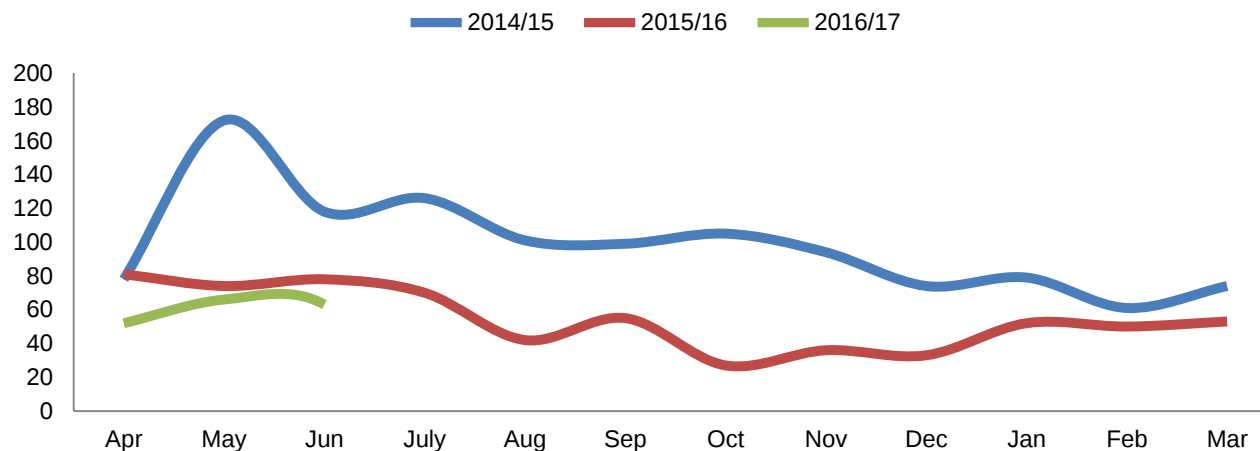
Public Health

The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to public health. Types of cases recorded under this category include accumulations, public burials and pest control. The chart (bottom right) shows the number of subsidised pest control treatments have been carried out by contractors at domestic properties within Worcestershire.

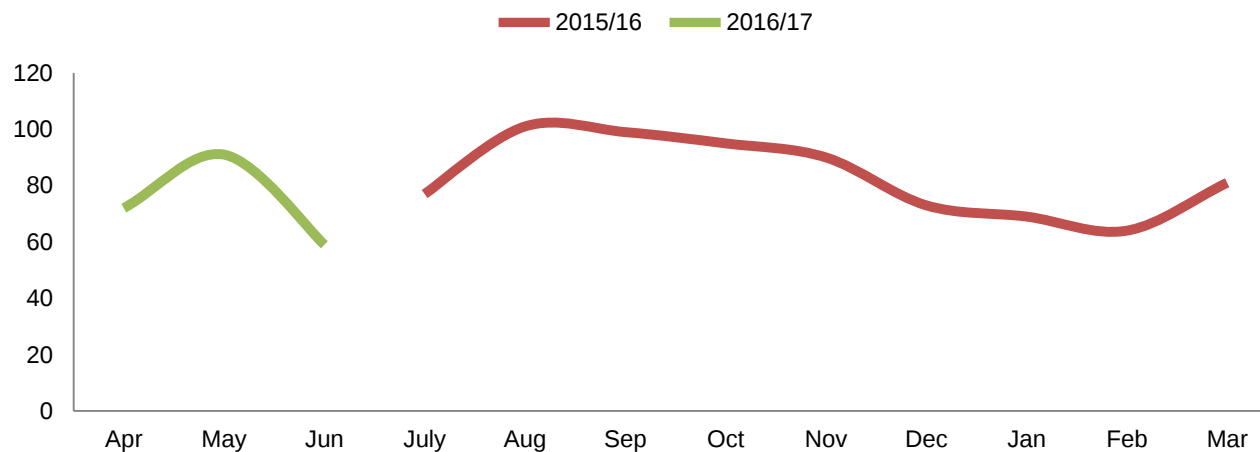
Comments

In Worcester City there has been a large increase in requests related to gull queries as the authority has requested additional work to support residents and businesses. WRS are doing that based on recent surveys we have commissioned on gull activity. The WRS webpages have been enhanced with useful advice and information. For the third year running the level of demand for the domestic treatments of certain pest where a subsidised service is offered (Bromsgrove, Redditch, Wychavon and Wyre Forest) has remained high and the budget is likely to be exceeded.

complaints and enquiries

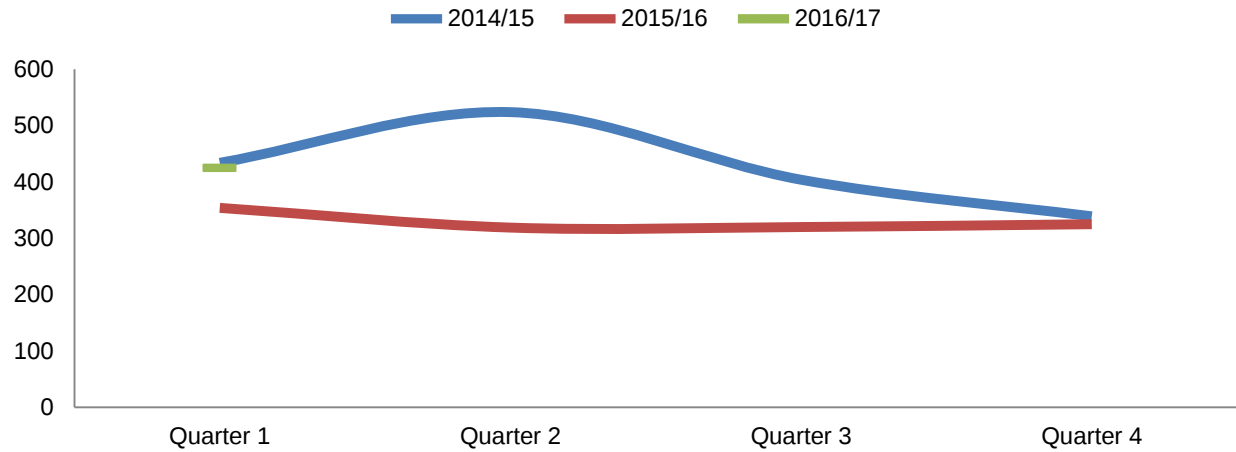
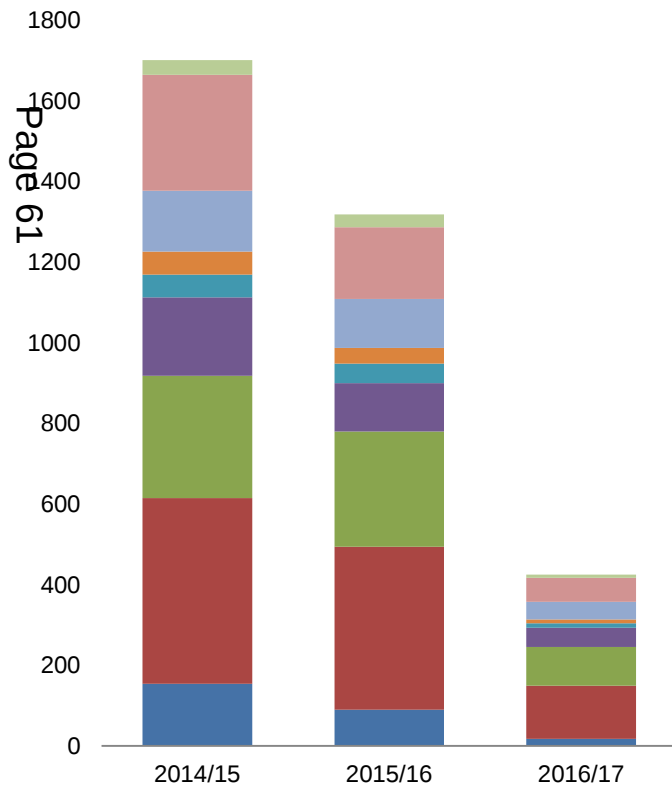


pest control (domestic subsidised treatments)





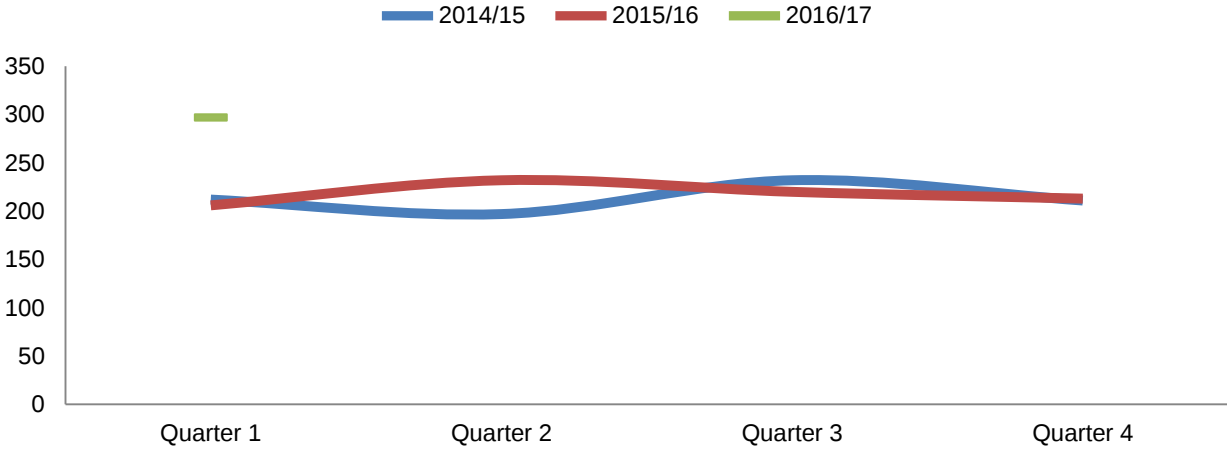
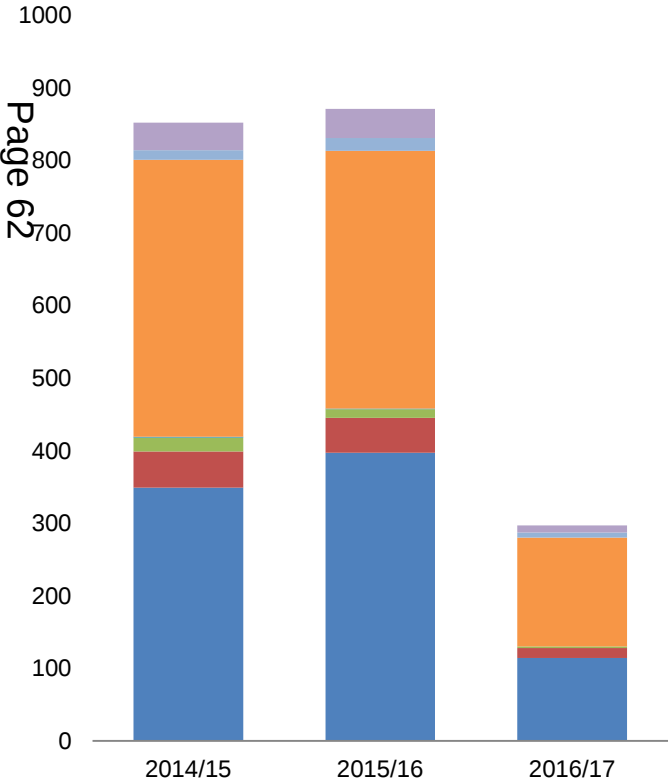
The data on this page relates to **Environmental Health** complaints, enquiries and notifications recorded by WRS where the subject or enquirer was located within the district of **Bromsgrove**.



	2014/15	2015/16	2016/17
Dog Control	36	31	8
Dog Control (number of lost, found or stray dogs)	288	178	60
Food Safety	151	122	43
Health and Safety	57	39	10
Health and Safety (accident reports)	56	48	11
Information Requests	195	120	48
Planning	303	286	96
Pollution	461	404	132
Public Health	154	90	17

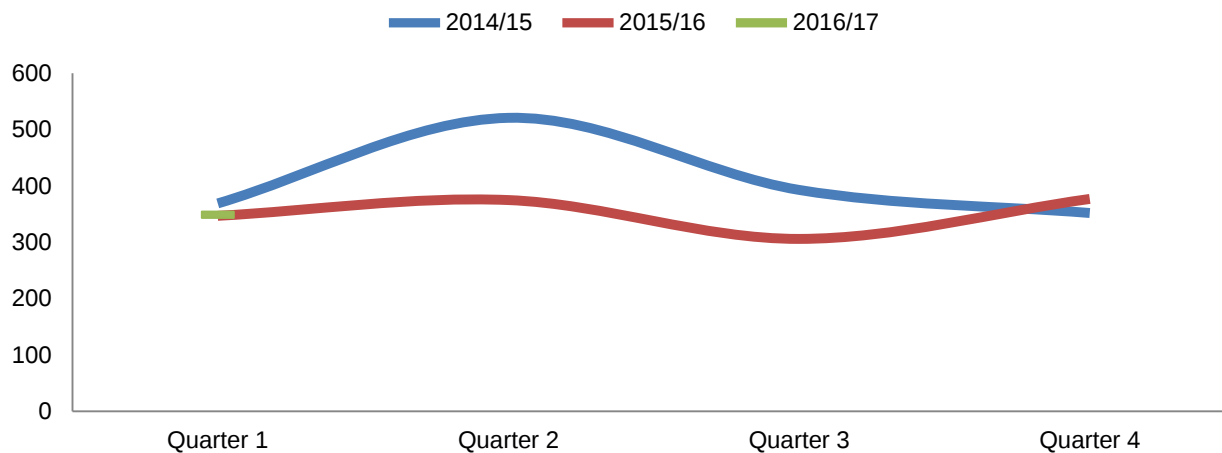
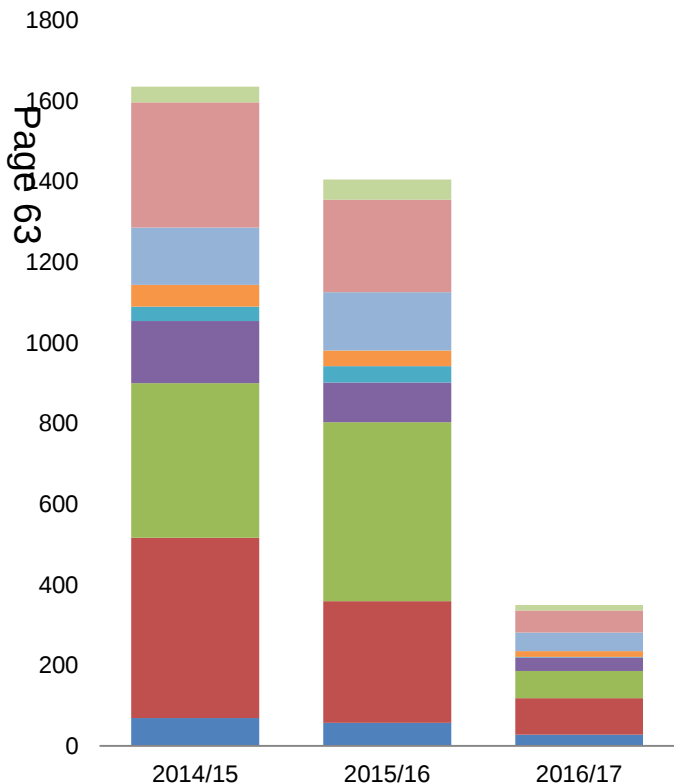


The data on this page relates to **Licensing** complaints, enquiries and applications recorded by WRS where the subject or enquirer was located within the district of **Bromsgrove**.



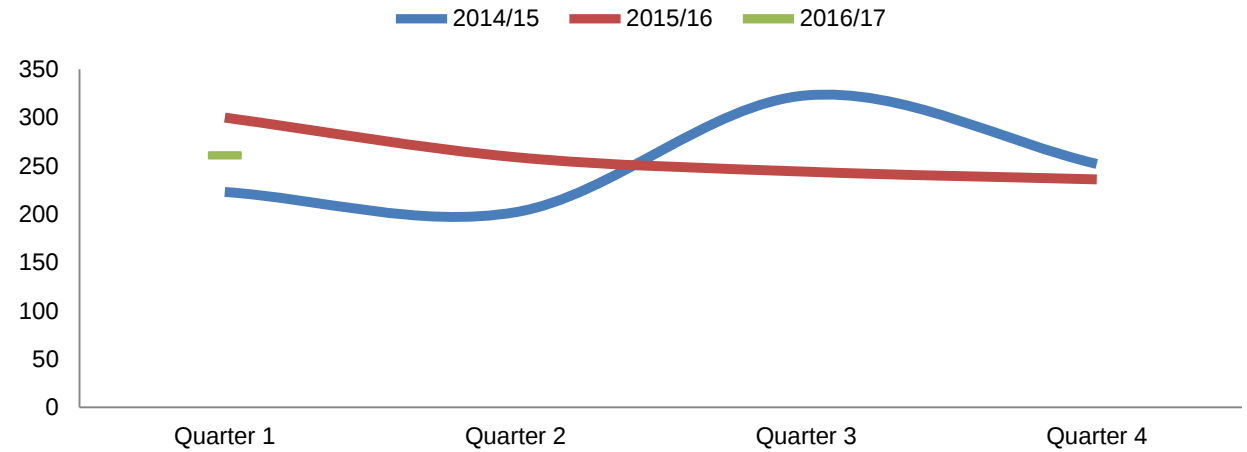
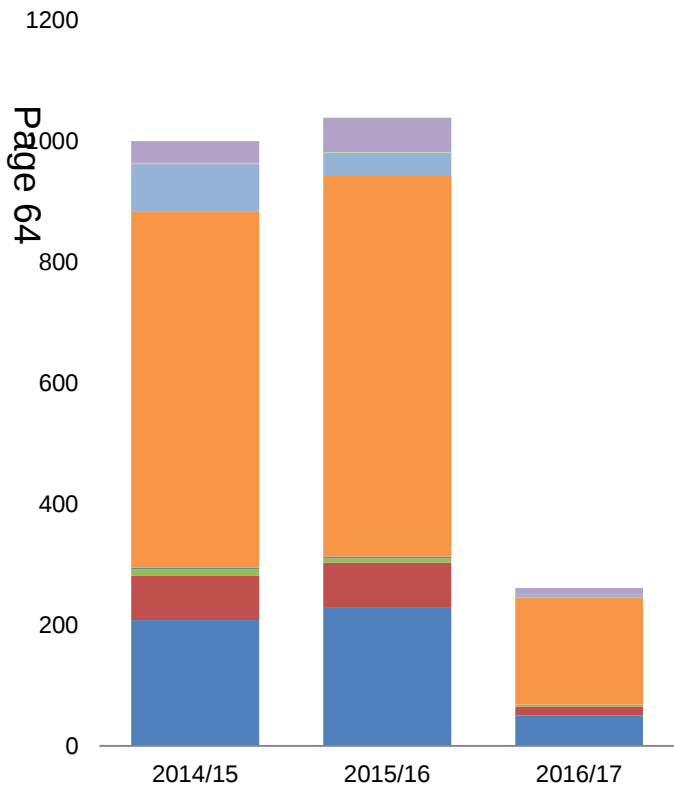
	2014/15	2015/16	2016/17
Animals	38	40	10
Caravan	0	0	0
Gambling	13	18	7
Licensing Act	382	355	150
Scrap Metal (includes collectors and dealers)	1	1	0
Sex Establishments	0	0	0
Skin Piercing	19	12	2
Street (includes amenities, collections and trading)	50	48	14
Taxis	349	397	114

The data on this page relates to **Environmental Health** complaints, enquiries and notifications recorded by WRS where the subject or enquirer was located within the



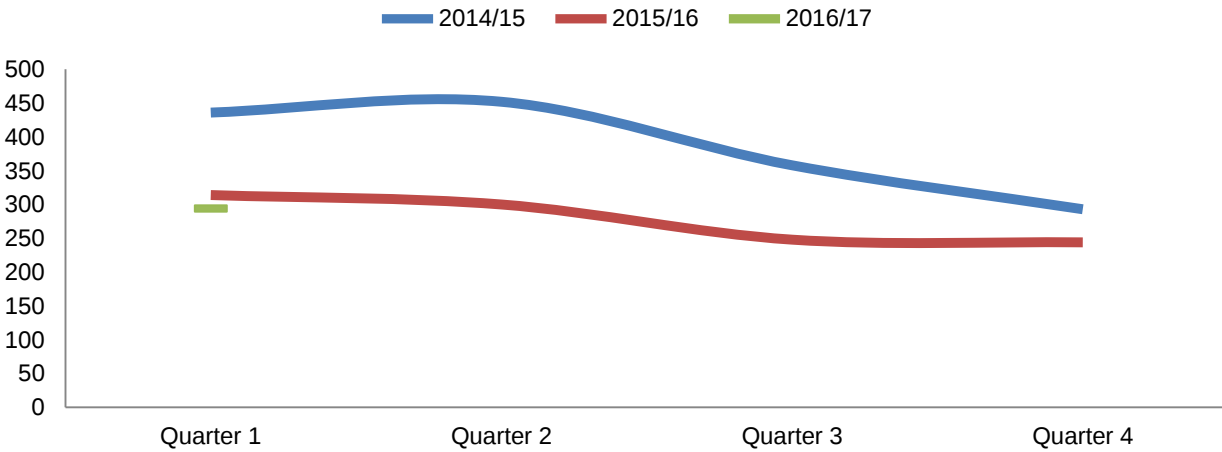
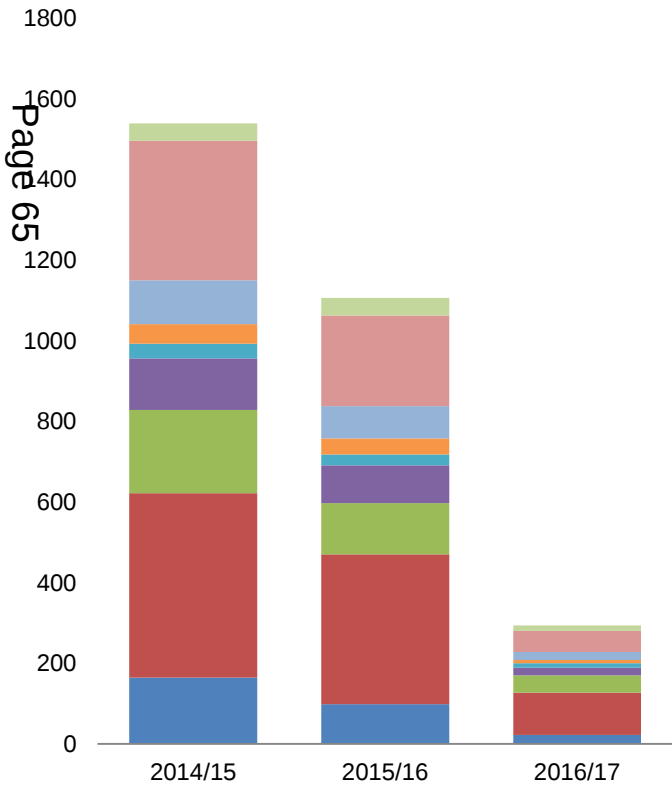
	2014/15	2015/16	2016/17
Dog Control	39	50	13
Dog Control (number of lost, found or stray dogs)	310	230	55
Food Safety	142	144	46
Health and Safety	54	39	14
Health and Safety (accident reports)	36	41	2
Information Requests	154	98	33
Planning	384	444	68
Pollution	447	302	90
Public Health	69	57	28

The data on this page relates to **Licensing** complaints, enquiries and applications recorded by WRS where the subject or enquirer was located within the district of **Malvern Hills**.



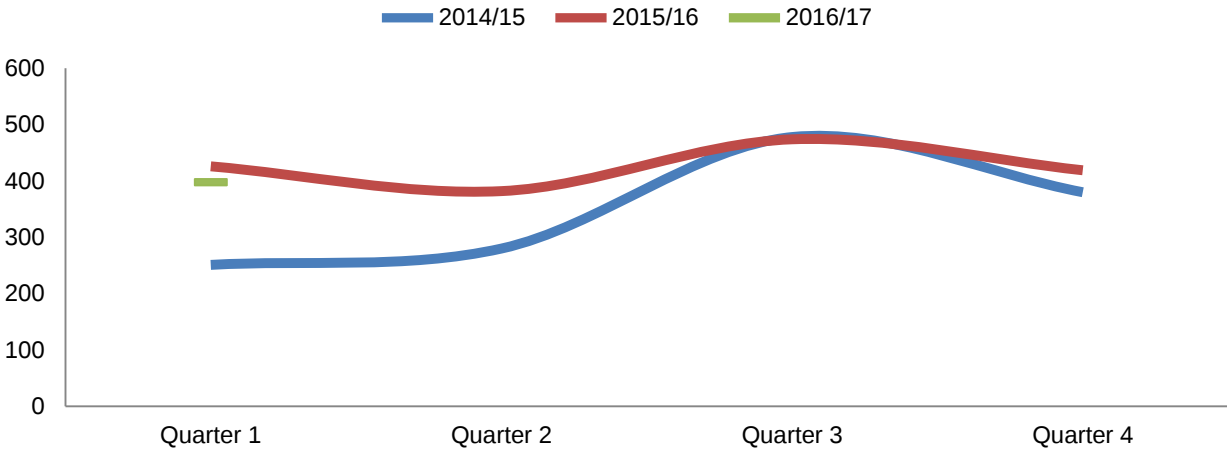
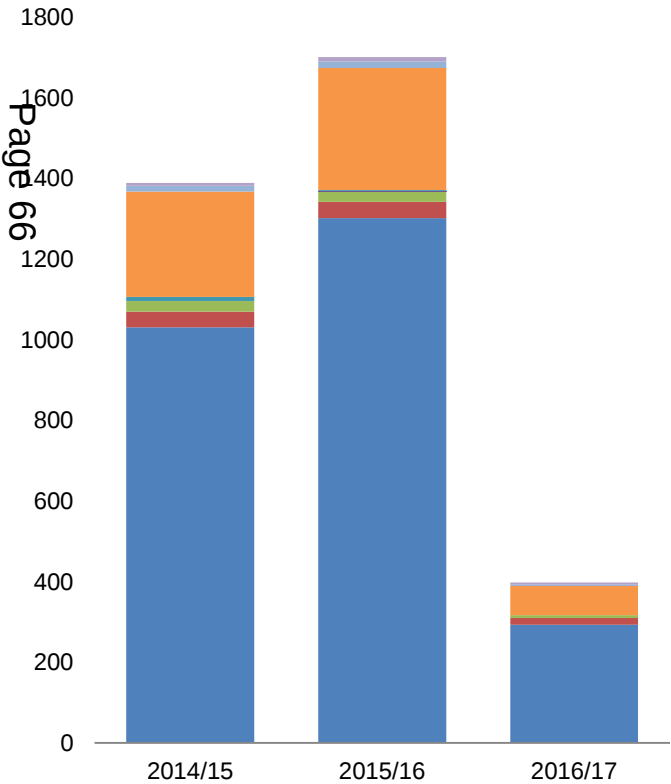
	2014/15	2015/16	2016/17
Animals	36	57	11
Caravan	2	1	0
Gambling	78	37	5
Licensing Act	589	631	177
Scrap Metal (includes collectors and dealers)	3	3	0
Sex Establishments	0	0	0
Skin Piercing	11	7	3
Street (includes amenities, collections and trading)	73	75	15
Taxis	208	228	50

The data on this page relates to **Environmental Health** complaints, enquiries and notifications recorded by WRS where the subject or enquirer was located within the district of **Redditch**.



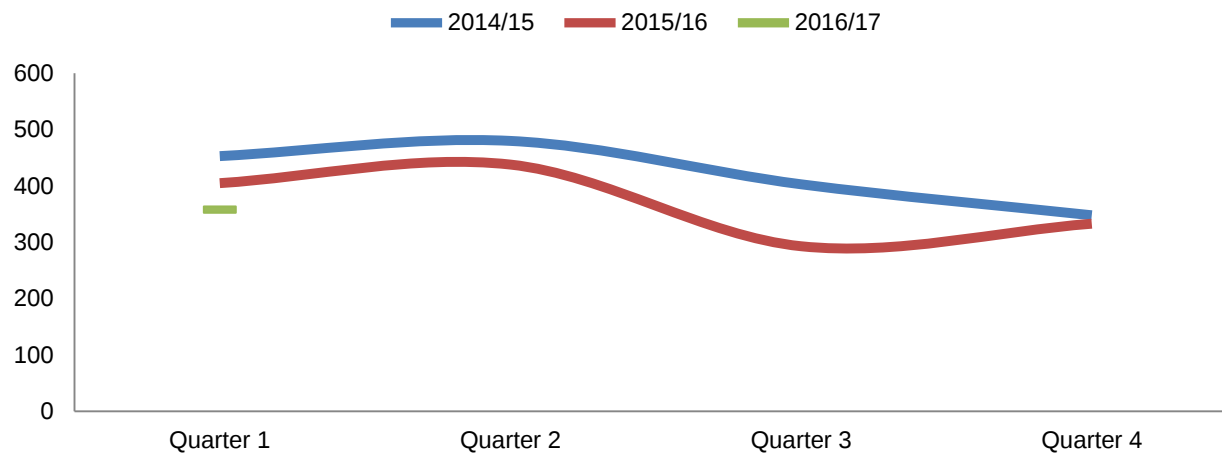
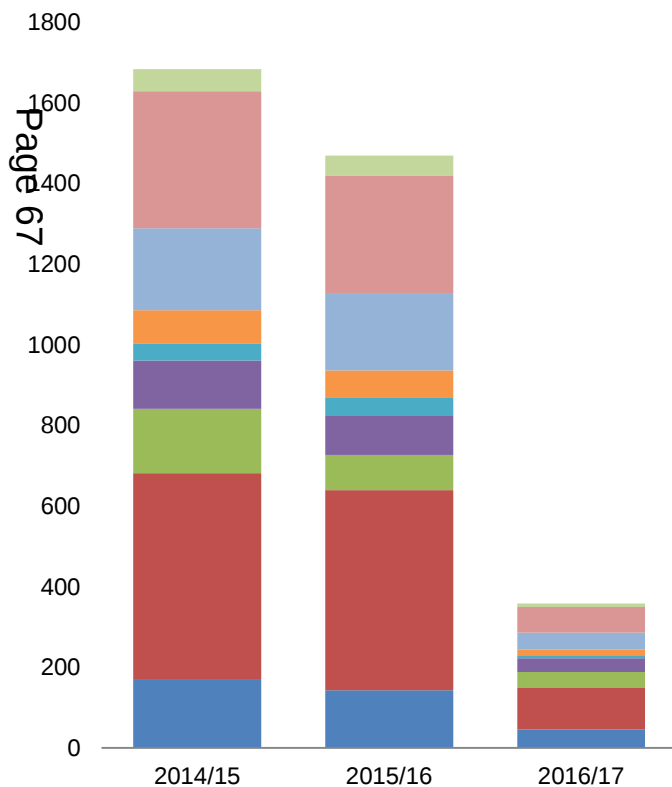
	2014/15	2015/16	2016/17
Dog Control	43	43	14
Dog Control (number of lost, found or stray dogs)	346	225	52
Food Safety	109	80	20
Health and Safety	48	40	8
Health and Safety (accident reports)	37	27	11
Information Requests	128	94	19
Planning	206	127	43
Pollution	458	372	105
Public Health	164	98	22

The data on this page relates to **Licensing** complaints, enquiries and applications recorded by WRS where the subject or enquirer was located within the district of **Redditch**.



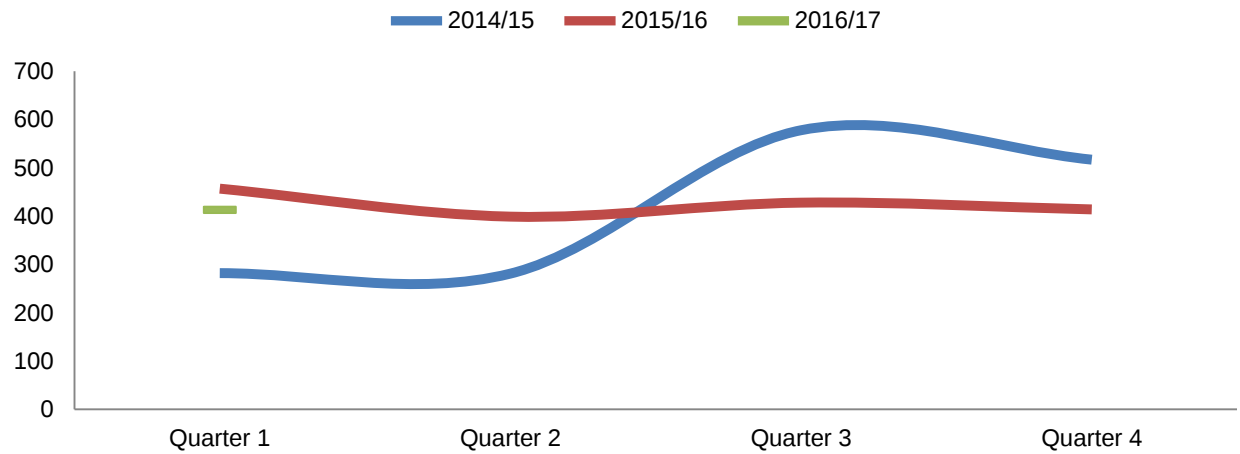
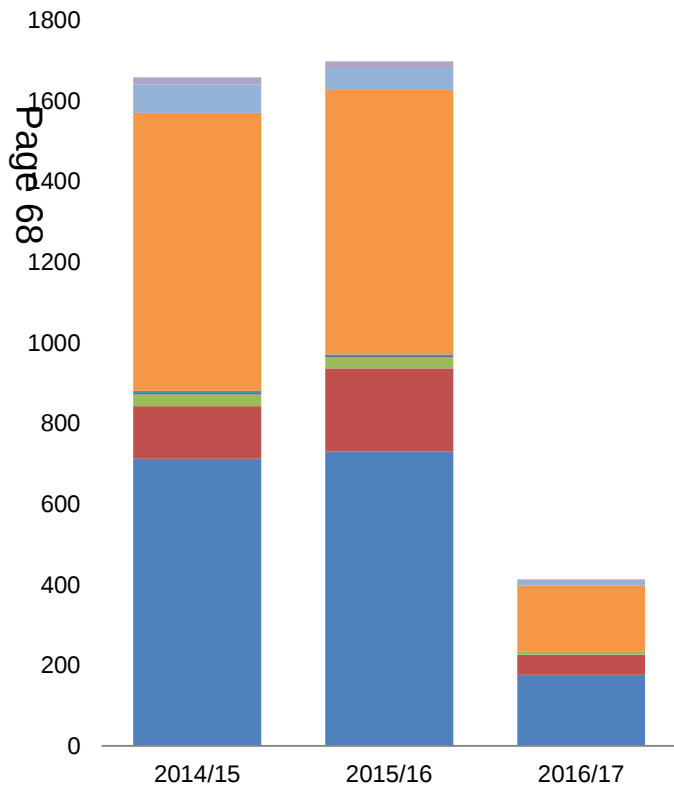
	2014/15	2015/16	2016/17
Animals	7	11	6
Caravan	0	0	0
Gambling	14	16	3
Licensing Act	262	302	72
Scrap Metal (includes collectors and dealers)	10	3	0
Sex Establishments	0	1	0
Skin Piercing	26	26	7
Street (includes amenities, collections and trading)	39	40	17
Taxis	1,031	1,302	293

The data on this page relates to **Environmental Health** complaints, enquiries and notifications recorded by WRS where the subject or enquirer was located within the district of **Worcester City**.



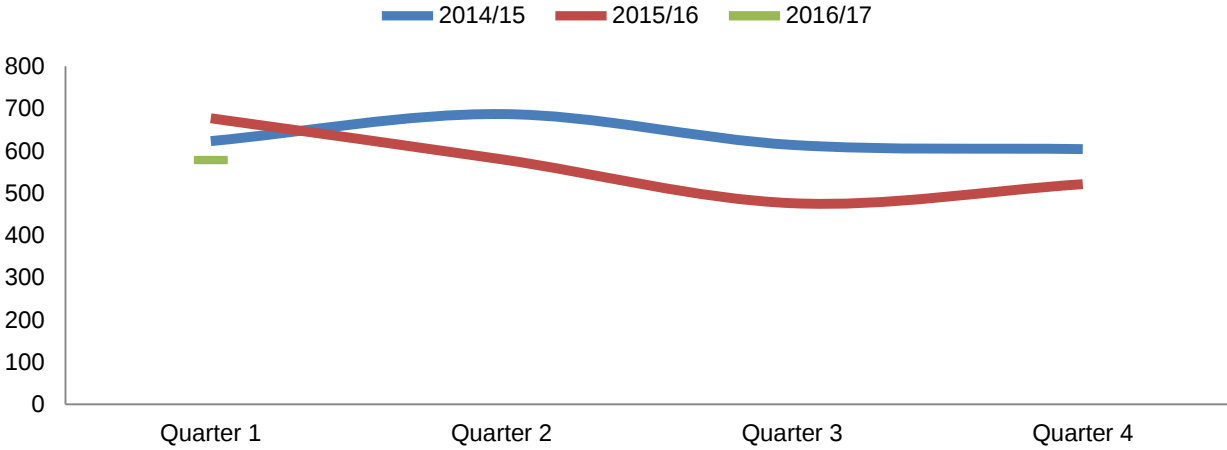
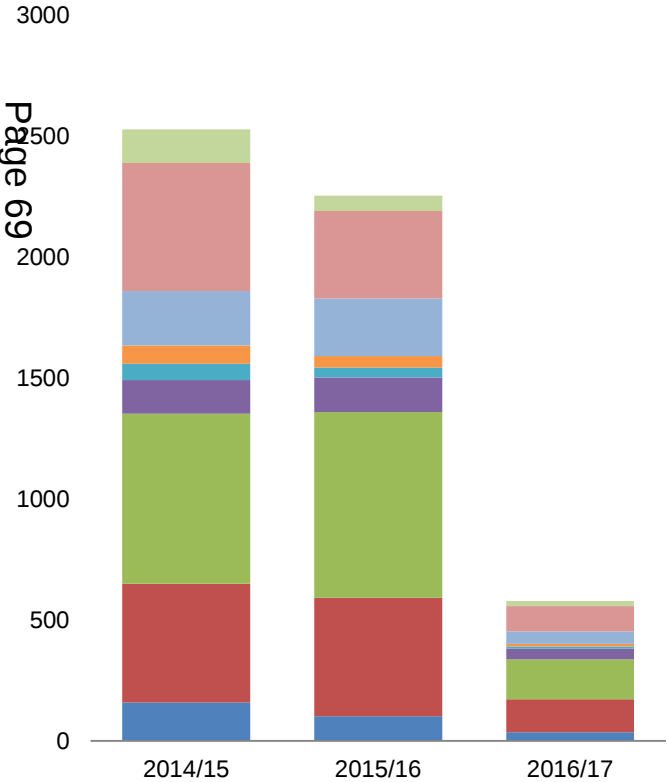
	2014/15	2015/16	2016/17
Dog Control	55	49	9
Dog Control (number of lost, found or stray dogs)	340	294	63
Food Safety	203	190	42
Health and Safety	84	68	16
Health and Safety (accident reports)	41	43	6
Information Requests	120	98	34
Planning	160	88	38
Pollution	510	496	105
Public Health	171	143	45

The data on this page relates to **Licensing** complaints, enquiries and applications recorded by WRS where the subject or enquirer was located within the district of **Worcester City**.



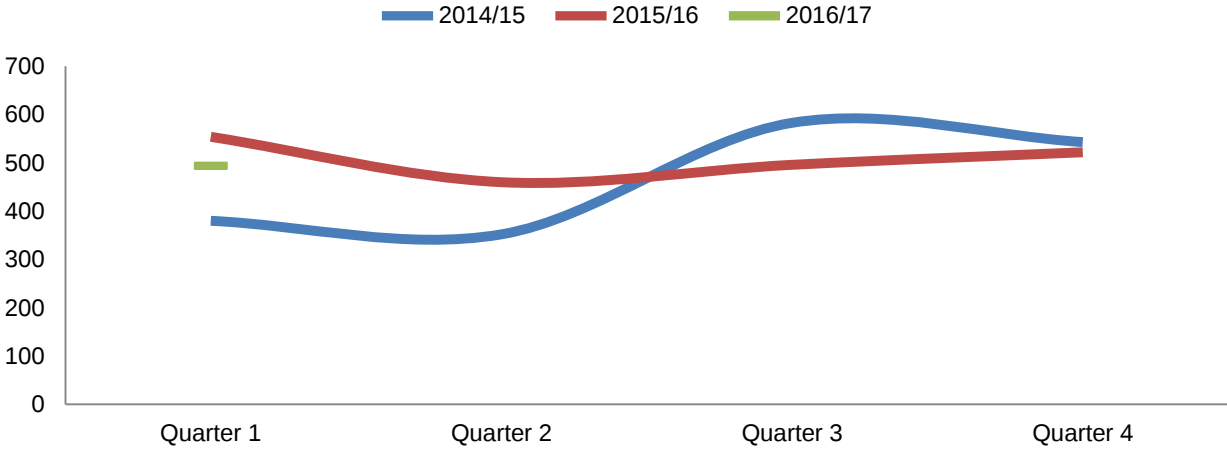
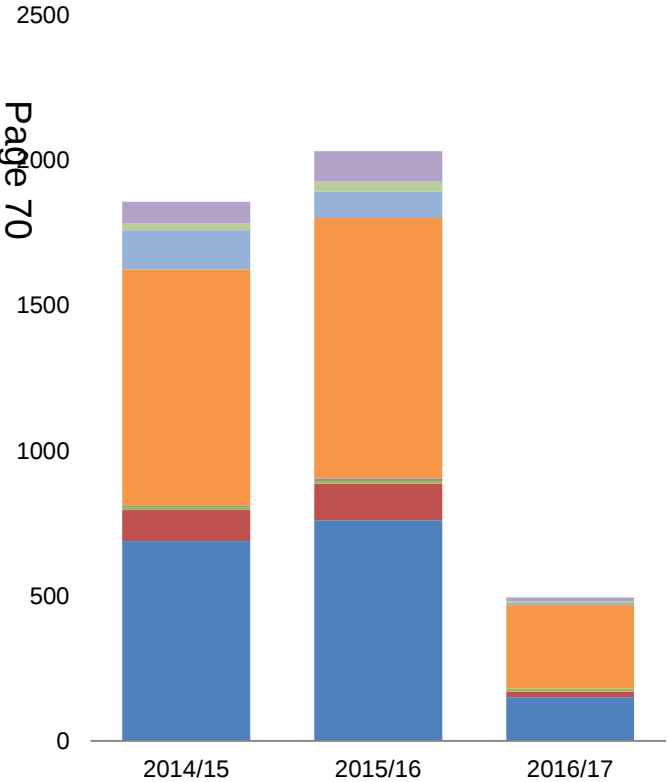
	2014/15	2015/16	2016/17
Animals	17	17	4
Caravan	0	0	0
Gambling	71	54	11
Licensing Act	689	656	163
Scrap Metal (includes collectors and dealers)	6	4	1
Sex Establishments	3	3	0
Skin Piercing	29	28	8
Street (includes amenities, collections and trading)	131	206	50
Taxis	712	730	176

The data on this page relates to **Environmental Health** complaints, enquiries and notifications recorded by WRS where the subject or enquirer was located within the district of **Wychavon**.



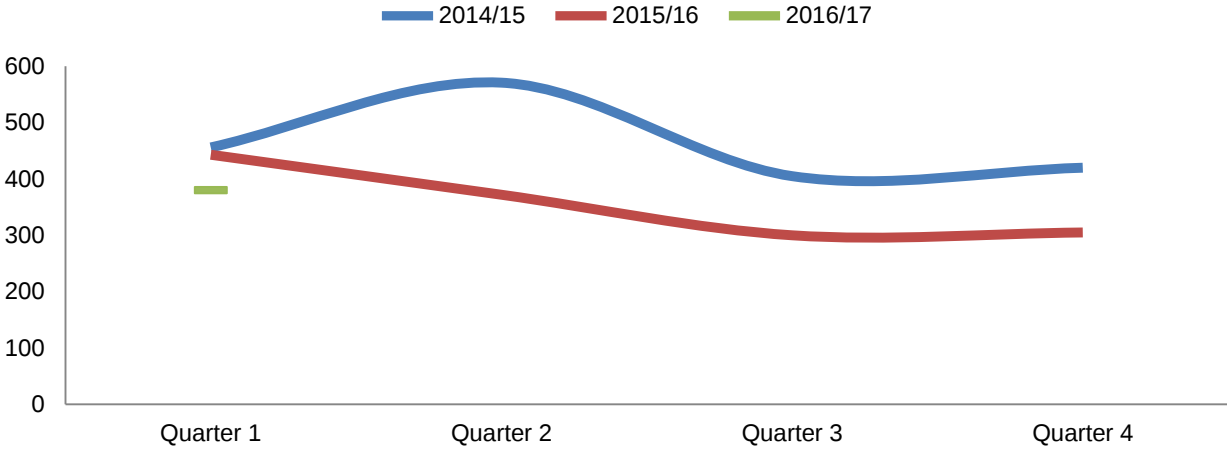
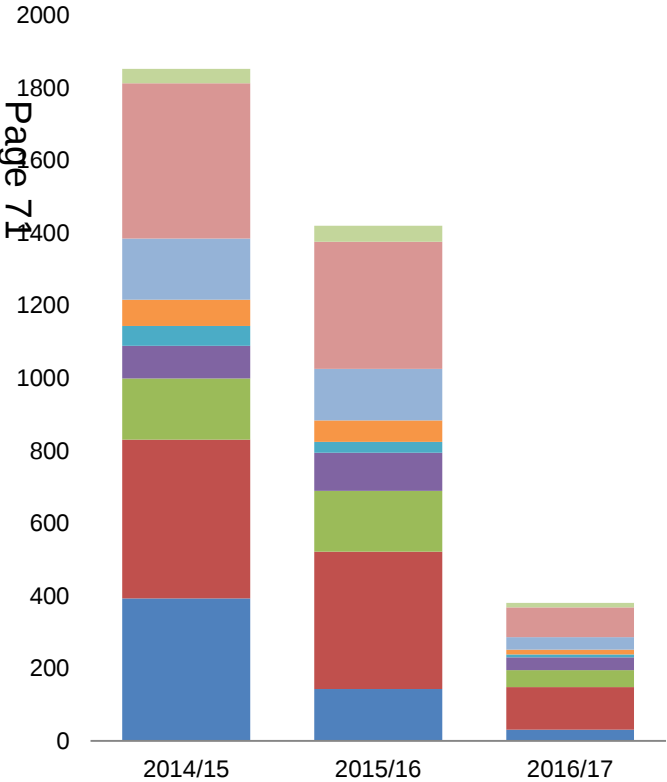
	2014/15	2015/16	2016/17
Dog Control	139	63	21
Dog Control (number of lost, found or stray dogs)	529	362	105
Food Safety	225	238	51
Health and Safety	76	48	11
Health and Safety (accident reports)	67	41	9
Information Requests	139	143	43
Planning	703	768	166
Pollution	491	489	137
Public Health	159	102	35

The data on this page relates to **Licensing** complaints, enquiries and applications recorded by WRS where the subject or enquirer was located within the district of **Wychavon**.



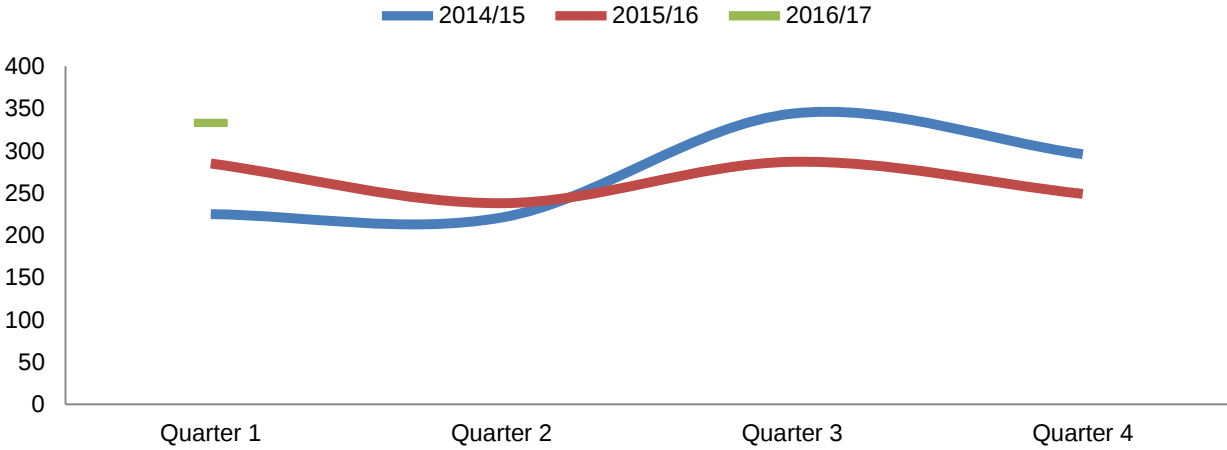
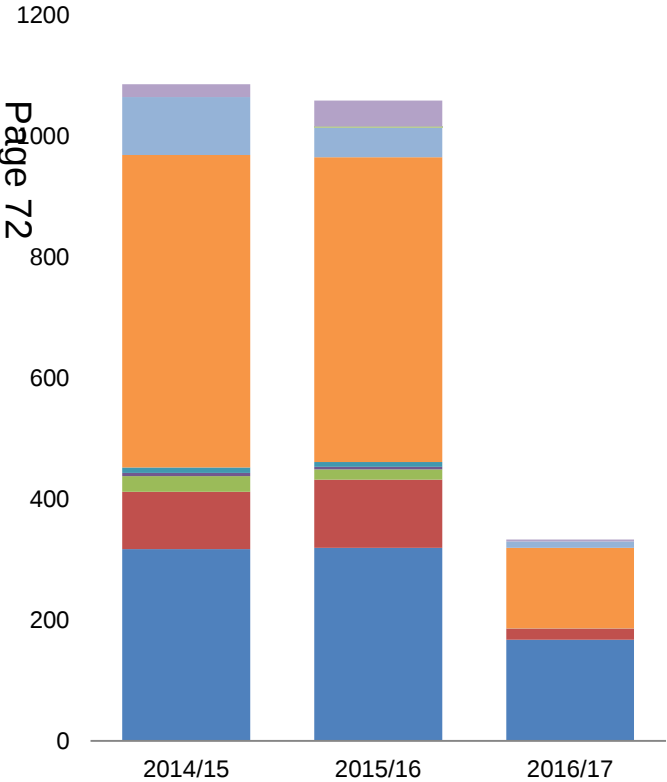
	2014/15	2015/16	2016/17
Animals	75	105	12
Caravan	24	34	7
Gambling	135	92	7
Licensing Act	813	898	287
Scrap Metal (includes collectors and dealers)	1	2	0
Sex Establishments	3	4	0
Skin Piercing	12	11	11
Street (includes amenities, collections and trading)	107	126	20
Taxis	688	760	150

The data on this page relates to **Environmental Health** complaints, enquiries and notifications recorded by WRS where the subject or enquirer was located within the district of **Wyre Forest**.



	2014/15	2015/16	2016/17
Dog Control	39	44	12
Dog Control (number of lost, found or stray dogs)	428	351	82
Food Safety	169	142	35
Health and Safety	72	59	13
Health and Safety (accident reports)	55	30	8
Information Requests	90	105	35
Planning	169	168	47
Pollution	437	378	117
Public Health	393	143	31

The data on this page relates to **Licensing** complaints, enquiries and applications recorded by WRS where the subject or enquirer was located within the district of **Wyre Forest**.



	2014/15	2015/16	2016/17
Animals	21	43	3
Caravan	0	2	0
Gambling	96	49	11
Licensing Act	517	504	133
Scrap Metal (includes collectors and dealers)	9	8	0
Sex Establishments	5	4	1
Skin Piercing	26	17	0
Street (includes amenities, collections and trading)	95	113	18
Taxis	317	319	167