

WORCESTERSHIRE DISTRICT COUNCILS

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY 16TH NOVEMBER 2017 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
Malvern Hills District Council: Councillor H. Campbell
Redditch Borough Council: Councillor J. Baker (Vice-Chairman)
Redditch Borough Council: Councillor B. Clayton
Worcester City Council: Councillor J. Squires
Worcester City Council: Councillor A. Feeney
Wychavon District Council: Councillor E. Stokes (Chairman)
Wychavon District Council: Councillor M. King
Wyre Forest District Council: Councillor J. Hart
Wyre Forest District Council: Councillor J. Smith

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 5th October 2017 (Pages 1 - 10)
4. Worcestershire Regulatory Services Revenue Monitoring April to September 2017 (Pages 11 - 18)
5. Worcestershire Regulatory Services Budgets 2018/19 - 2020/21 (Pages 19 - 26)
6. Statutory Nuisances - Briefing Report (Pages 27 - 34)

7. Worcestershire Food and Drink Association - Information Report (Pages 35 - 40)
8. Worcestershire Regulatory Service Activity and Performance Data - Quarter 2, 2017/2018 (Pages 41 - 74)
9. 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

7th November 2017

WORCESTERSHIRE DISTRICT COUNCILS

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY, 5TH OCTOBER 2017, AT 4.30 P.M.

PRESENT: Councillors R. J. Laight, B. Behan, P. Witherspoon (substituting for Councillor J. Baker), A. Feeny, M. King, E. Stokes (Chairman), J. Smith and J. Hart

Partner Officers: Ms. A. Davey, Worcester City Council, Mr. V. Allison, Wychavon District Council, M. P. Merrick, Malvern Hills District Council and Mr. M. Parker, Wyre Forest District Council

Officers: Ms. J. Pickering, Mr. S. Wilkes, Ms. C. Flanagan, Mr. M. Cox, Ms. S. Garratt, Ms. K. Lahel, Mr. D. Mellors, Mrs. P. Ross and Ms. D. Parker-Jones

10/17 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors P. Whittaker, Bromsgrove District Council, J. Baker and B. Clayton, Redditch Borough Council and J. Squires, Worcester City Council.

It was noted that Councillor P. Witherspoon, Redditch Borough Council was in attendance as substitute Member for Councillor J. Baker.

11/17 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

12/17 **MINUTES**

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 22nd June 2017 were submitted.

RESOLVED that the minutes of the Worcestershire Regulatory Services Board held on 22nd June 2017 be approved as a correct record.

13/17 **WORCESTERSHIRE REGULATORY SERVICES REVENUE MONITORING APRIL TO JUNE 2017**

The Board considered a report which detailed the financial position for the period 1st April 2017 to 30th June 2017.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council and Redditch Borough Council 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 2017 to 30th June 2017.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council and Redditch Borough Council informed the Board that there was a projected outturn underspend of £9,000, this was estimated to the yearend, and based on the current level of expenditure. There were a number of vacant posts within the service and these, together with savings from maternity leave, long term sick etc. had resulted in a projected underspend in salaries. This was offset by the costs associated with additional agency staff used to cover the vacancies, sick leave and to support the additional income generation. Officers would ensure that the reliance on agency cover would be as minimal as possible.

Members were further informed that as detailed in the report, there was an estimated overspend of £11,000 with regard to pest control. Officers would continue to monitor and analyse the impact on each partner authority, with the individual cost allocation being advised to partner authorities once the information had been analysed. It was proposed that in Quarter 2, partner authorities would be advised of their share of the actual cost to date.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council and Redditch Borough Council continued and drew Members' attention to Appendix 2 to the report; which detailed the income achieved by WRS during April 2017 to June 2017.

£73,000 worth of income had been received in Quarter 1 against a full year budget of £284,000. It was difficult at this early stage to give a clear picture of income outturn figures, however, if the same income trend continued for the rest of the year, the full year income target of £284,000 would be achieved. If the predicted potential level of income was achieved, the income figure would be exceeded. Officers remained confident that the additional income figure would be achieved.

The previous year's income had included sums from Worcestershire County Council, which made it difficult to identify any seasonal variations or similar potential changes that might impact on the volume of income achieved on a quarterly basis. Therefore there was some uncertainty at this stage on predicted outturn figures. WRS Team Managers would continue to closely monitor income and expenditure, with a clear picture being made available in Quarter 2.

RESOLVED that the final financial position for the period 1st April 2017 to 30th June 2017, be noted.

14/17

ACTIVITY AND PERFORMANCE DATA - QUARTER 1

The Board considered a report that detailed Worcestershire Regulatory Services Activity and Performance Data for Quarter 1, 2017/2018. The

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report focused on Quarter 1 but the data enabled previous years to be compared.

The Technical Services Manager, Worcestershire Regulatory Services (WRS) introduced the report and in doing so informed Members that during the current assessment period:-

- WRS had recorded 396 cases relating to food hygiene and safety. This total was consistent with the previous quarter but an increase of 45.1% compared to the same period in 2015. The highest percentage of cases were enquiries (52.0% - 206 cases) and complaints about food products (31.6% - 125 cases). In addition to food safety complaints and enquiries, 293 inspections had been carried out across the county. This included premises in the Food Hygiene Rating Scheme. During this period 97.9% of rated premises across Worcestershire included in the Food Hygiene Rating Scheme were broadly complaint, whilst 2.1% were non-complaint; so there was no overall sign of businesses being less well run.
- WRS had recorded 225 cases relating to health, safety and wellbeing, an increase of 13.6% compared to the previous quarter. The increase followed a greater number of health and safety cases, but was not considered to be significant, given the relatively low number of cases overall. The highest percentage of cases were general enquiries relating to health and safety (22.7% - 51 cases) health and safety complaints (21.3% - 48 cases) and accident reports relating to an employee or self-employed person being away from work for over seven days (16.4% - 37 cases).

Members were further informed that cases relating to nuisance and public health had increased by 20.9% compared to the previous quarter and 26.5% compared to the same period in 2016. This was at a time of year when WRS had historically seen the beginnings of a spike in complaints that followed into the summer season. It was likely that a period of good weather in late May and June was the reason for the increase.

The Technical Services Manager, WRS, briefly informed Members that the Government's draft air quality management plan for the United Kingdom had been launched and that further information on this was included in Agenda Item Number 6 – Information Report – Air Quality Update 2017.

The team had worked closely with colleagues from Worcester City on the extension of the gull control campaign.

The Licensing Team had engaged in a number of other initiatives, which had included the launch of the Best Bar None and the first of the year's taxi enforcement evenings in Bromsgrove.

National Licensing Week carried out in June 2017 saw a number of joint visits undertaken with the Gambling Commission to licensed outlets across the county.

Business satisfaction remained excellent at 98.4%, but satisfaction for non-business customers was slightly down at 71.7%. This partly reflected some of the difficult cases that the team had had to deal with; and not always able to resolve problems. The 32 compliments received in Quarter 1 demonstrated that staff continued to deliver good outcomes for the public where they could.

The Technical Services Manager, WRS, drew Members' attention page 18 in the report, which provided details of the owner of a café in Redditch, who was successfully fined for breaches of food safety and hygiene regulations.

The Head of Regulatory Services, WRS, responded to Members and confirmed that in Northern Ireland and Wales it was mandatory for businesses to display their Food Hygiene Rating Scheme stickers. The Government and the Food Standards Agency were under pressure to make it a mandatory requirement in England.

RESOLVED:

- a) that the Activity and Performance Data report for Quarter 1, 2017/2018, as detailed at Appendix 2 to the report, be noted; and
- b) that Members use the contents of the Activity and Performance Data report for Quarter 1, 2017/2018, to report the relevant information to their Members at each partner authority.

15/17

AIR QUALITY UPDATE 2017 - INFORMATION REPORT

The Board received an Information Report - Air Quality Update 2017, the report provided an update on air quality, following recent national developments; which included the Department for Environment, Food and Rural Affairs (Defra), Air Quality Action Plan.

The Technical Services Manager, Worcestershire Regulatory Services (WRS) introduced the report and in doing so informed Members that District Council's had a duty to review and assess local air quality within their districts against a set of health based objectives.

Under European Union (EU) Directives the United Kingdom (UK) was required to comply with those objectives by 2015 and Defra had published the National Action Plan to demonstrate to the EU how the UK intended to comply. In the National Action Plan, six areas were required to put in place Clean Air Zones (CAZ); these were London, Birmingham, Leeds, Southampton, Derby and Nottingham.

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The current National Action Plan focused on implementing CAZs in an additional 20 local authorities (Worcestershire authorities were not included).

The Local Air Quality Management process (LAQM) was the local authority role with air quality, as set out in Part IV of the Environment Act 1995; and subsequent Technical Guidance and Policy documents. There were a number of health based objectives for pollutants but for Worcestershire it was nitrogen dioxide which was the pollutant of concern.

The objectives for nitrogen dioxide were an annual average of 40 microgrammes per metre cubed for a residential property or school and a one-hour average of 200 microgrammes per metre cubed for a property where someone would realistically spend an hour, such as the outdoor seating area of a café or a playground.

The Technical Services Manager, WRS, continued and informed Members that WRS reported on the current situation, annually to Defra, on behalf of all districts.

Where a breach of the objective had been identified there was a requirement for the local authority to declare an Air Quality Management Area (AQMA). WRS monitored air quality around the district and where an area of concern was identified an assessment was carried out. Following declaration, there was a requirement to produce an action plan, to update that plan with progress and to report to Defra annually.

There were currently 10 AQMA's in Worcestershire and a Countywide Air Quality Action Plan which covered all but one of these.

The focus of recent Defra Guidance to local authorities was aimed at delivering the measures to improve air quality included in their local Action Plans.

The Technical Services Manager, WRS, drew Members' attention to pages 48 to 50 in the report, as this provided Members with an update on each of their local areas.

The Technical Services Manager, WRS, responded to questions from Members and briefly explained that an exceedance was where for a period of time the concentration of an individual pollutant(s) was higher than that set out in the Air Quality Standards. Exceedances were reported annually, but those exceedances only related to a relevant receptor, such as a residential dwelling. Levels above the standard where there were no residential properties, such as fields or industrial units, would not represent an exceedance of the standard.

RESOLVED:

a) that the Information Report - Air Quality Update 2017, be noted; and

- b) that Members use the contents of the report, to report the relevant information to their Members at each partner authority.

16/17

FOOD STANDARDS AGENCY AUDIT 2017

Following on from the Worcestershire Regulatory Services Board meeting held on 22nd June 2017, whereby Members received a verbal update on the Food Standards Agency Audit; the Board received a report which provided detailed information on the Food Standards Agency Audit of Worcestershire Regulatory Services (WRS) undertaken on 24th and 25th May 2017.

The Head of Regulatory Services, WRS, introduced the report and in doing so informed Members that the Food Standards Agency (FSA) was the national competent body for food law enforcement in England. Unlike many national regulators, the FSA always had a limited role in enforcing the law. Its main role was the promotion of better standards in the food industry and the oversight of local authorities which dealt with food law enforcement in their areas.

In two tier areas, food law enforcement was split between Worcestershire County Council (food composition / labelling and animal feed) and district councils (food hygiene / safety).

All local food authorities had to complete an annual data return to the FSA on their activities. The FSA then used that data to report back to the European Union (EU) on food law enforcement; effectively being required to demonstrate that the United Kingdom (UK) enforcement was meeting the requirements of the relevant harmonised EU directives.

The FSA also conducted routine audits of activity being undertaken by local authorities. These audits could be focused on particular areas of activity or they could cover the whole range of work undertaken by an authority.

The Head of Regulatory Services, WRS, highlighted that this was the first time that WRS food activity had been subject to the audit process.

When WRS was developing its Systems Thinking approach, the then Head of WRS had met with the FSA; and the service was given some leeway in order to explore new approaches and time for the new database system to be in place and functioning. Hence the FSA not auditing WRS until 2017.

Two auditors from the FSA visited WRS on the 24th and 25th May 2017. Their focus was on the broad delivery of food hygiene interventions by the service on behalf of Wyre Forest District Council. The FSA could only audit individual local authorities it could not audit the service as a whole.

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However, officers were able to refer to work carried out on behalf of other partner authorities, where they had not carried out a particular activity on behalf of Wyre Forest District Council. This was helpful in demonstrating the broad competence of the service.

During the two day audit process, the auditors worked with the Food Lead Officer and the Database Administrator. They appeared to be very impressed with the levels of reporting being generated from the system. Officer training records were reviewed to ensure that the competency requirements were being addressed. Officer authorisation processes and the scheme of delegation also formed part of the review process. The Community Environmental Health Manager was also engaged with the process.

The Food Lead Officer was in the process of documenting the current approach to qualitative monitoring and would develop a fuller programme which would be included in the 2018/2019 Worcestershire Regulatory Services, Service Plan.

Other actions resulting from the audit included updating the WRS Operating Principles document, as detailed on page 53 in the report.

The Head of Service further informed Members that he was present for the initial and closing meetings on each day.

Generally the auditors were happy with what WRS was achieving and that the service was delivering the required official food controls regime in the spirit of the EU Directive and in a manner that fitted with the FSA's current policy; focusing on supporting legitimate traders and using information and intelligence to tackle the rogues and those who were less willing to meet standards.

The auditors noted the section in the most recent WRS Business Plan, which indicated that the service was operating at close to the minimum numbers required to deliver services and they were pleased that this had been flagged to Members and that Members appeared to have acknowledged this.

No areas of significant concern were identified and the actions recommended were relatively straightforward to put in place.

The auditors did however make a number of key areas for improvement, as detailed on pages 52 and 53 in the report, which officers had already begun to resolve.

The Head of Regulatory Services, WRS, highlighted to Members that the FSA were currently looking to radically change the way food law enforcement was undertaken through its "Regulating the Future" review; and it seemed clear that the approach to these activities being used by WRS fell in line with the new approach being developed by the FSA.

So, yet again the Worcestershire Authorities were ahead of the curve in innovation in relation to service delivery.

The Chairman asked for it to be noted that it was brave of WRS and partner authorities to have been so innovative.

RESOLVED that the Food Standards Agency Audit 2017 report be noted.

17/17

PRIMARY AUTHORITY REVIEW - VERBAL UPDATE

The Business and Relationships Manager, Worcestershire Regulatory Services (WRS) provided the Board with a verbal update on Primary Authority.

The Business and Relationships Manager, WRS informed Members that as of the 1st October 2017, Regulatory Delivery had made changes to Primary Authority. The Enterprise Act 2016 included measures to extend and simplify Primary Authority enabling all United Kingdom (UK) businesses to benefit, including pre-start-up businesses.

Summary of key changes:

- Fewer eligibility criteria, enabling businesses trading in one local authority area and those who were not yet trading to access assured advice.
- Simpler access to advice through coordinated partnerships.
- A more structured role in Primary Authority for public bodies with a regulatory or supervisory role across the UK (national regulators).
- Streamlining the Primary Authority processes.

As from 1st October 2017 every UK business was able to access advice they could trust from one place.

Through Primary Authority, businesses could form a statutory partnership with a local authority, which provided them with assured advice which other regulators had to follow.

Primary Authority provided local regulators with a highly effective tool to improve compliance and build better relationships with businesses, whilst aiding economic growth.

The Business and Relationships Manager, WRS, further informed the Board, that all WRS direct partnerships were either signed up to the new terms and conditions or were in the process of doing so.

Officers were in conversation with three direct partnerships and one co-ordinated trade association partnership. Meetings had been scheduled to liaise with them with regard to signing up as a Primary Authority.

An internal Primary Authority Review was carried out this year. WRS had decided to change the way Primary Authority was negotiated as from January 2018. This was from both a business perspective and from an income generation/ accounting perspective. The review found that WRS was working reactively. Therefore meetings had been scheduled as from October 2017, with each Primary Authority, initially to go through the recent Primary Authority changes, but also to work with each Primary Authority to look at what they needed from WRS over the next 12 month period. Therefore giving WRS a better understanding of resource allocation and to see how much income was expected to be generated from Primary Authority partnerships.

At the request of the Chairman, the Head of Regulatory Services, WRS, briefly explained that Primary Authority was a statutory scheme established by the Regulatory Enforcement and Sanctions Act 2008 (the RES Act). It enabled eligible businesses to form a legally recognised partnership with a single authority in relation to regulatory compliance. The local authority was then known as its 'Primary Authority'. The scheme made it easier for business's to comply with regulation and to operate in the United Kingdom.

There were two types of partnership, 'direct' and 'co-ordinated'. The term 'direct partnership' was used where the business accessed the scheme by virtue of being regulated by more than one local authority or traded across different authority boundaries. The term 'co-ordinated partnership' was used where the business accessed the scheme by virtue of the fact that it shared an approach to compliance with other businesses, for example a trade association that provided regulatory guidance to its members.

RESOLVED that the Primary Authority verbal update from the Business and Relationships Manager, Worcestershire Regulatory Services, be noted.

18/17

CHAIRMAN'S UPDATE

At this stage in the meeting the Chairman informed the Board that she was delighted to have been invited to attend the Chartered Institute of Environmental Health, Excellence Awards Ceremony, on 2nd November 2017. WRS had been shortlisted in the Outstanding Environmental Health Team award category; comprising of the Community Environmental Health Division and the Technical Services Division.

The Technical Services Manager, WRS, informed the Board that Chris Poole, Senior Technical Officer, WRS, had also been shortlisted, at the same award ceremony, for an Environmental Hero (Air Quality) award.

The Chairman commented that she would endeavour to update Members on the outcome of the award ceremony at the next Board meeting.

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The meeting closed at 5.25 p.m.

Chairman

Worcestershire Regulatory Services Board

16th November 2017

WORCESTERSHIRE REGULATORY SERVICES REVENUE MONITORING APRIL – SEPTEMBER 2017

Recommendation

It is recommended that the Board:

- 1.1 Note the final financial position for the period April – September 2017
- 1.2 That partner councils are informed of their liabilities for 2017-18 in relation to Pest Control and Bereavements

Council	2017-18 Projected Outturn for Pest Control £000	Apr – Sept 17 Actual for Bereavements £000
Redditch	2	2
Wyre Forest	4	
Wychavon	3	
Worcs City		4
Bromsgrove		2
	9	8

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 – September 2017.

Background

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

Report

The following reports are included for Joint Board's Attention:

- Revenue Monitoring April – September 17 – Appendix 1
- Income Breakdown – April – September 17 – Appendix 2

Revenue Monitoring

The detailed revenue report is attached at Appendix 1. This shows a projected outturn savings of which will be refunded to partners of £14k, it is appreciated this is an estimation to the year end based on current level of expenditure. The following assumptions have been made:-

- There are a number of vacant posts within the service and these together with savings resulting from maternity leave, long term sick etc, result in a projected savings in salaries. This is offset by the costs associated with additional agency staff being used to cover the vacancies, sick and to support the service where staff is working on additional income generation projects. Officers will ensure the reliance on agency cover is as minimal as possible. However two FTE's are working within the Community Environmental Health team to help tackle the backlog of nuisance issues and address some of the issues raised by the Food Standards Agency. One FTE is being used in Technical Services to cover the high level of sickness reported at the previous meeting.
- If April to Sept 17 spend on pest control continues on the same trend for the rest of year, there will be a projected overspend on this service of £9k. WRS officers have continued to analyse the overspend and the following is the projected full year overspend to be funded from each partner, this income has been included in the £335k income projected outturn.

Redditch	£2k
Wychavon	£3k
Wyre Forest	£4k

- The following is the actual bereavements costs Apr – Sept 17 to be funded by partners. These costs are charged on an as and when basis. Due to the nature of the charges it is not possible to project a final outturn figure:-

Worcs City	£4k
Redditch	£2k
Bromsgrove	£2k

Again this income is included in the £335k income projected outturn.

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- Appendix 2 shows the detail of the income achieved by WRS April – Sept 17. £158k worth of income was achieved in the first half of the year against a full year budget of £284k. This is a slight improvement on the picture from quarter1 and the service is now predicting a slightly reduced outturn of £335k due to the likelihood of achieving slightly less on Primary Authority activity.
- Any grant funded expenditure is shown separate to the core service costs as this is not funded by the participating Councils.

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 6 Months to Sept 17	Expenditure to Sept 17	Variance	Projected outturn	Projected Outturn Variance	June- Projected Outturn	Diff from Sept Projected Outturn to June Projected Outturn
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Direct Expenditure								
Employees								
Salary	2,508	1,254	1,207	-46	2,447	-61	2,512	-65
Agency Staff	0	0	12	12	53	53	20	33
Employee Insurance	16	8	8	0	16	0	16	0
Sub-Total - Employees	2,524	1,262	1,228	-34	2,516	-8	2,548	-32
Premises								
Rent / Hire of Premise	54	27	26	-1	54	0	54	0
Cleaning	1	1	0	-0	1	-0	1	-0
Utilities	0	0	0	0	0	0	0	0
Sub-Total - Premises	55	28	26	-1	55	-0	55	-0
Transport								
Vehicle Hire	13	6	4	-2	10	-3	13	-3
Vehicle Fuel	8	4	2	-2	6	-2	8	-2
Road Fund Tax	1	1	1	0	1	0	1	0
Vehicle Insurance	3	2	2	0	3	0	3	0
Vehicle Maintenance	3	2	1	-0	3	0	3	0
Car Allowances	87	44	39	-4	85	-2	86	-1
Sub-Total - Transport	115	57	48	-9	108	-7	114	-6
Supplies and Services								
Furniture & Equipment	30	15	23	8	38	8	30	8
Clothes, uniforms and laundry	3	1	1	-1	3	0	3	0
Printing & Photocopying	17	9	10	2	22	5	18	4
Postage	11	6	6	1	11	0	11	0
ICT	40	20	42	22	43	3	43	0
Telephones	23	12	7	-5	16	-7	23	-7
Training & Seminars	24	12	6	-6	24	-0	26	-2
Insurance	30	15	15	0	30	0	30	0
Third Party Payments							0	0
Support Service Recharges	100	50	50	0	100	0	100	0
ICT Hosting	44	22	22	0	44	0	44	0
Sub-Total - Supplies & Service	321	161	183	22	331	10	327	4

	Full year Budget	Budget 6 Months to Sept 17	Expenditure to Sept 17	Variance	Projected outturn	Projected Outturn Variance		June- Projected Outturn	Diff from Sept Projected Outturn to June Projected Outturn
	£'000	£'000	£'000	£'000	£'000	£'000		£'000	£'000
Direct Expenditure									
Contractors									
Dog Warden	145	73	64	-8	145	0		140	5
Pest Control	46	23	30	7	55	9	Income of £12k received from Severn Trent for Sewer Baiting, offset in Income line	58	-3
Taxi / Alcoh & Other Licensing	65	33	45	12	85	20	West Midland Safari Park Inspection £7k, £7k income received offset in income line	68	17
Other contractors/consultants	3	2	0	-1	2	-1		3	-2
Water Safety	5	3	2	-0	5	0		5	0
Food Safety	2	1	0	-1	2	-1		2	-1
Environmental Protection	12	6	14	8	28	16	Bereavement / Works in Default to be charged to relevant partner	21	7
Grants / Subscriptions	11	5	8	2	11	0		11	-0
Advertising, Publicity and Promotion	6	3	0	-2	5	-1		6	-1
Sub-Total	294	147	165	18	336	42		314	22
Income									
Training Courses / Bereavement / Works in Default / Sewer Baiting etc	-284	-142	-158	-16	-335	-51		-342	7
Sub-Total	-284	-142	-158	-16	-335	-51		-342	7
Total	3,025	1,513	1,492	-21	3,011	-14		3,016	-4

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

58.07%

Grant Funded Spend	Spend 17-18	Remaining Reserve Balance	Funded By	
Health & Well Being	10	35	Primary Care Trust	Conditional
Worcs Works Well	3	26	Public Health Dept	Unconditional
LEP	10	18	Worcestershire Local Enterprise	Unconditional
County Buyout		173		Unconditional
Grant Income	-22			
Total	0	252		

Income from Partners	Cum to Sept 17
Budget	1,512,510
Refund of Savings	
Bereavement/ Public Burials	7,777
Marlpool - Redditch	1,250
Pest Control Overspend - Wychavon / Wyre Forest & Redditch	4,446
Gladmans - Wyre Forest	
Taxi Test (Gemini) - Worcs City	
Gull Programme - Worcs City	
	<u>1,525,983</u>
Grant Income	
Healthy Eating / LEP / WWW	20,029
Severn Trent - Sewer Baiting	6,430
	<u>26,459</u>
Other Income	
Stray Dog Income	27,808
County - Mgmt / Admin / Legal etc	26,600
Warwickshire County Council - Intelligence	5,400
Transcription Work	758
Tewkesbury BC / Stratford Upon Avon - Planning Support Work	14,107
South Gloucs, Gloucs City & North Warwickshire Contaminated Land W	16,529
Glous City - PPC Work	2,467
Primary Authority work	8,542
Training / Risk Assessments of Water Supplies / Burials etc	969
Vet Fee Inspection Costs Recovered	11,781
Food Training Courses / Certificates / Food Hygiene Rating	2,872
Licensing - Pre-App Advice	
Ad-Hoc	
	<u>117,833</u>
Total Income	<u>1,670,275</u>
Total Income Excluding Budget From Partners	<u>157,765</u>

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Worcestershire Regulatory Services Board

16th November 2017

WORCESTERSHIRE REGULATORY SERVICE BUDGETS 2018/19 – 2020/21

Recommendation

It is recommended that the WRS Board:

- 1.1 Approve the gross expenditure budget of £3,378k as shown in Appendix 1.
- 1.2 Approve the income budget of £353k as shown in Appendix 1.
- 1.3 Approve the revenue budget allocations for 2018/19 – 2020/21.

Bromsgrove	£439k
Malvern	£386k
Redditch	£529k
Worcester City	£507k
Wychavon	£701k
Wyre Forest	£463k
Total	£3,025k

- 1.4 Recommend to partner councils the approved level of budget allocations.

Contribution to Priorities

The production of a robust budget position enables partners and the service to manage the financial position of the organisation.

Introduction/Summary

This report presents the revenue budget for 2018/19 – 2020/21 in relation to Worcestershire Regulatory Services.

Background

Officers from Partner Councils have considered the proposed budget for 2018/19 – 2020/21 and would recommend its approval to Members.

Report

The following reports are included for WRS Boards Attention:

Agenda Item 5

- WRS Budget Plan 2018/19 – 2020/21 – Appendix 1
- WRS Income Budget Breakdown 2018/19 – Appendix 2

WRS Budgets 2018/19

Appendix 1 shows the 2018-19 – 2020/21 budget breakdown for a district partnership.

A significant amount of work has been undertaken to assess the budget requirement to enable the services to be undertaken and it officers have looked to continue to deliver efficiencies to meet budget pressures.

As detailed below there is an assumed increase in pay for all staff of around 2% which will result in an additional pressure of £26k in 2018/19 arising to £163k by 2020/21. Within the budget projections included at Appendix 1, officers have estimated that additional income or savings need to be made to meet these additional costs rather than request further funding from partners.

The following assumptions have been made in relation to the projections:

- 2% pay award across all staff for 2018/19 – 2020/21. This will be subject to the National Pay Negotiations that are ongoing and therefore the final position will reflect any formally agreed increases, the budget also includes any employee entitled to an incremental increase. This will increase the gap in funding of £163k by 2020/21.
- Income projections as included at Appendix 2.
- No inflationary increases in supplies and services, premises or transport.
- Pension back-funding deficit has been paid in advance by all partners.

By 2020/21 should the additional income not be met there would be a potential increase to partner funding of:-

Bromsgrove	£24k
Malvern	£21k
Redditch	£28k
Worcester City	£27k
Wychavon	£38k
Wyre Forest	£25k
Total	£163k

Financial Implications

None other than those stated in the report

Sustainability

None as a direct result of this paper

Contact point

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Background Papers

Detailed financial business case

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Account description	Budget 2018 / 2019 £000's	Budget 2019 / 2020 £000's	Budget 2020 / 2021 £000's
Employees			
Monthly salaries	2,575	2,643	2,710
Training for professional qualifications	2	2	2
Medical fees (employees')	2	2	2
Employers' liability insurance	16	16	16
Employees' professional subscriptions	3	3	3
Sub-Total - Employees	2,597	2,665	2,732
Premises			
Rents	52	52	52
Room hire	2	2	2
Trade Waste	0	0	0
Sub-Total - Premises	54	54	54
Transport			
Vehicle repairs/maint'ce	3	3	3
Diesel fuel	8	8	8
Licences	1	1	1
Contract hire of vehicles	4	4	4
Vehicle insurances	3	3	3
Van Lease	9	9	9
Fares & Car Parking	5	5	5
Car allowances	82	82	82
Sub-Total - Transport	115	115	115
Supplies & Service			
Equipment - purchase/maintenance/rental	19	19	19
Materials	9	9	9
Clothing, uniforms & laundry	2	2	2
Training fees	23	23	23
General insurances	30	30	30
Printing and stationery	18	18	18
Books and publications	2	2	2
Postage/packaging	11	11	11
ICT	40	40	40
Telephones	21	23	23
Taxi Tests	30	30	30
CRB Checks (taxi)	25	25	25
Support service recharges	100	100	100
Support service recharges - ICT	44	44	44
Sub-Total - Supplies & Service	373	375	375
Contractors			
Consultants / Contractors' fees/charges/SLA's	223	223	223
Advertising (general)	4	4	4
Grants and subscriptions	11	11	11
Marketing/promotion/publicity	2	2	2
Sub-Total - Contractors	239	239	239
Income			
Grants / Primary Authority / Food Training / Contaminated Land / Stray Dogs / Ad Hoc	-327	-327	-327
Sub-Total - Income	-327	-327	-327
Savings			
Income to be found due to unavoidable salary pressures	-26	-95	-163
Sub-Total - Income	-26	-95	-163
DISTRICT PARTNERSHIP BUDGET	3,025	3,025	3,025
	Budget 2018 / 2019 £000's		
Bromsgrove	439		
Redditch	529		
Wyre Forest	463		
Wychavon	701		
Malvern	386		
Worcs City	507		
Total	3,025		

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Regulatory Services Budgeted Income 2018/19

Appendix 2

Grant Income

	£
Healthy Eating / LEP / WWW	40,000
Air Quality	5,000
Severn Trent - Sewer Baiting	12,000
	<u>57,000</u>

Other Income

Stray Dog Income	71,000
County - Mgmt / Admin / Legal etc	53,000
Warwickshire County Council - Intelligence	10,000
Transcription Work	1,000
Contaminated Land Work / Planning Support work	70,000
Primary Authority work	30,000
Vet Fee Inspection Costs Recovered	8,000
Food Training Courses / Certificates / Food Hygiene Rating	4,000
Licensing - Pre-App Advice	5,000
Ad-Hoc - Forward Pension Income	18,000
	<u>270,000</u>

Total Income

327,000

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Worcestershire Regulatory Services Board

16th November 2017

Statutory Nuisances: A briefing for Members

Recommendation

That the Board notes the report.

Contribution to Priorities

It is the statutory duty of every local authority to cause its area to be inspected from time to time to detect any statutory nuisance which ought to be dealt with under Section 80 of the Environmental Protection Act 1990. It is also a requirement to take such steps as are reasonably practicable to investigate a complaint of statutory nuisance made to it by a person living within its area. This is achieved through the use of intelligence, responding to service requests and officers identifying nuisances during the course of their normal duties.

Introduction

As Members will recall, at the October 2017 Board meeting officers highlighted the increasing expectations of members of the general public in relation to what local authorities and services like WRS can achieve in relation to complaints of nuisance by members of the public. This level of expectation is increasingly challenging for the service given its capacity and the other demands placed on it.

This paper aims to help members understand the legal basis for their respective local authority's activities in relation to statutory nuisance and where service like Environmental Health must draw the line in relation to investigative activities.

Report

What is a Statutory nuisance?

As Members will be well aware, local authorities are creatures of statute and must be able to point to a statutory power in order to act. Without this they are legally powerless. Should they do anything without the statutory power to do so, that act is ultra vires, null and void. The authority may even receive claims for compensation or complaints to the Ombudsman.

Whilst recent changes in local government law such as the general power of competence in the Localism Act make it easier for local authorities to do some things, the general principles of referring back to statute still apply in areas of regulation and discharging regulatory duties.

Statutory nuisances are defined in section 70(1)(a-h) of the Environmental Protection Act 1990 and are as follows:

- any premises in such a state as to be prejudicial to health or a nuisance;
- smoke emitted from premises so as to be prejudicial to health or a nuisance;
- fumes or gases emitted from premises so as to be prejudicial to health or a nuisance;
- any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance;
- any accumulation or deposit which is prejudicial to health or a nuisance;
- any animal kept in such a place or manner as to be prejudicial to health or a nuisance;
- any insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance;
- artificial light emitted from premises so as to be prejudicial to health or a nuisance;
- noise emitted from premises so as to be prejudicial to health or a nuisance;
- noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street;
- any other matter declared by any enactment to be a statutory nuisance;

Hence whilst these are wide ranging in many ways, there are a limited number of issues that WRS can investigate in respect of being a potential statutory nuisance.

What is not a statutory nuisance?

It is an essential pre-requisite of opening an investigation and certainly in serving any notice that the act or activity subject to complaint is a nuisance as defined in law. Hence, there are some complaints that we cannot deal with legally no matter how many complaints are made or whoever makes them.

Firstly, an anonymous complaint cannot be investigated for nuisance as we must know that it is impacting at a particular location.

There are also issues that cannot be dealt with or will never reach the threshold for a statutory nuisance including where the source of, for example, a noise is unknown or it is a consequence of normal behavior.

This latter category would include:

- talking, shouting or domestic arguments
- people shouting, laughing or screaming on a public road or footpath
- walking
- vacuuming
- use of domestic washing machines or tumble dryers
- use of showers or toilets
- babies crying or children playing
- banging doors and gates
- use of domestic lawnmowers
- sky glow from artificial lighting
- cooking and other odours from domestic premises
- animals posing a danger in the road
- overgrown or untidy gardens
- unsightly or dilapidated buildings
- insects from domestic premises
- problems caused by wild animals and birds

There are other issues that fall outside our powers:

- aircraft or railway noise
- road traffic on the public highway
- approved road works
- approved commercial construction work

In order to constitute a statutory nuisance an act or activity must be either prejudicial to health or a nuisance.

Prejudicial to health

This means injurious to health or likely to cause injury to health. This will require medical opinion and is rarely available to us as an Environmental Health service. There must be an evidential link between the conditions and some form of illness.

Nuisance

The courts must be convinced that the alleged nuisance substantially interferes with a personal comfort rather than someone's land, physical possessions or the effect on such things as property values. Case law directs that the concept of nuisance is to protect public health, not to deal with irritations.

For this reason WRS officers have to consider many elements of the complaint and how it impacts the individual's life. It is important to realise that the fact that something causes annoyance does not in itself mean that it amounts to a statutory nuisance.

For something to amount to an actionable statutory nuisance, two conditions must be met:

- It must cause significant interference to the normal occupation of premises by a person of average

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sensitivity;

- It must be caused by some unreasonable or unusual act or omission or behaviour.

When investigating complaints of nuisance officers must consider a number of factors including:

- Strength/severity
- Character and offensiveness of the nuisance
- Duration
- Time of day
- Nature and character of the area
- How regularly it happens
- How controllable it is and the ease of that control
- Is it unavoidable?
- What has been done to reduce the problem?
- Has the best practicable means been taken to control it? (if so this is a Legal defence)
- Public interest test, including the ongoing commercial viability of the premises/process when determining the nature of the solution to be proposed.

When officers are considering the source of a nuisance they must consider the source in isolation. A statutory nuisance is a single issue and cannot be made up of a number of single sources that cumulatively add up to a nuisance.

Where a nuisance can be identified the local authority must serve notice. In theory the local authority has no discretion in this however the service will often take steps to try to resolve an issue where a simple change of behaviour may facilitate this. It should also be noted that The Regulators Code, made under the Regulatory Enforcement and Sanctions Act 2008, states that local authority regulators should not impose a greater regulatory burden on businesses than the law requires for compliance. This means that we can only ask a business to change its behaviour where there is a nuisance, although again the service can suggest simple amelioration measures that a business may wish to adopt in the spirit of being a good neighbour.

The legal bar for issuing an abatement notice is set high as it is the initial stage in criminalising someone's behaviour. The problem has to be assessed by an officer as the Court will deem them to be an expert witness and independent. Whilst the evidence of residents can be supportive of the local authority's case, and will be very good at painting the picture of how the problem is impacting locally, it cannot be used in the absence of an officer coming to the view that the problem under investigation constitutes a statutory nuisance.

Sustainability

Where a problem is investigated and found not to be a statutory nuisance, for fairness to both parties the investigation is terminated. Should there subsequently be a significant change to the circumstances giving rise to further problems, then consideration would be given to re-opening the case.

There are occasions, and even the Local Government Ombudsman accepts this, that a reasonable investigation may not always gather the evidence necessary to prove a statutory

nuisance. For this reason section 82 of the Act gives an individual the power to take their own action by way of complaint to the Magistrates Court. Details of how to do this are provided at our website.

Following the delivery of efficiencies through a successful pilot exercise, it was agreed with partners that customers should be encouraged, in the first instance, to use the self-help package developed for domestic nuisances, which is now provided on the WRS website before the service would consider action. This represents a departure from the traditional “one size fits all” direct intervention route which was adopted in all cases, whatever the individual need or circumstance. Where this approach proves unsuccessful the service will then undertake a reasonable investigation should the issue have the potential to be a statutory nuisance and not fall within any of the areas identified earlier which fall outside of the regime. There is always the proviso that where complainants are clearly vulnerable, the perpetrator is a known problematic individual or the issue gives rise to numerous complaints, WRS will initiate an investigation without residents going through the self-help process.

The current model for determining statutory nuisance operates on the basis of experienced officers coming to a considered decision on the impact of the alleged issue they experience on the average person. Having said this, recent experience indicates that the tolerance of the public in respect of issues with their neighbours and business appears lower than ever, with expectations of what the law generally entitles them to experience (or not) in terms of the quality of their surroundings being well beyond what the current legal situation allows.

Demands include:

- No noise after a certain time in the evening, often before 9 pm;
- No smoke being emitted at all from business premises;
- No odour, even from businesses where there is inevitably going to be some odour produced;
- That businesses that annoy people should be shut down;

These are simply not a requirement of the current environmental law framework. The service has no power to stop a business from trading under this legislative regime. Indeed there is an assumption that businesses can trade but should do so without causing a nuisance and, where some of its activities are problematic, they should find the best practicable means to minimising nuisance occurring. If they do this, even if they occasionally cause what would be in normal circumstances a nuisance, they will meet the statutory defence in the Act and cannot be prosecuted.

Hence, the service will continue to do what can be done to help resolve problems but with public expectation far higher than noted previously and regularly above what is achievable in law, this can be difficult and can result in corporate complaints that

are dealt with through the complaints process.

There is also an increasing tendency to challenge professional opinion where notices are issued. Changes to the fines structure in Magistrates Court mean that there are now unlimited fines available for some nuisance offences, so some businesses will be more willing to challenge the initial notice to try to limit their risk of future prosecution.

These demands made over and above the legal capability of the service and the number of complex cases being contested through the court system requires careful management to ensure that they do not impinge on the sustainability of the service in respect of nuisance work and our ability to deliver on our pro-active activities such as food safety inspections. We shall continue to monitor and manage this demand through the tasking process and shall only direct resources into those cases coming under the definition of statutory nuisance.

Financial Implications

Additional resources are regularly deployed to manage the annual spike in nuisance complaints which typically occurs through the summer months. Efficiencies have already been achieved in the provision of the service including more cross-discipline working by officers and the move to initial self-help for non-business related complaints, compensating for a reduction in the number of Officers within the Community Environmental Health team. Should the trend in increasing numbers and complexity of service requests be continued, with the added expectation and increased challenge from recipients of notices, then additional capacity will be required to meet this demand.

Contact Point

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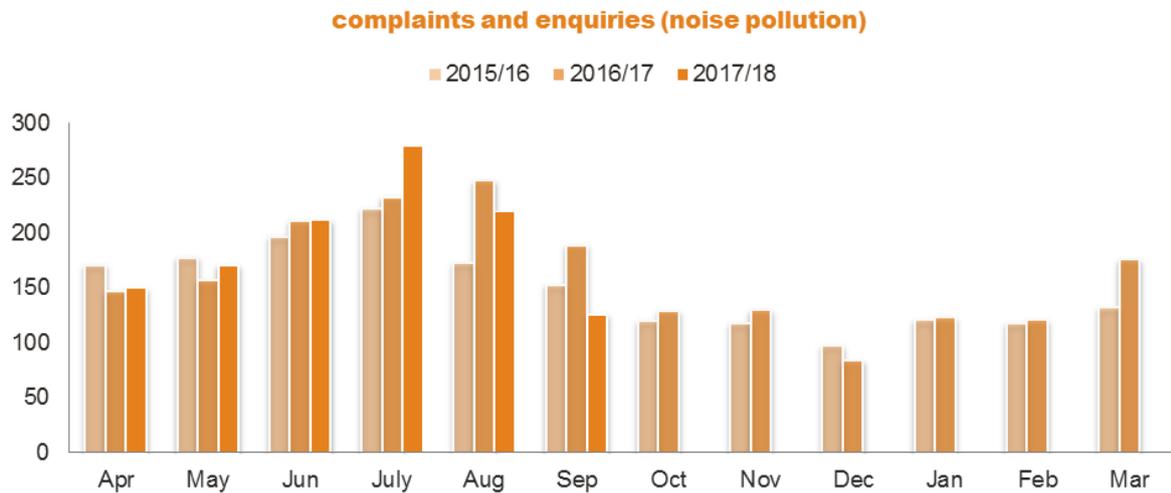
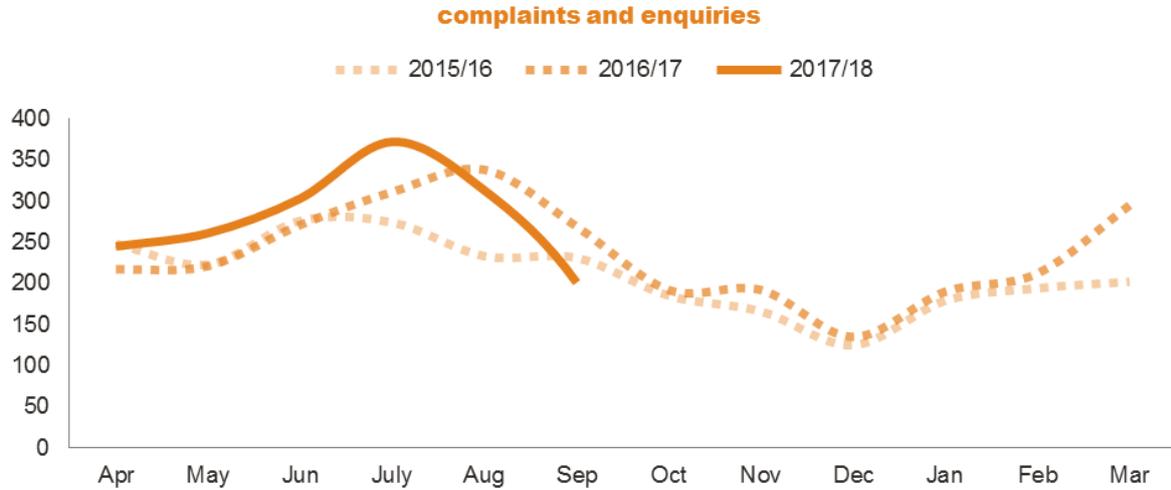
Background Papers

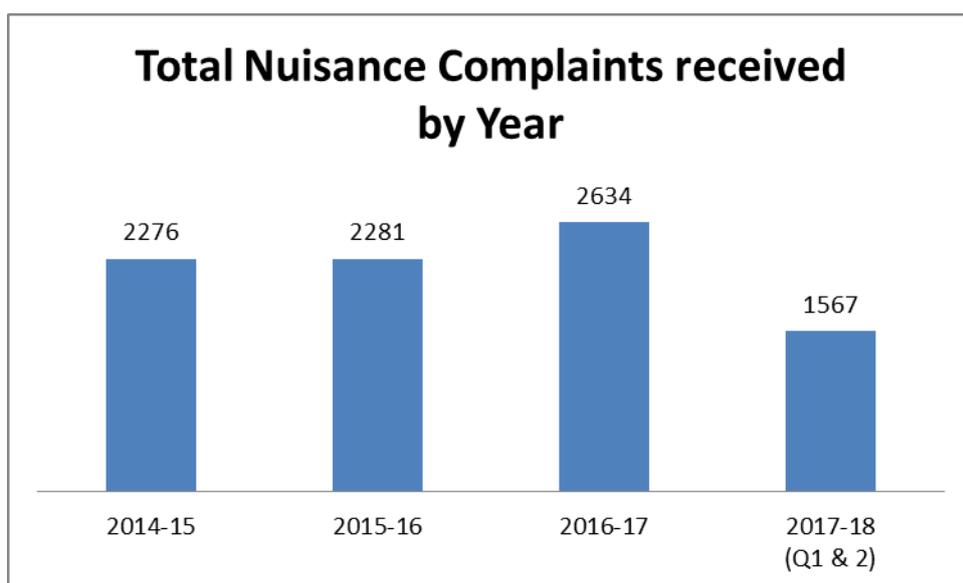
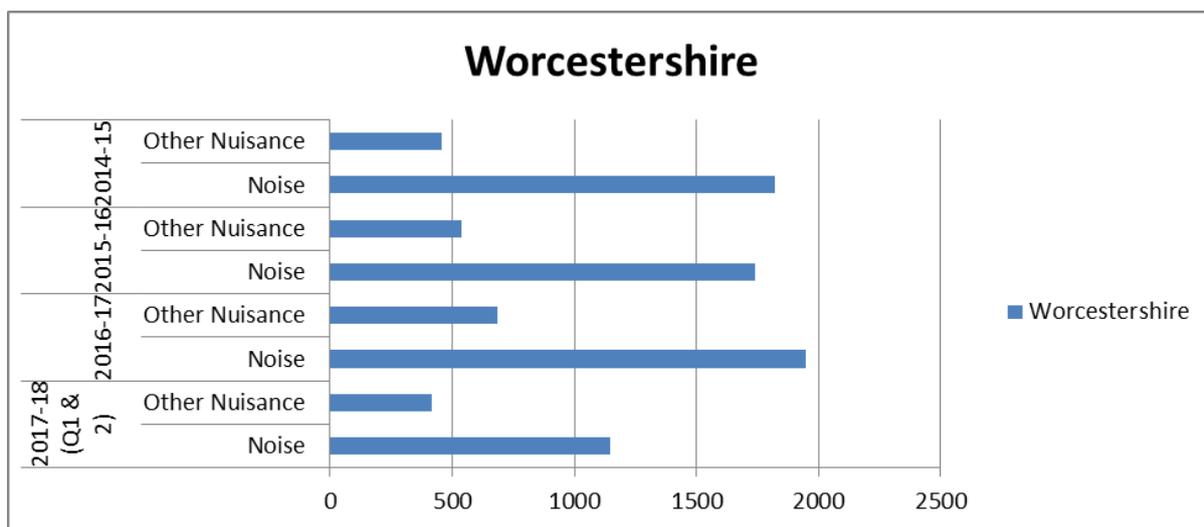
Appendix 1: Extract from Q2 Activity Report
Appendix 2: Annual Figures for Nuisance Requests for Service

Appendix 1: Extract from Q2 Activity Report

Pollution

The chart below 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 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.





Worcestershire Regulatory Services Board

16th November 2017

Information Report for Members on the Worcestershire Food and Drink Association

Recommendation	That the Board notes the report.
Background	In 2012 The Worcestershire Local Enterprise Partnership's (WLEP) Strategic Economic Plan (SEP) to Government set out its ambitions for business growth and job creation in the County. In particular, the WLEP identified the Agri-Food, Agri Tech, Horticulture and Forestry Sector as a top priority for accelerated growth. The SEP requested that WLEP, local and national regulators worked in partnership to address regulatory barriers to growth and develop innovative solutions for a national Agri-Food Sector Exemplar Pilot with potential national roll-out across England.
Contribution to Priorities	Sustainability, Economic Growth, inward investment for the Agri-Food sector within Worcestershire.
Introduction	<p>WLEP and WRS formed a strategic partnership through its Joint Regulators and Business Charter Action Plan in 2013. The partnership is a pioneering and an established national champion of Regulatory Delivery's (RD, part of the BEIS department) "Better Business for All" (BBfA) Programme.</p> <p>This paper will provide Members with a picture of the process WRS have been through to date in order to establish the Worcestershire Food and Drink Association (WF&DA).</p>
Report	<p>Phase 1</p> <p>The original project aimed to develop one simplified Earned Recognition Core Standard Scheme across the Agri-Food/Agri-Tech Sector as an alternative to multiple existing accreditation schemes. There was an argument that such schemes and regulatory compliance work duplicate each other, placing onerous burdens on SMEs and stunting business growth. Worcestershire's USP (Unique Selling Proposition) include a variable element promoting local</p>

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sourcing and geographical status/advantage. In the proposed national scheme this meant offering regulatory consistency but with variations to suit different locations.

RD expressed support in principle but did not consider match funding the project. The BBfA partnership (at the time mainly WRS and WLEP,) decided to proceed with a sector-focused project to be shaped by an evidence-based study.

It took a while to get off the ground but in 2015, a two-phased qualitative and quantitative **study was commissioned from the Royal Agriculture University (RAU) in Pershore** to explore regulatory issues and identify barriers to growth in the sector, as well as the potential for instigating one combined Accreditation/Compliance Scheme that met the combined needs of major supermarkets, retailers and regulators at local and national level, which would enable SME Earned Recognition in future and reduce burdens.

The study allowed WRS to research and understand what the perceptions of the food and drink sector are and what support (if any) they needed. This financial investment and time spent reviewing the output has allowed WRS and partners to understand the wider business need in this sector and then put together a support offer that SME's would find difficult to refuse.

The Study did not provide conclusive evidence of business's desire a universal standard that was acceptable to the wide plethora of bodies previously mentioned (from the supermarkets through to the regulators.) WRS concluded from the results that what they really needed was a one-stop shop for a number of different issues. The findings and practical recommendations from the RAU are summarised in Appendix 1.

Phase 2

As a consequence of the study's findings, the project took a different direction. Local food manufacturers and food processing businesses stated that the kind of universal standard we have envisaged would not provide any further kudos or advantage to them in getting more business or help them to create efficiencies. However, the study highlighted the need for WRS to work in collaboration with businesses to understand their needs and requirements.

WRS devised an innovative and collaborative approach to engaging with the local agri-food sector including food producers, growers and manufacturers. At the heart of this was developing a constructive working partnership with colleagues at Worcestershire Business Central, Worcestershire County Council and people known to be local Business Champions, which would help us to target the work. WRS provided support and practical advice through a number of breakfast meetings in order to gain an

in depth knowledge and understanding of the challenges businesses have to face from start up to those wishing to expand and grow.

These consultations have resulted in the impending formation of the **Worcestershire Food and Drink Association (WF&DA)**. Further business sector focus group consultations held in 2016/2017 to generate ideas about how to provide support gave an enthusiastic response to the prospect of developing the profile of and recognition for Food and Drink produced in Worcestershire, particularly in heightening the appeal of products derived from ingredients with local provenance. There is a strong consensus from food producers, growers and food manufacturers that this kind of platform where they could come together in one place to share ideas, expertise and engage with the wider SME sector was what they wanted, as well as it having the potential to raise the profile of Worcestershire food produce across the UK and internationally. Ultimately, this would offer new business opportunities to the sector in Worcestershire. This positive response appears to confirm that our shift of project emphasis is welcome and, if the membership association is the success that we hope, there remains the option for the development of a standard accreditation scheme that might support getting business from bigger businesses and satisfy regulators that businesses have earned the right to lower intervention rates.

The WF&DA Project itself aims to:

- a) Enable SME food growers, producers/manufacturers and suppliers to gain access to wider markets both in UK and overseas
- b) Stimulate growth in priority Agri-Food/Agri-Tech sector in Worcestershire demonstrating positive regulatory support
- c) Pioneer innovative solutions in Worcestershire, making the scheme a leader in this sector and enabling us to share expertise with other food and drink membership driven organisations.
- d) Work in partnership and collaborate with other organisations that have the same focus and underpinning aims and objectives.

In addition the WF&DA Project will contribute to the overarching BBfA agenda and links in with the other economic growth areas that are on the BEIS, WLEP and Regulatory Delivery agenda including:

1. Export support and growth
2. Inward Investment, Business Advice
3. Primary Authority development

The WF&DA Project has maintained the momentum inspired by the initial positive response from business and activities to date working towards formal formation include:

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- Continuing SME business consultations which is generating a waiting list of businesses wanting to join the new WF&DA
- Commissioning of the WF&DA website from a Worcester business that works with Worcestershire Ambassadors and is a representative on the Worcester BID Board.
- Promotion at the “find it in Worcestershire” event (June 2017) with two more focus groups (mainly for SME independent catering) being arranged for January 2018
- Recruiting business leaders to form the WF&DA Steering Group (October 2017)
- Working with Visit Worcestershire to promote key sector businesses on their website
- Joint work with Cotswold Taste and Hale Events, who have organised a new trade Food Show at Three Counties Agricultural Society, with a view to increasing what they offer the trade at their May 2018 event.
- Promotion via businesses at Worcester Foodie Festival and Droitwich Food Festival (August 2017)
- Promotion across all District Councils to ensure co-ordinated support and recognition
- Establishing the appropriate vehicle and underpinning structure to enable WF&DA to be a self funding and member driven organisation i.e. establishing a sustainable, stand-alone structure with appropriate corporate governance arrangements, sponsorship and funding opportunities for the long term whilst allowing for the continuance of a close working relationship with regulators

This last point is very important as we recognise that, whilst we in the public sector have helped to identify the need and support the development of the project to this stage, its ultimate success has to be as a private body supported by the businesses who have ownership of the idea and are members of the body that has developed from it.

Phase 3 will now look to engage with the catering sector to understand their needs and requirements in order to design a category of membership and offer that will meet their needs and encourage their membership of the organisation.

Sustainability

There are clear and tangible benefits to WRS for the sustainability of WF&DA. Businesses will find they are

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growing in confidence in complying with regulations and reducing unnecessary business costs and reaping business growth dividends. WRS as the regulator will have improved service co-ordination and efficiency; working pro-actively with businesses and be recognised as a key part of the business support packages available via WF&D.

Working together, WRS and WF&DA can show how the improved business-regulator relationship will enhance compliance, mutual trust and confidence and will inevitably help Worcestershire attract more business and inward investment.

Financial Implications

The work to this point has been grant funded by the WLEP so there are no financial implications for partners. In future funding for WF&DA will be based on membership contributions and grants secured for activities so it will not present a financial burden to partners.

Contact Point

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Background Papers

Appendix 1: Findings/Recommendations – Food and Drink Study (RAU, 2016)

Appendix 1:

Findings/Recommendations- Food and Drink Study (RAU, 2016)

8.2. Local stakeholder views on alternative mechanisms of support

Local stakeholders were asked what they felt would be of value to them in terms of a “safe and legal” standard and if they had further comments on support mechanisms and this gave rise to four themes. .

These are now discussed in turn with some of the headline points that were raised that are worthy of further consideration.

Ease of understanding and implementation

Simple and cost effective – whatever systems are developed must be easy and straight forward, common sense and definitely reduce time and paper work. Suggestions were that instead of a standard to have an online system such as the Government Gateway System or a “pack” available that signposts to information and supports businesses.

The lack of information and being able to access advice and product testing was another point that was raised that was limiting micro and small business expansion and development. An intervention to allow businesses to access this information was said to be of value.

Specificity and scope

What is local in Worcestershire? A theme that came out from the interviews was the ability to draw a distinction on what is local actually is. It has been highlighted already in this summary that the proportion of Worcestershire grown food being used in these businesses as ingredients is low. Therefore it is important to clarify the aim for building a profile for food producers in Worcestershire. The model for the WLEP to consider is whether it is an economically derived model where employment and GDP are important irrespective of where the food materials actually originate or a socially derived model where local producers using locally sourced ingredients is what is deemed as being local in Worcestershire, or a combination of the two. For the food economy being developed in Worcestershire this is a very important consideration as it underpins the brand of “Worcestershire food” and also what is perceived in Worcestershire as being “local food”. It will also contribute to defining the context of what the derived value is, both economically and/or socially, of local food production to Worcestershire.

Delivery must not burden council tax payers in Worcestershire, should be promoting local services, provide continual support and provide access to expertise. The delivery also needs to advise business on current issues, sharing of common practice and allow businesses to learn from each other. Another standard was not felt to necessarily be the best way to do this.

Scheme perceptions and deriving value

This theme covered concerns such as a multitude of different standards which are often confusing, trying to determine what value another system standard would have, how the standard would be marketed and how participation would be incentivised.

Public recognition is crucial of any schemes that are adopted and the name must be focused on the need to market the standard to the public.

Value would be derived most by smaller businesses that cannot invest in technical expertise within their workforce.

8.3. Summary

The study that underpins this report has consulted stakeholders for their views on whether an accreditation scheme would be of value to them in terms of demonstration compliance with regulatory requirements and with market opportunities. The response from local stakeholders was that whilst a “safe and legal” standard was of interest, they needed to know much more about what a standard would look like, how it would be implemented and the costs at business level with implementing and maintaining certification. An alternative on-line format was also identified by stakeholders as a means to support them in delivering safe and legally compliant food to their customers.

This study also highlights that what is considered as “food from Worcestershire” is varied and diverse and that many of the businesses are assembling/packing their products within the locality of Worcestershire, with ingredients and raw materials from far afield. Therefore it is recommended that before any initiatives are developed to promote food from Worcestershire within the county, nationally and internationally, consideration is given to scoping the extrinsic and social criteria that define and describe Worcestershire’s food economy.

Worcestershire Regulatory Services

Supporting and protecting you

Worcestershire Regulatory Services Board

16th November 2017

Activity and Performance Data Quarter 2 (2017/18)

Recommendation

That the 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

The detail of the report focuses on Q2 but the actual data allows comparison with previous years.

Contribution to Priorities

Board 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.

Report

Activity Data

The first thing to highlight in this quarter's report, because it is so well exhibited is the Summer spike in nuisance issues. Looking at the graph it is clear that the good weather during late May and June created an early spike in workload that continued to peak through July. Members may recall that the weather turned worse towards the beginning of the school holidays and whilst August was not a complete washout the weather was not the norm for the season. This is in some ways fortunate for service delivery as the July peak exceeded the highest point in the previous two years.

In the nuisance related area called public health (complaints of accumulations usually of waste, public burials and complaints about pests like mice and rats infesting nearby properties,) a similar pattern is seen, with a dip in Jun at the end of Q1 being followed by a spike during July that exceeded the high numbers in the previous two years.

Having these peaks in demand and also a number of tricky complex issues to deal with from last year meant that additional resource in the form of temporary staff had to be brought in towards the end of the quarter to help maintain the service's performance. They will remain with us while we clear this large volume of work down. As we have said previously, this is one of the great strengths of the model partners have adopted, giving the service the flexibility to reinvest income to deal with such issues.



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The top 25 wards for noise show a typical distribution with the majority being across Redditch, Wyre Forest and Worcester City. One might expect this as these are more urban localities with higher population densities. At the last meeting one member of the Board asked why one of the wards in her district featured as it was unusual that it would appear. A review revealed that it was due to a single event that took place which generated significant levels of complaint from local people. This illustrates how a single event or one or two problematic premises can cause a ward that might normally be regarded as quiet to appear in the top 25. There are one or two in the current list where this is the likely explanation.

A spike occurred in food safety complaints during August and this, along with the volume of work in relation to nuisance, meant that the service was only able to undertake a limited volume of routine food hygiene inspection during the quarter. Again, retaining the services of our temporary staff for a period beyond the end of the quarter will allow some of the team to catch up on some of these inspection visits. The level of health and safety complaints and accident reporting has remained at typical levels during this quarter so thankfully not imposing any additional burdens of staff.

In other areas of the service, demand remained at typical levels for the period. Planning requests remained below the levels of previous years thanks to our colleagues successfully adopting our check-sheets to help them make best use of WRS support. The team has continued to contribute to a number of high profile appeals particularly in Bromsgrove and in Wyre Forest.

Members will recall that last meeting they received a report on the air quality work the service is doing across the County. Work continues as the service looks towards working with members at Worcester City on their task and finish group looking at air quality. The team covering Environmental Permitting has been in dialogue with OFGEM to try to get the details of all of the sites in Worcestershire that are being supported by the Non-domestic Renewable Heating Initiative where biomass (wood fired) boilers are installed to provide heat and the cost of installation and fuel used is subsidised by Government. Boilers taking funding from the scheme have been at the centre of a number of complaints in Bromsgrove and Wychavon. The team now has a list of premises and intends to review this with a view to targeted visits looking at whether sites should be operating with a permit.

Licensing work volumes remain high. Officers have continued to engage with external partners on a range of issues. Further visits were undertaken with the Gambling Commission and, as members will see from the Performance Indicators a number of stop check exercises were completed. Officers have started working with Worcester City members to develop the council's vision for its taxi fleet going forward, working with a task and finish group of the Licensing Committee. Four drivers have had their licenses suspended since 1st April for various reasons. Police investigations are on-going and, once these are completed, consideration will be given to putting the matters before Committee.

One Redditch driver suspended last year has had his license revoked by a Licensing Sub-committee following his conviction which he appealed to the higher courts and was unsuccessful.

The Licensing team has also begun preparations for training for the taxi trade on Child Sexual Exploitation. Firm plans are in place for piloting the process in Redditch and Worcester City followed by a wider roll out across the county. This will be delivered in Partnership with West Mercia Police and the Police and Crime Commissioner's preferred training provider.

Performance

Performance reporting is wider for Quarter 2 than Quarter 1. Business satisfaction remains excellent at 97.7%, slightly less than Q1 but still above last year's out-turn figure. Satisfaction for non-business customers is slightly up on Q1 at 75.6% but still slightly below last year's out-turn figure of 78.9%. This still reflects some of the difficult cases that the team had dealt with combined with being unable to always resolve problems. People who found they felt better equipped to deal with their own problems in the future was slightly up on Q1 at 73.3% and getting towards last year's out-turn of 73.8%.

Staff sickness for Q2 is up to 3.77 days per FTE. Some two thirds of this is down to long term sickness. Managers are seeking to address this where possible but, as was mentioned previously, a number of officers have required surgery and required recovery time.

There were only three corporate complaints during Q1 but we are expecting to see this increase in Q2 and 3 due to increased volume of work and the pressure it creates. Q2 gave a further 6 corporate complaints which related to dog issues, delay in answering calls or not keeping complainants informed. Where possible steps have been taken to address some of the issues. We had 32 compliments in Q1 demonstrating that staff continue to deliver good outcomes for the public. This was up to 75 at the end of quarter 2.

In relation to accusations of licensed premises not upholding the 4 objectives of the Licensing Act 2003, most of the district figures are similar to Q2 last year. Only Redditch has shown an increase from 3% to 7%. Officers will look into the background of this and seek to act where possible. Numbers will remain low and still show premises are generally well run. Rates of noise complaint are comparable with last year's Q2 figures with no significant increase or decrease in any of the figures.

The new licensing measure looking at how quickly we process driver licenses once we have a full application came in at 81%. All drivers had their new licenses issued before the old ones expired. This year is going to a base line for looking at how improvements might be made in the future.

The number of vehicles suspended during use remains a small proportion of the fleet as a whole but 21 is three times the number taken

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off the road in the first half of last year. This reflects an increased level of enforcement activity by the service as we seek to argue for the introduction of national standards in all district policies and as an argument against reducing standards for vehicles in use by the trade.

Income for the first six-months of the year is £158000. This is close to the target to achieve its required income for the year and equal to 5.2% of the monies paid into the service on an annual basis by partners.

Finally, a reminder to Members that press releases and social media feeds for the service can be found on the WRS website.

Contact Points

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Background Papers

Appendix A: Activity Report (separate document)
Appendix B: Performance indicators Table

Appendix B: Performance Indicator Table

Indicator	Reporting period	Q1	Q2	Q3	Q4/ Outrun
1. % of service requests where resolution is achieved to customers satisfaction	Quarterly NB: fig is cumulative	71.7%	75.6%		
2. % of service requests where resolution is achieved to business satisfaction	Quarterly NB: fig is cumulative	98.4%	97.7%		
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 drivers licence renewal applications issued within 5 working days of receipt of a complete application	6-monthly	NA	81% NB: all other licenses in this category that fell due for renewal within the period were issued before the expiry of existing licenses	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	Total number of vehicles countywide: 1484 Number of vehicles suspended during Q1 and Q2 21 Bromsgrove 9 Redditch 3 Worcester City 8 Wychavon 1 Percentage 1.42% of fleet.	NA	
7 % of service requests	Quarterly NB: fig is	72.5%	73.3%		

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	where customer indicates they feel better equipped to deal with issues themselves in future	cumulative																												
8	Review of register of complaints/compliments	Quarterly NB: fig is cumulative	3/32	9/75																										
9	Annual staff sickness absence at public sector average or better	Quarterly NB: figure is cumulative	1.19	3.77																										
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	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #f4a460;"> <th style="text-align: left;">District</th> <th style="text-align: left;">%</th> <th style="text-align: left;">NA</th> </tr> </thead> <tbody> <tr> <td>Bromsgrove</td> <td>4.7</td> <td></td> </tr> <tr> <td>Malvern Hills</td> <td>3.2</td> <td></td> </tr> <tr> <td>Redditch</td> <td>7.0</td> <td></td> </tr> <tr> <td>Worcester City</td> <td>3.7</td> <td></td> </tr> <tr> <td>Wychavon</td> <td>2.9</td> <td></td> </tr> <tr> <td>Wyre Forest</td> <td>5.8</td> <td></td> </tr> <tr style="background-color: #f4a460;"> <td>Worcestershire</td> <td>4.3</td> <td></td> </tr> </tbody> </table>	District	%	NA	Bromsgrove	4.7		Malvern Hills	3.2		Redditch	7.0		Worcester City	3.7		Wychavon	2.9		Wyre Forest	5.8		Worcestershire	4.3			
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12	Rate of noise complaint per 1000 head of population	6-monthly	NA	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #f4a460;"> <th style="text-align: left;">District</th> <th style="text-align: left;">Rate</th> <th style="text-align: left;">NA</th> </tr> </thead> <tbody> <tr> <td>Bromsgrove</td> <td>1.98</td> <td></td> </tr> <tr> <td>Malvern Hills</td> <td>1.62</td> <td></td> </tr> <tr> <td>Redditch</td> <td>2.34</td> <td></td> </tr> <tr> <td>Worcester City</td> <td>1.99</td> <td></td> </tr> <tr> <td>Wychavon</td> <td>1.75</td> <td></td> </tr> <tr> <td>Wyre Forest</td> <td>2.3</td> <td></td> </tr> <tr style="background-color: #f4a460;"> <td>Worcestershire</td> <td>2.01</td> <td></td> </tr> </tbody> </table>	District	Rate	NA	Bromsgrove	1.98		Malvern Hills	1.62		Redditch	2.34		Worcester City	1.99		Wychavon	1.75		Wyre Forest	2.3		Worcestershire	2.01			
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Worcestershire	2.01																													
13	Total income expressed as a % of district base revenue budget	6-monthly	NA	5.2% £158,000 as a proportion of £3,025,000																										

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(16/17)					
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 2017/18

intelligence@wocrsregservices.gov.uk



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Malvern Hills District Council
Redditch Borough Council
Worcester City Council
Wychavon District Council
Wyre Forest District Council

Foreword

Welcome to the second set of activity data for 2017/18. As you will see from the graphs, the year first half of the year has been very busy with very high numbers of nuisance cases. The good weather at the end of May and in June meant that our Summer nuisance demand spike started early and continued into July but thankfully the weather worsened in August and September putting a dampner on everything including the rate of increase in workload.

Everyone has worked incredibly hard to address what has come in but we have had to bring in some additional help to address the volume, which arose at a time when we had a number of officers off due to recovery from surgery. Thankfully all are back fit and well now.

We have retained the services of our temporary workers for a period into quarter 3 to ensure that we cover off the backlog of work and keep up with food visits, also addressing some of those food businesses identified during our audit by the Food Standards Agency. This will keep us on track to achieve what is needed during the second half of the year.



Simon Wilkes
Head of Regulatory Services

WRS Headlines

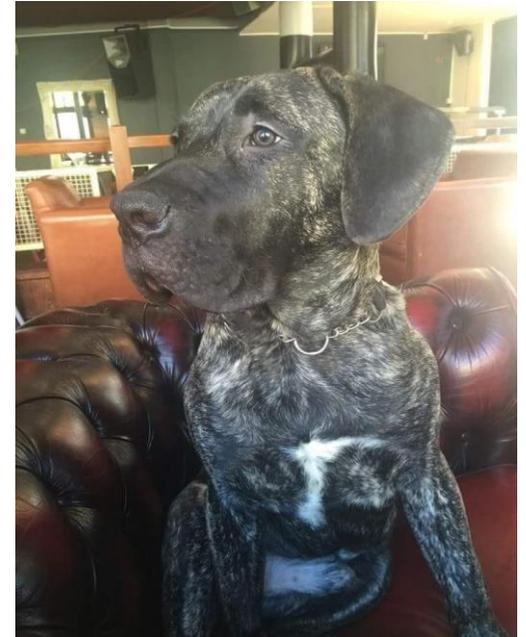
Quarter 2

Hopwood woman prosecuted over emaciated dog in her care which had to be put down

Following an investigation by WRS Officers a successful prosecution was brought against Mrs Jaspal Boparia, aged 47, of Washhill Lane and her ex-husband Mr Ranjit Boparia, aged 46, of Shoemith Close, Barwell, Leicester. They were sentenced on September 19 at Redditch Magistrates court. The case was reported by both the Bromsgrove Advertiser and Bromsgrove Standard. Mrs Boparia pleaded guilty to an offence under Section 4 of the Animal Welfare Act for failing to provide a suitable diet which resulted in the dog being caused unnecessary suffering. She admitted to reporting the dog as a stray, even though he was in her care, after she noticed he had stopped eating and she could not afford to take him to the vet.

Mrs Boparia was given a 12-month community order with 80 hours unpaid work and was also ordered to pay a total of £1,310. The court decided Mrs Boparia would not be given a banning order. Mr Boparia, the owner of the dog which he had handed over to his ex-wife in the Autumn of 2016, knew the dog was not eating but failed to take steps to prevent the dog's condition deteriorating. Mr Boparia was already subject to a banning order following an offence at the end of last year which prevented him from owning a dog for a period of five years. Having pleaded guilty to an offence of failing to take steps to prevent the dog from suffering Mr Boparia was fined £333 and ordered to pay a victim surcharge of £33 and £2,447 in costs.

Worcester Regulatory Services (WRS), which brought the prosecution, was first alerted to the situation of Blue on January 11 after receiving a call from Mrs Boparia stating she had taken in a stray dog. The dog was collected by the Dog Warden who described him as being emaciated, skin and bone, with no muscle tone and in all round very poor condition. The dog received immediate treatment by the vet but over the following the next few days the dog's temperament deteriorated and he became a risk to staff so the decision was made that he be put to sleep. WRS will provide advice and assistance to dog owners in rehoming dogs where they are unable to cope or their circumstances change and anyone can call the Dog Wardens on 01905 822799.



Grimley Raceway Injunction

WRS and Malvern Hills District Council have been successful in securing an injunction to control activities at a motor-racing track at Grimley, near Worcester. The track, used for stock car and banger racing, has been going for more than 50 years and attracts people from all over Britain. The deal, reached between Malvern Hills District Council and the owners, will allow racing to continue on a permanent basis while reducing the noise impact on nearby residents.

Court action was first taken in December 2015 which resulted in the owners agreeing to undertake work to reduce the impact of noise levels. However, when this did not happen an interim injunction was applied for to halt racing while the matter went to court. A temporary compromise was reached earlier this year which allowed racing to resume subject to certain restrictions. This has led to both sides agreeing a permanent deal, which was ratified by a judge at a hearing at Walsall County Court on Tuesday. Under the terms of the order, the raceway will be allowed to hold nine meetings a year and there must be at least 20 to 27 days between each event. Only one race can be held on a Bank Holiday in any single year, no racing can take place before 1pm or after 6pm, except for Bonfire Night, and engines cannot be started or repairs made before 11am or after 6pm. Restrictions have also been placed on the type of announcements that can be made over the public address system and the type of vehicles that can be used in races. A noise management plan must also be submitted to the council each year and council staff or other experts must be allowed on site to ensure the order is being complied with.

Phil Merrick, the council's head of economy and communities, said: "We've always said we were supportive of the raceway but that had to be balanced against our legal obligation to protect our residents from excessive noise. We're delighted we have been able to reach an agreement which imposes some tough restrictions on the operation of the racetrack while ensuring racing can continue at Grimley in the future."



FSA Audit

Members will recall the report presented to last joint board highlighting the audit of Wyre Forest District Council's food safety work. The final report has now been published by the Food Standards Agency (FSA) and is available to view via the link below.

<https://www.food.gov.uk/enforcement/auditandmonitoring/2017/auditreports/wyre-forest-district-council/wyre-forest-dc-assurance-audit>

Licensing Update

The countywide Hackney Carriage and Private Hire Vehicle enforcement program began with the Bromsgrove District; this being the first of many enforcement exercises planned across the county in the coming year. The conclusion of this part of the planned programme resulted in nine vehicles being suspended; various faults were found such as low tyres, white indicators, ball joints damaged, obscure windscreen, windscreen wipers not working to name but a few. These vehicles were taken off the road until faults were rectified; further exercises are planned in other districts and will be carried out shortly.

Page 3
 There has been a lot of background work carried out with regards to Hackney Carriage and Private Hire licensing. Licensing Officers have been investigating some of the issues arising from the relaxation of regulation on cross border hiring. Namely an Operator in one district can legally transfer a booked job to another Operator in another area who can then send a fully licensed vehicle and driver to complete the booking. Licensing Officers are working with each district to review Hackney Carriage and Private Hire Policies to ensure they continue to be fit for purpose. One of the suggested improvements in this area is the introduction of National Standards for vehicle inspections; Officers will be liaising with inspection garages, districts and the trade to see if this would be beneficial.

Licensing has also been working in partnership with West Mercia Police and the Police and Crime Commissioner's preferred training provider to deliver face to face Child Sex Exploitation training/awareness to all taxi drivers. Plans are in place for piloting this scheme/training session with the Redditch and Worcester City taxi trade during the early part of next year; with a wider roll out across the county thereafter. Initially this training will be provided on a free voluntary attendance basis; upon completion, a review of effectiveness, delivery and take up will be reported back to each Licensing Committee in the early autumn next year.

Officers from the Licensing Team have recently been involved in joint inspections on betting premises licensed across the county. Visits were conducted with officers from the Gambling Commission, including one of our former Trading Standards team who moved to the Commission in 2014. The purpose of the inspections was to assess compliance with premises licence requirements, alongside the requirements of the Gambling Commission's "Licence Conditions and Code of Practice" (LCCP) document. Levels of compliance with the requirements of legislation, regulations and the LCCP were generally very good, with one of two minor issues being dealt with in dialogue with the relevant premises licence holders. Further joint working across the county has been arranged.

Air Quality & Contaminated Land

Air quality assessment work in Worcester has highlighted that areas of London Road close to Sidbury Junction, The Butts, Foregate Street and The Tything (up to little London) all exceed the Government's annual health objectives for Nitrogen Dioxide emissions. WRS are currently preparing a number of AQMA proposals for the Council to consider in December 2017. It is likely that the proposals will focus on area declarations which are in alignment with current government thinking against previous emphasis on limited solutions targeted at individual hot spots of poor air quality.

Air quality assessment work in Wychbold has also confirmed that Government's annual health objectives for Nitrogen Dioxide emissions are exceeded along the A38 for many properties in Wychbold. Officers are currently working on declaration options for the council to consider in November 2017. In Port Street, Evesham however, the situation has improved sufficiently for WRS to be in a position to recommend revocation of the AQMA in that location. It follows an assessment of the monitoring results for the last ten years where there has been few exceedances and a continuing downward trend.

Contaminated land

WRS plan to undertake a detailed study of methane gas control at the Pinches Landfill site in late 2017 early 2018

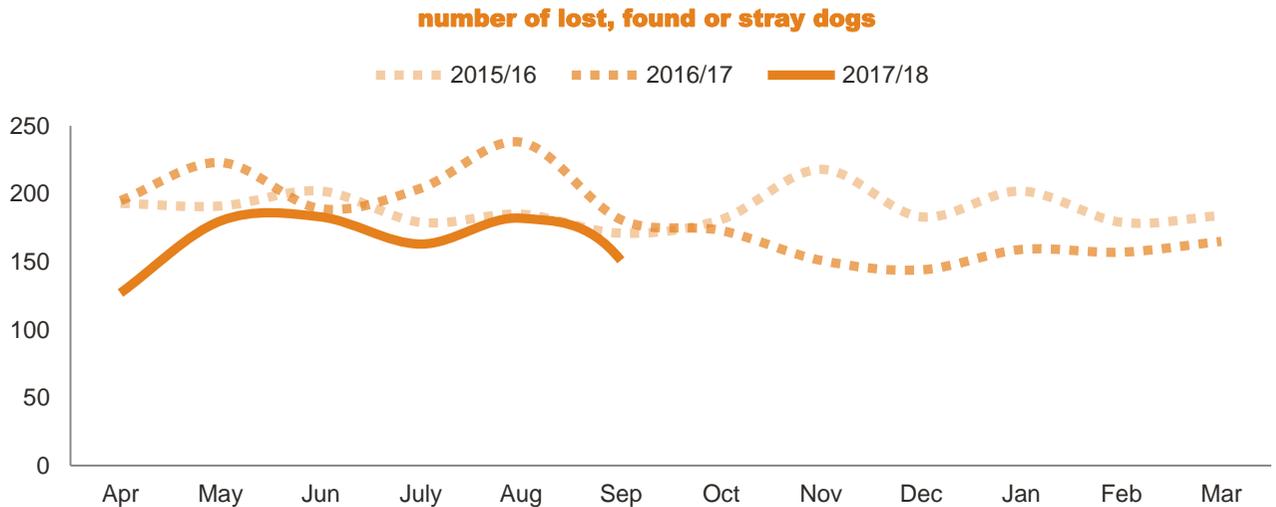
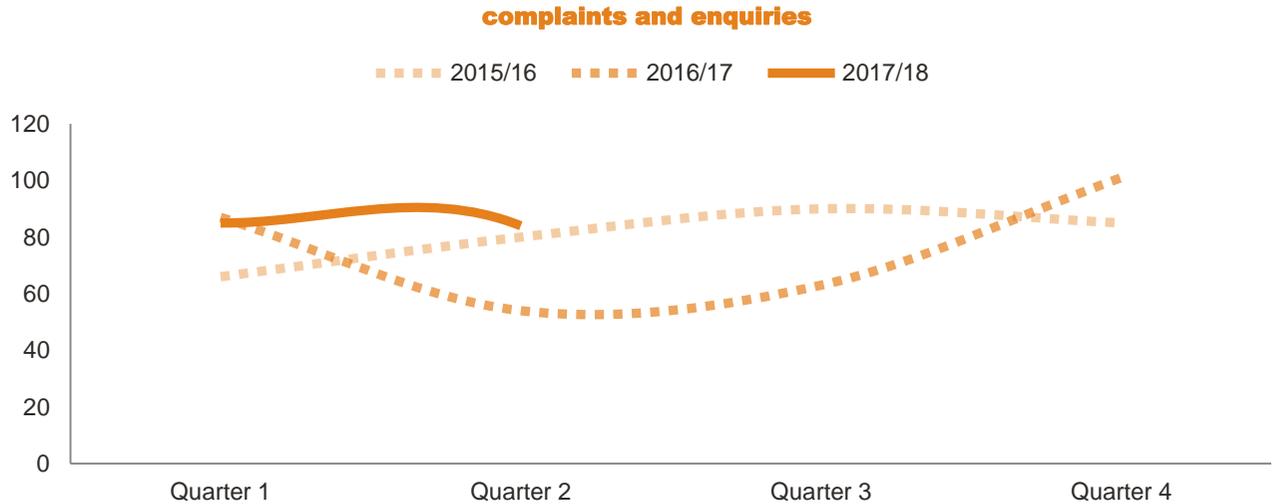
Dog Control

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.

Historically, the general trend in numbers of stray dogs reported is reducing and this would appear to continue this financial year. In order to ensure we are utilising Officer's full capacity with reduced stray numbers, we have been exploring the provision of dog services to other public organisations such as social services and housing associations. We have been asked to collect, detain, kennel and rehome dogs during this period which is reflected in the increase in service request numbers. There is currently no discernible difference between the numbers of service requests this quarter. This is an area of work which we are looking to increase over this financial year.



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Environmental Permitting

Worcestershire

WRS has seen a increase in the interest in the installation of SWIPS (Small Waste Incineration Plant) on waste management sites. It is anticipated that the increase is due to the landfill tax cost of disposing of contaminated waste wood. There is 1 operational SWIP in Worcestershire and it is forecast that a further 3 will be installed in coming months at waste management sites

Officers have been reviewing all Di-isocyanate processes in Bromsgrove and Redditch area over the summer period and confirm that the work to reduce their environmental burden continues. Other companies investing in cleaner technology are Automated Packaging of Worcester, who recently purchased a new solvent recycling machine which will guarantee the company future compliance with fugitive solvent emission targets.

WRS are currently working with 2 International companies on developing Primary Authority relationships that are permitted in Worcestershire (Cemex and Wienerberger). If successful it is anticipated that this will be the first agreements in this regulatory sector outside of the simpler Petroleum process regulation.

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Gloucester City

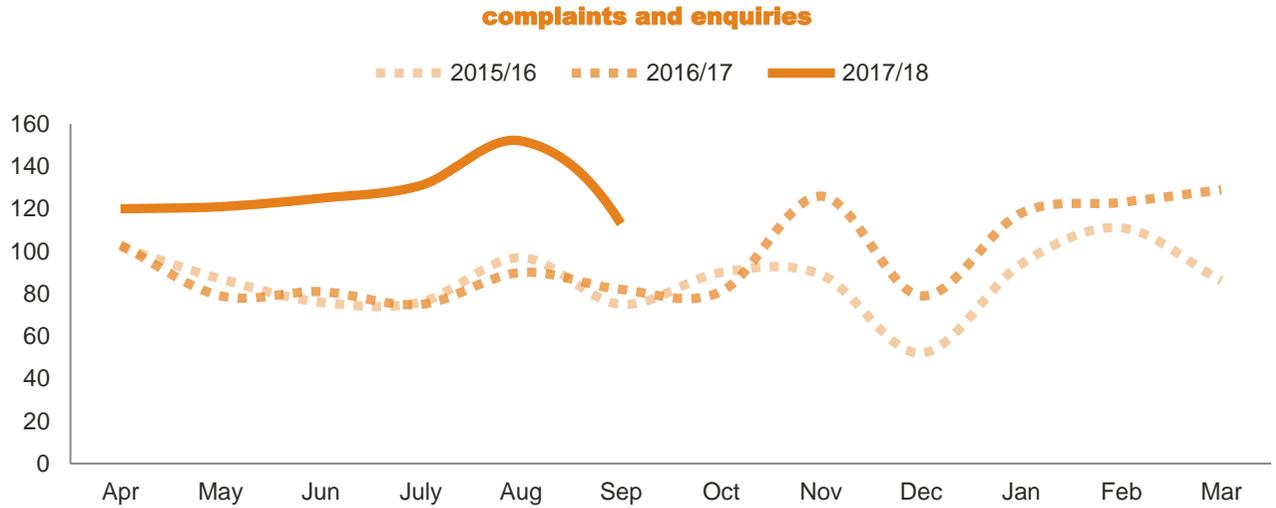
WRS continue to deliver Gloucester Permitting work and are pleased to confirm that officers have brought Avon Metals into compliance following intense partnership working with the company over the last 2 years. Gloucester has requested WRS continue the current working arrangements for permitting inspection and administration on their behalf until at least the end of the financial year.

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

Q2 saw a spike in the number of food safety cases received by WRS which remain significantly above the numbers received in previous years. This, along with the large volume of work in relation to nuisance being carried out, meant that the service was able to undertake only a limited volume of routine food hygiene interventions during the quarter.

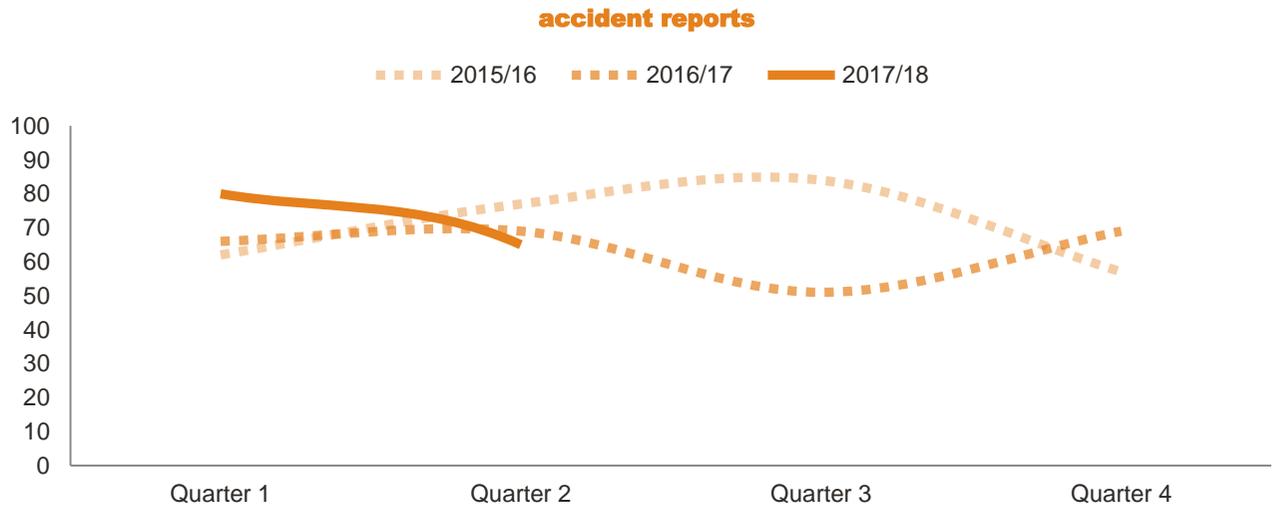


Health and Safety

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

During Q2, WRS recorded 140 cases relating to health and safety. Enquiries were slightly down whilst the number of complaints remains fairly consistent. The service continues to investigate a number of serious accidents occurring at some high profile businesses with several subject to formal proceedings.

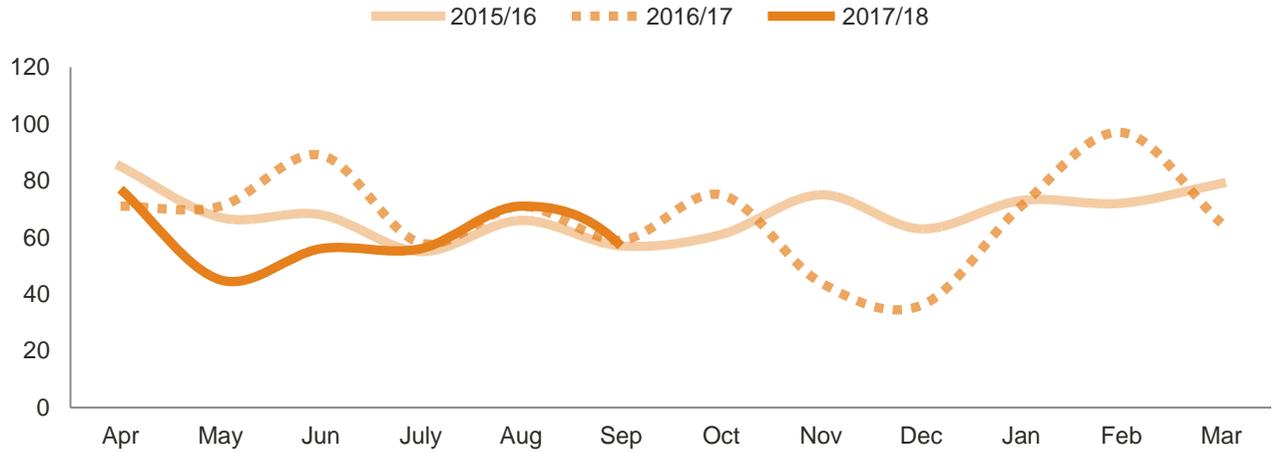


Information Requests

The chart (right) shows the number of information requests recorded by WRS over a three year period.

Information requests relate to the following:

- Environmental Information Requests
- Freedom of Information Requests
- Requests for information under the Data Protection Act 1998 (generally received from partner agencies)



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Comments

This area of work is completely reactive, although there has been a drive to proactively publish information held by WRS on our website, so enquirers are directed there in the first instance. A review of FOIs will be undertaken this year to identify commonly requested datasets so that where possible they are published ahead of requests being received.

Licensing

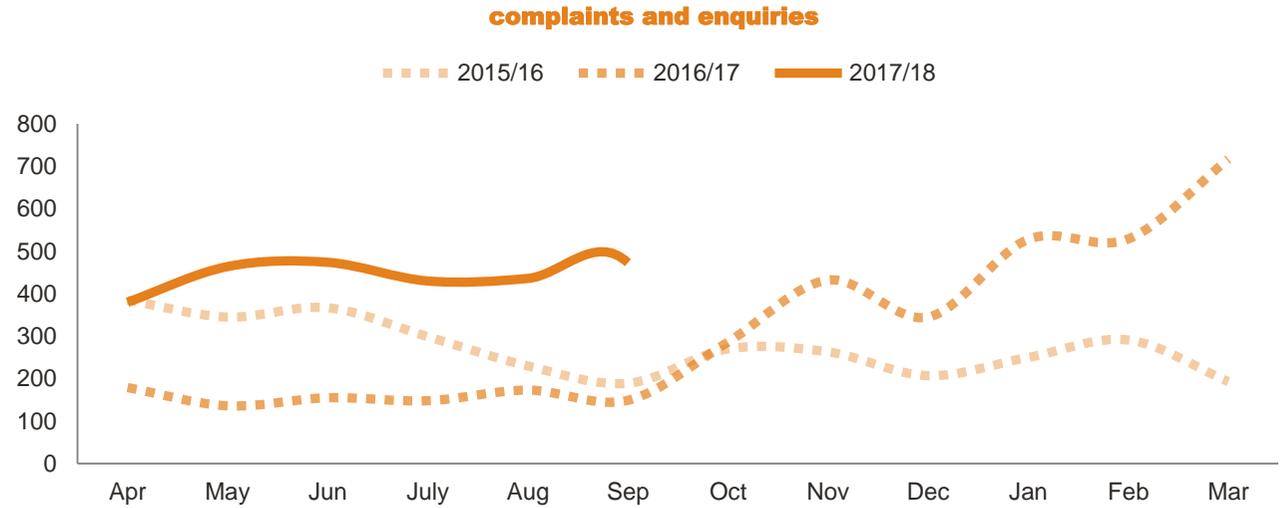
The chart (top right) shows the number complaints and enquiries recorded by WRS over a three year period relating to licensing. The chart (bottom right) shows the number of licensing applications.

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

Licensing has continued to undertake it's duties in relation to all licensing matters with the first two quarters of 2017/18 being ebasier than last year; more so with regards to Service Requests. We have seen increases in both the number of licences and the number of enquiries that we deal with on a daily basis. In particular, and as previously reported in Q1, the normal spike in the number of Temporary Event Notices hit the service a little earlier this year and data in Q2 shows the trend continued through the summer until tailing off around mid to late September.

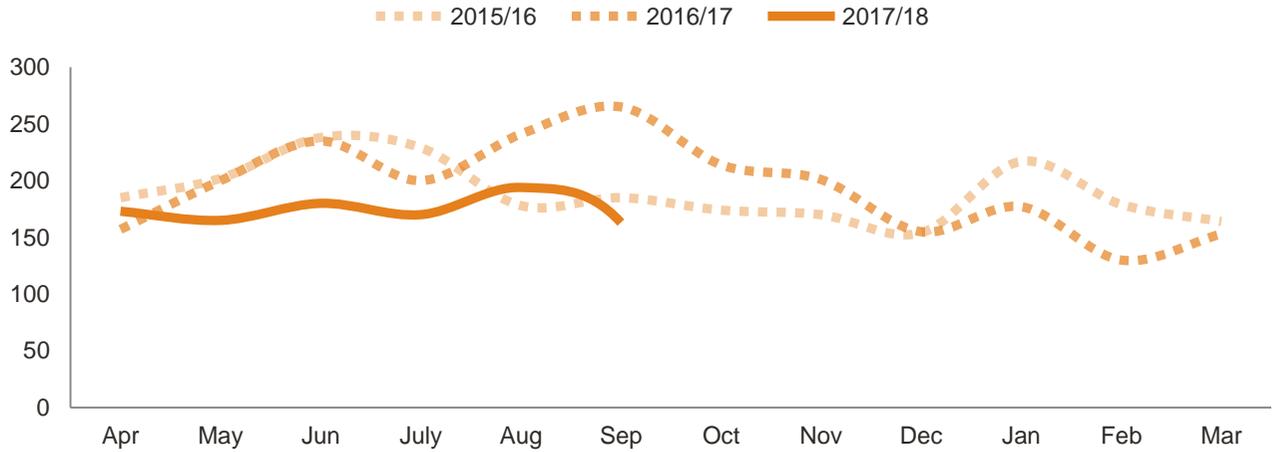


Planning

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

WRS have published the first draft of its technical guidance (environmental) note for planners. The Supplementary Planning Document (SPD) covers all aspects of environmental impact associated with development control. Heads of Strategic Planning have initially welcomed the guidance but indicate that some work will be required to prepare the final document to a format that may be adopted by the partners. The document in non SPD format is currently available on WRS website:

<http://www.worcsregservices.gov.uk/media/3261881/WRS-technical-guidance-document-for-Planning-V4.pdf>

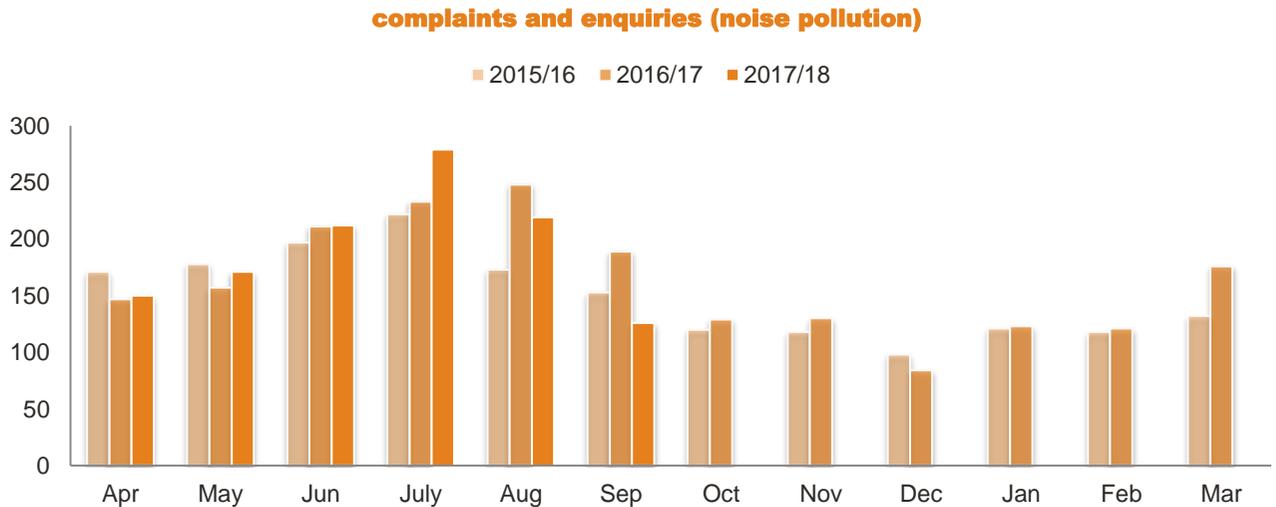
Pollution

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

The good weather during late May and June created an early spike in workload that continued to peak through July. The weather turned worse towards the beginning of the school holidays and whilst August was not a complete washout the weather was not the norm for the season. This is in some ways fortunate for service delivery as the July peak exceeded the highest point in the previous two years.

This peak in demand together with the number of complex cases demanding a high level of resource meant that additional support in the form of temporary staff had to be brought in towards the end of the quarter to help maintain performance.

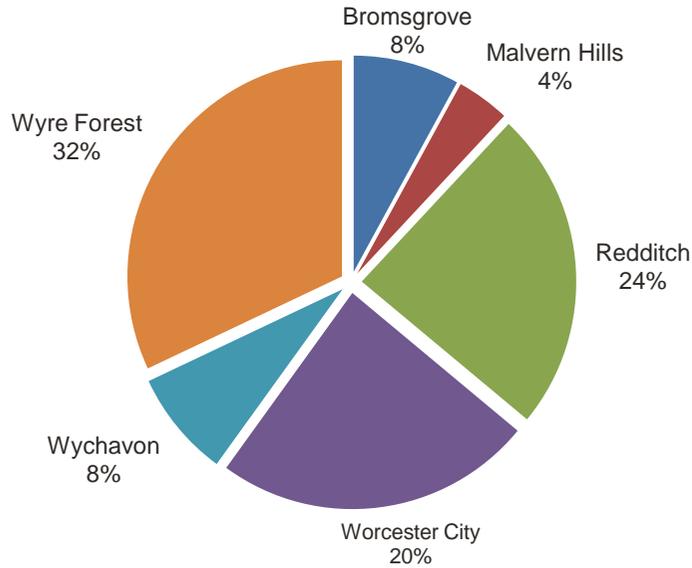


Noise Pollution

The table (right) shows the top 25 wards within Worcestershire with the highest number of noise pollution cases. Population and incident rates are also shown and reflect the recent boundary changes in Bromsgrove and Wyre Forest. The chart (left) shows the top 25 wards by district, for example, 20% of wards highlighted in the table are located within Worcester City.

Ward	Total	Population	Rate (%)
Blakebrook And Habberley South	32	9,000	0.36%
Greenlands	30	9,122	0.33%
Bewdley And Rock	28	8,542	0.33%
Cathedral	28	10,835	0.26%
Batchley And Brockhill	26	8,553	0.30%
Bedwardine	24	8,279	0.29%
Central (Redditch)	20	6,494	0.31%
Mitton	19	9,752	0.19%
Foley Park And Hoobrook	18	9,914	0.18%
Broadwaters	18	9,108	0.20%
Abbey	18	6,197	0.29%
Upton And Hanley	18	4,186	0.43%
Franche And Habberley North	17	9,783	0.17%
Bengeworth	17	6,793	0.25%
Arboretum	17	6,195	0.27%
Warndon	16	5,934	0.27%
Areley Kings And Riverside	15	8,261	0.18%
Aggborough And Spennells	15	8,685	0.17%
Saint Stephen	13	5,233	0.25%
Nunnery	13	8,087	0.16%
Astwood Bank And Feckenham	13	6,042	0.22%
Sanders Park	13	3,463	0.38%
Belbroughton And Romsley	13	6,534	0.20%
Droitwich East	12	5,554	0.22%
Winyates	12	8,360	0.14%

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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 in four Worcestershire Districts (Bromsgrove, Redditch, Wychavon and Wyre Forest). Malvern Hills and Worcester City do not offer subsidised pest control service.

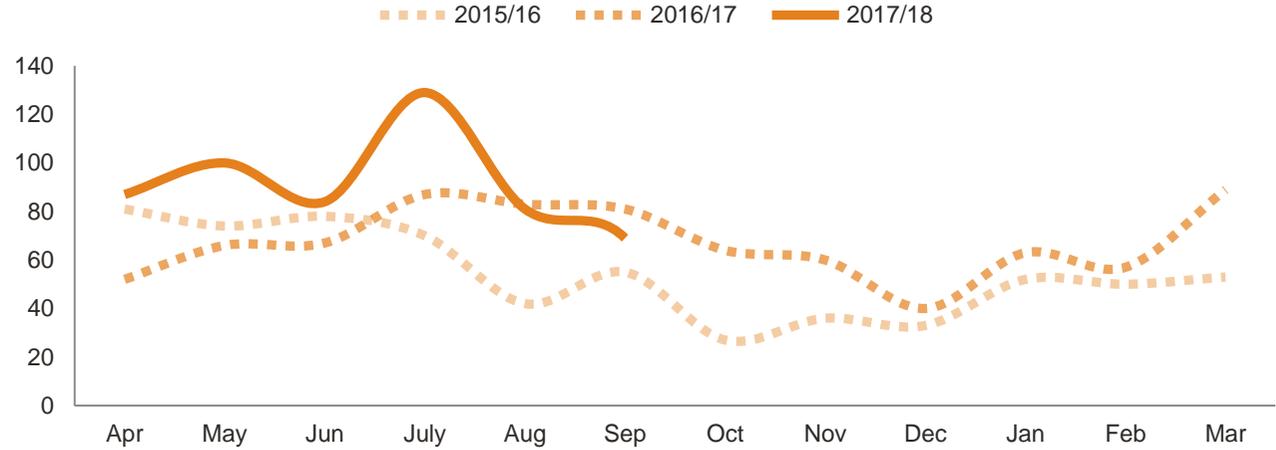
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Comments

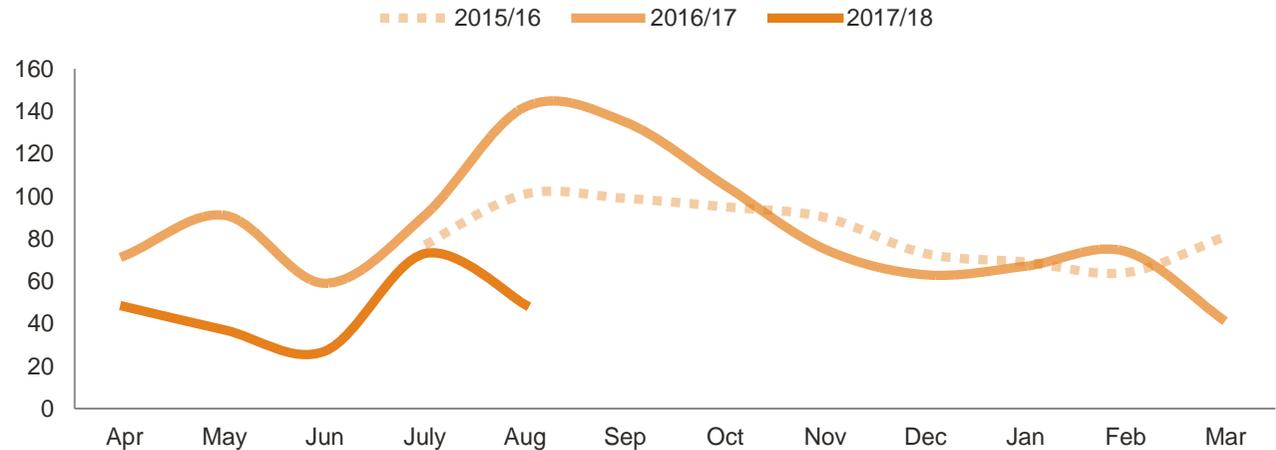
Numbers of treatments undertaken as part of the subsidised service are predicted to be much lower for 2017/18 following the withdrawal of free rat treatments to all residents in March 2017. All treatments for all Districts are now subject to qualifying criteria (that they are in receipt of specified benefits) for a restricted number of pest types. For full details visit the WRS website.

Domestic treatments data for September is currently unavailable as WRS are still awaiting responses from the pest control companies.

complaints and enquiries



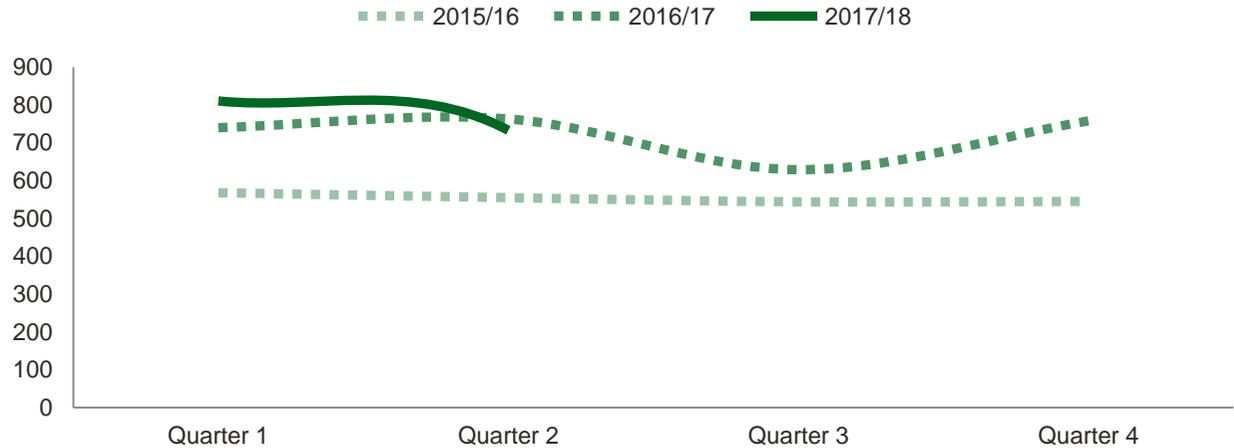
pest control (domestic subsidised treatments)



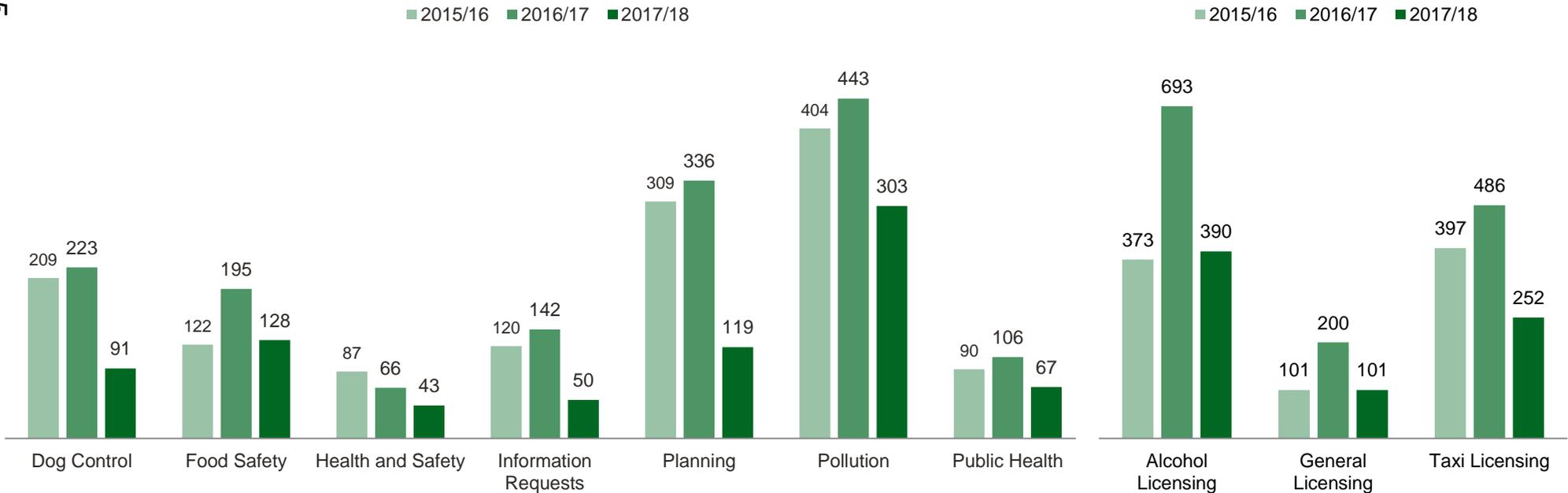


The data on this page relates to **Environmental Health** and **Licensing** complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of **Bromsgrove**.

Note: The charts (below) show the total number of cases recorded against each of the main functions undertaken by WRS. Whilst the totals for 2015/16 and 2016/17 reflect the entire financial year, the total for 2017/18 is a 'year to date' figure and will continue to increase each quarter until the end of year report is published.

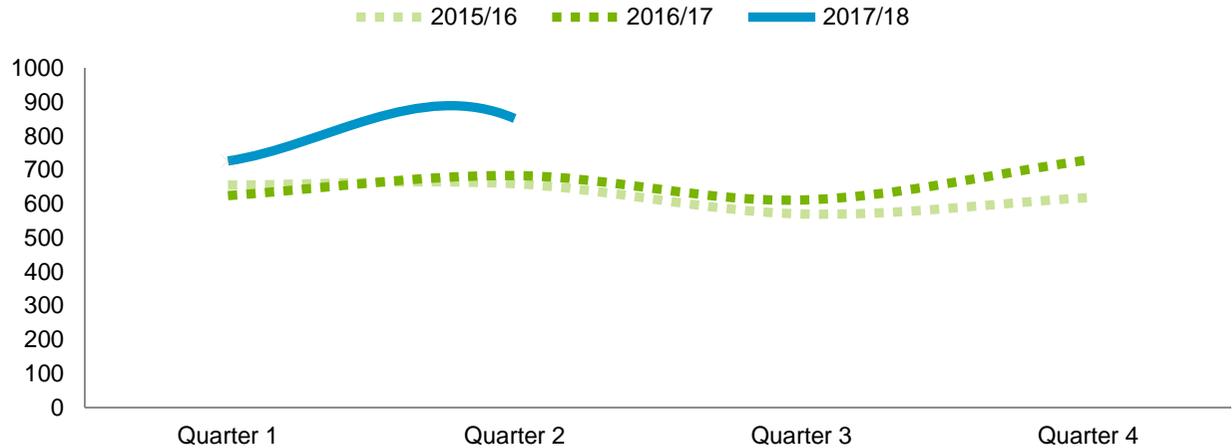


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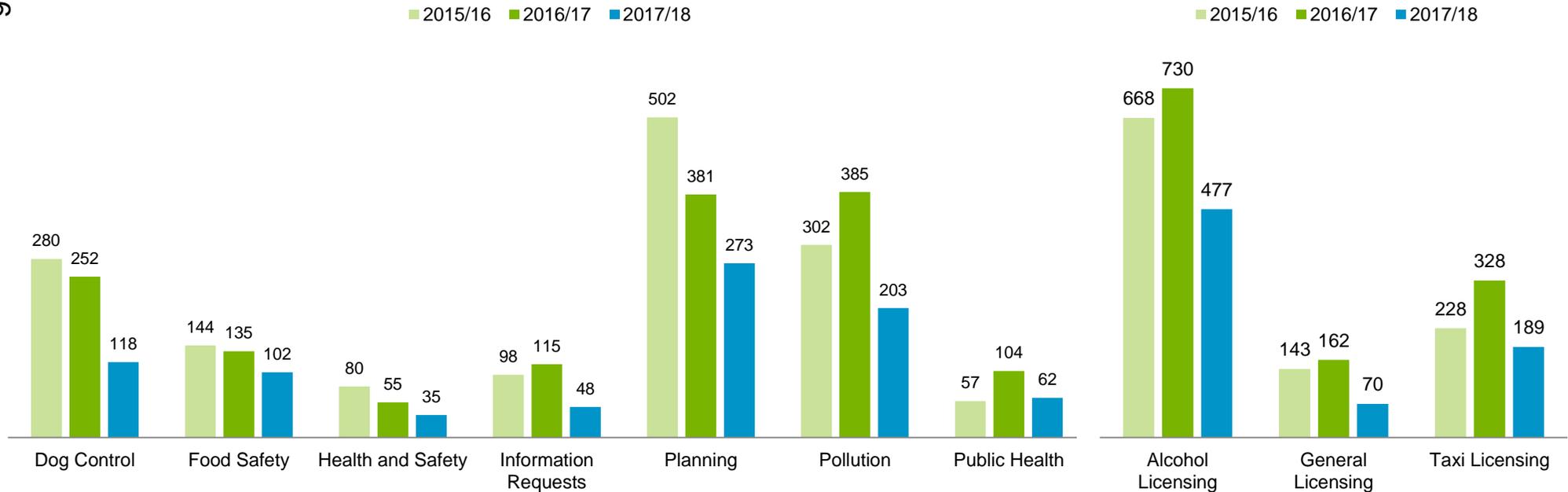


The data on this page relates to **Environmental Health** and **Licensing** complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of **Malvern Hills**.

Note: The charts (below) show the total number of cases recorded against each of the main functions undertaken by WRS. Whilst the totals for 2015/16 and 2016/17 reflect the entire financial year, the total for 2017/18 is a 'year to date' figure and will continue to increase each quarter until the end of year report is published.

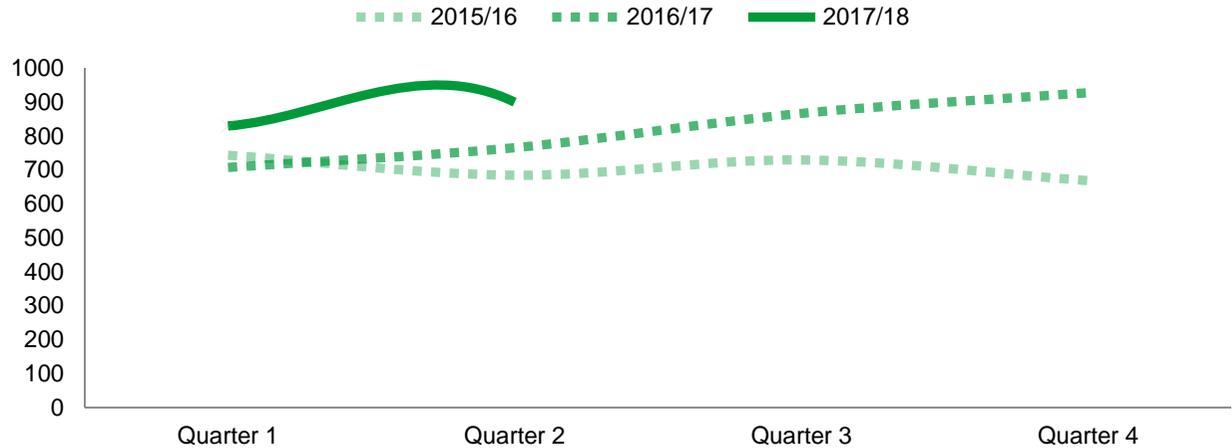


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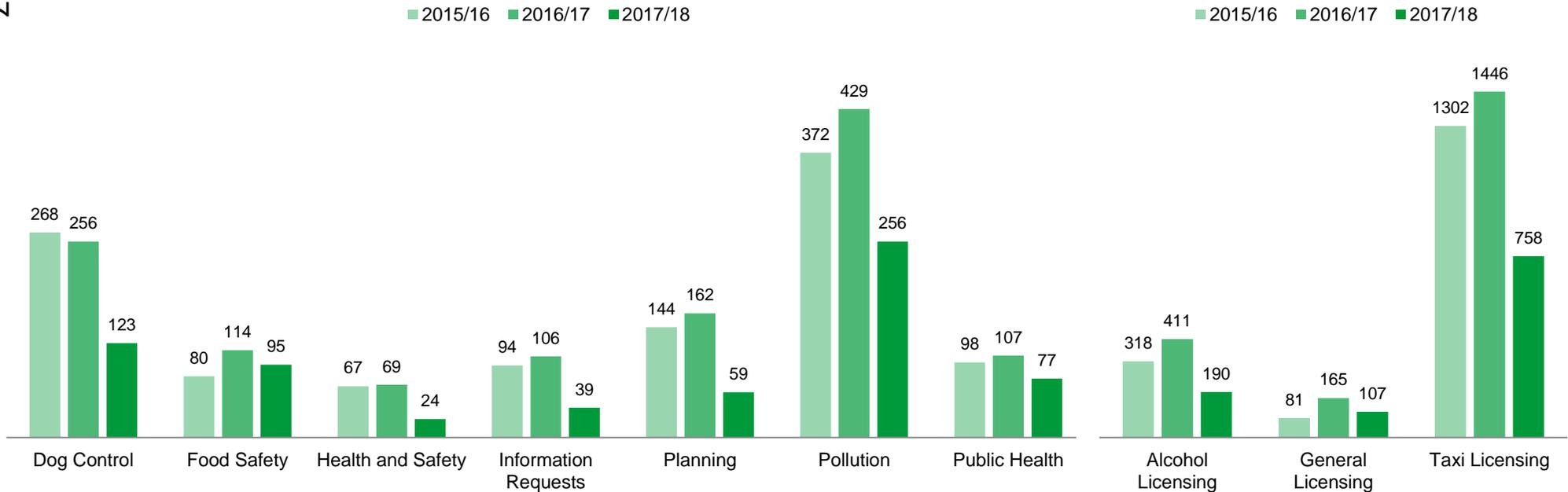


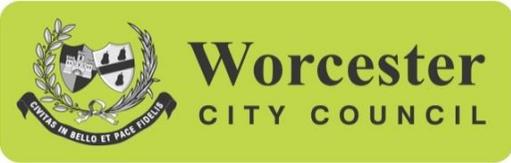
The data on this page relates to **Environmental Health** and **Licensing** complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of **Redditch**.

Note: The charts (below) show the total number of cases recorded against each of the main functions undertaken by WRS. Whilst the totals for 2015/16 and 2016/17 reflect the entire financial year, the total for 2017/18 is a 'year to date' figure and will continue to increase each quarter until the end of year report is published.



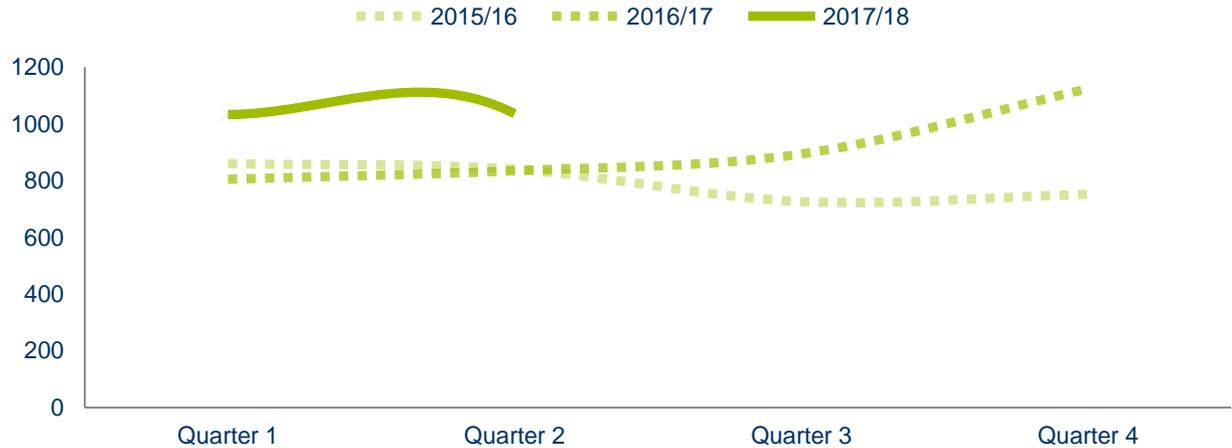
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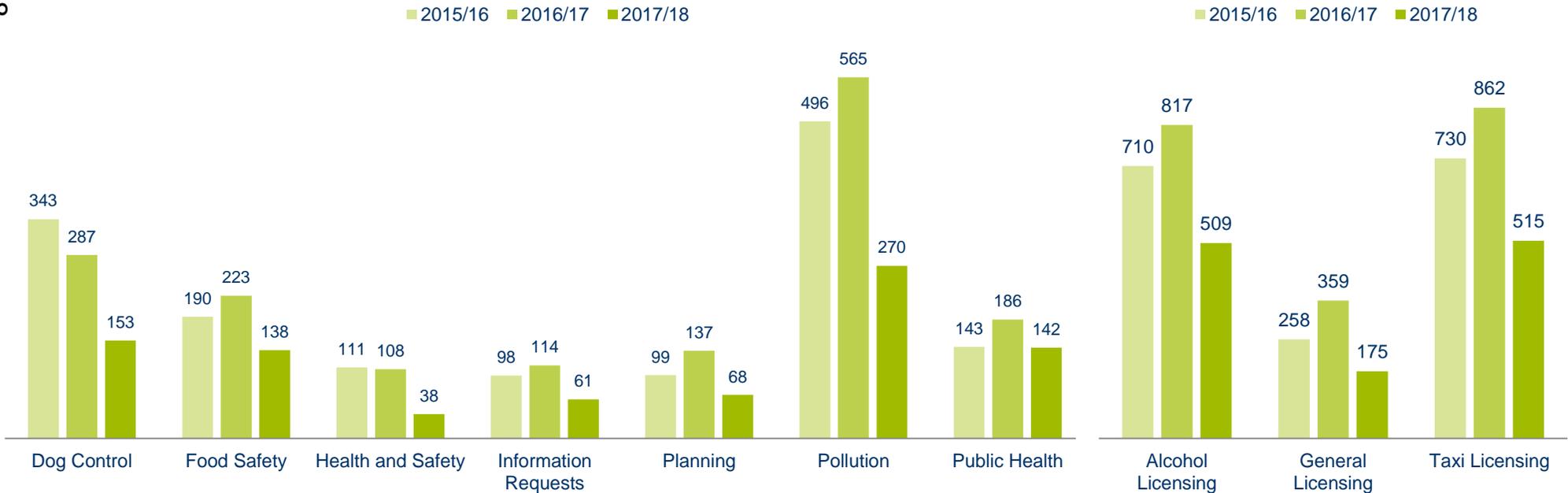


The data on this page relates to **Environmental Health** and **Licensing** complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of **Worcester City**.

Note: The charts (below) show the total number of cases recorded against each of the main functions undertaken by WRS. Whilst the totals for 2015/16 and 2016/17 reflect the entire financial year, the total for 2017/18 is a 'year to date' figure and will continue to increase each quarter until the end of year report is published.



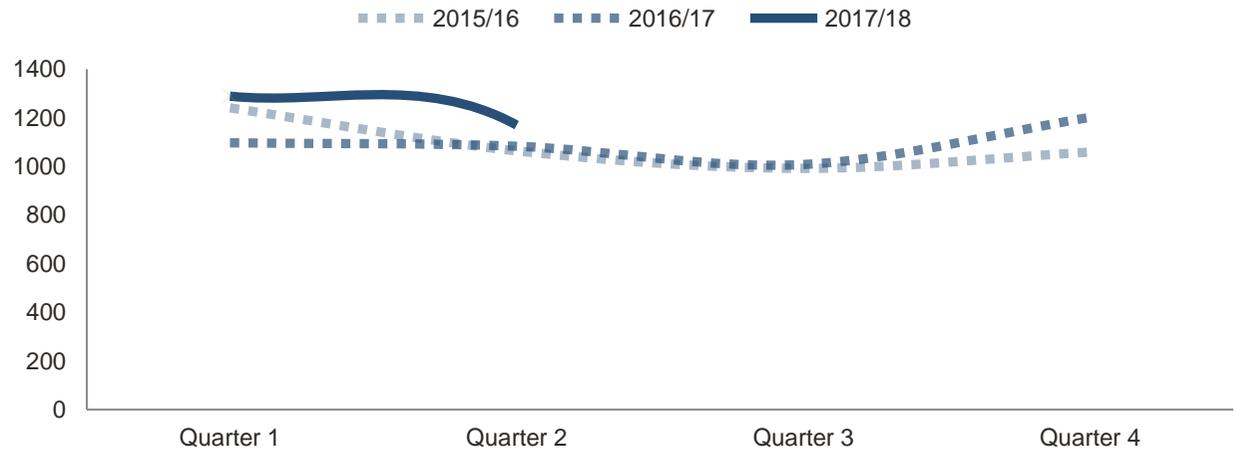
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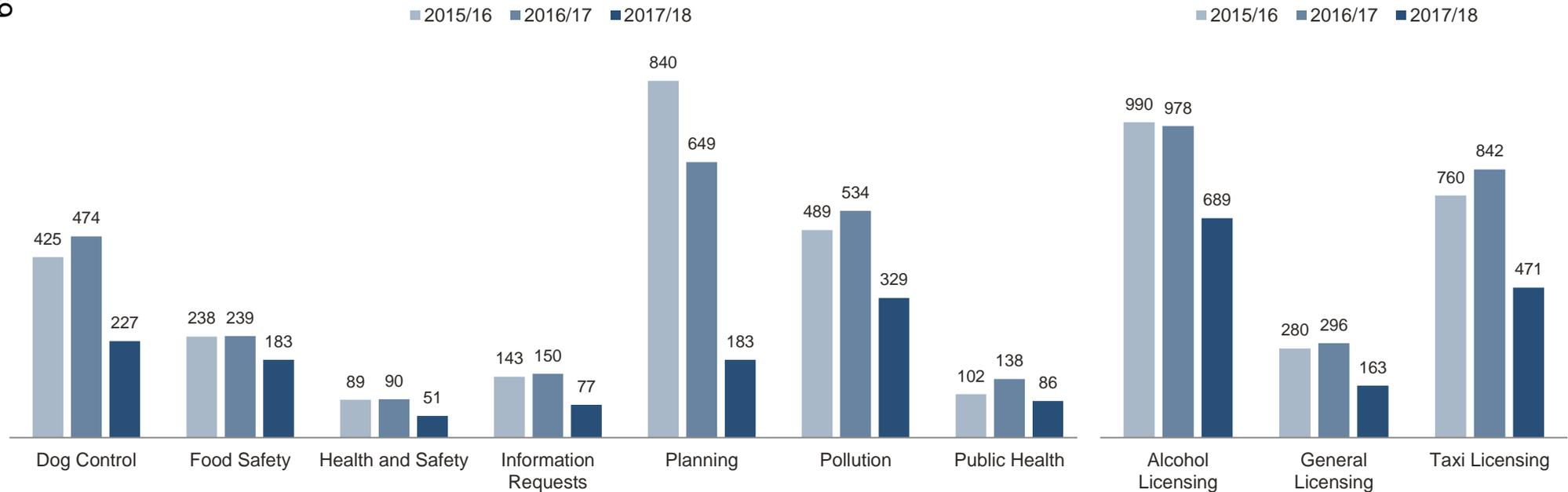
Agenda Item 8

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

Note: The charts (below) show the total number of cases recorded against each of the main functions undertaken by WRS. Whilst the totals for 2015/16 and 2016/17 reflect the entire financial year, the total for 2017/18 is a 'year to date' figure and will continue to increase each quarter until the end of year report is published.



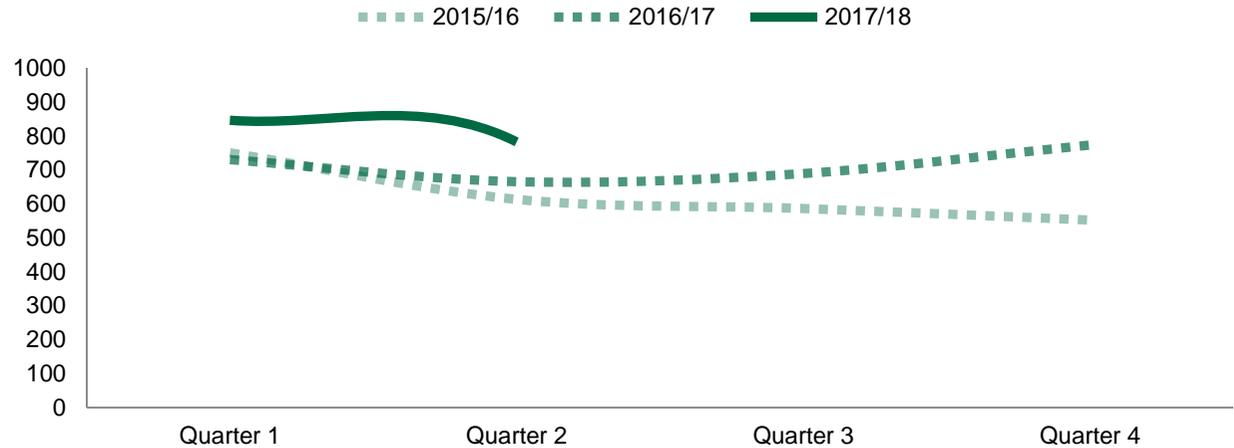
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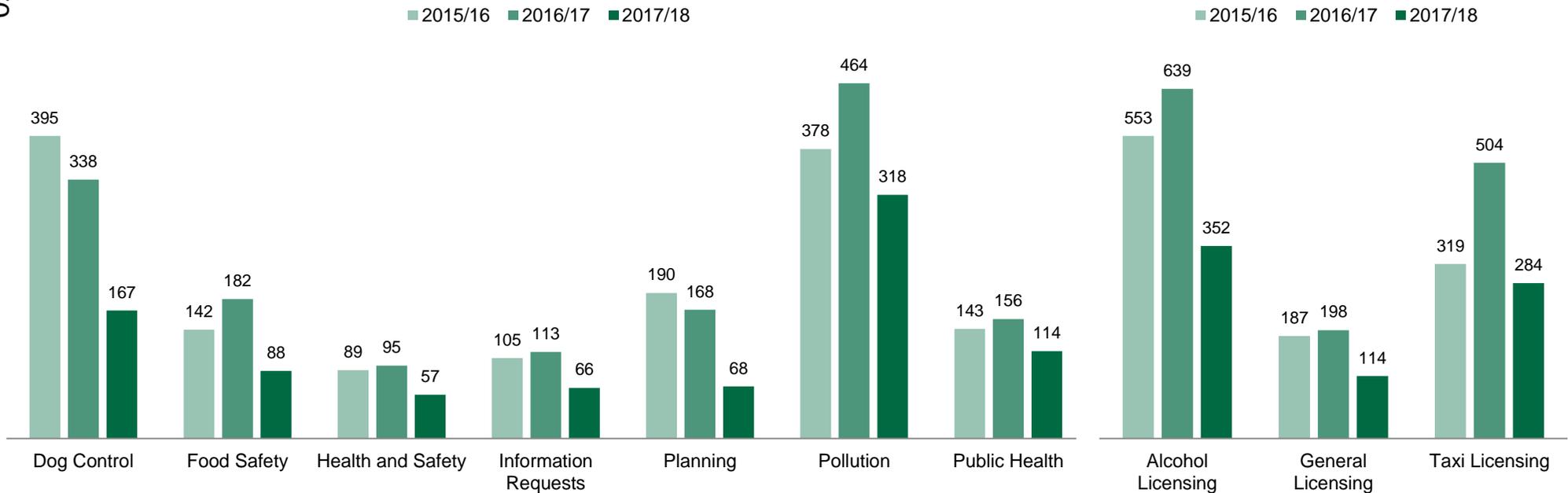
Agenda Item 8

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

Note: The charts (below) show the total number of cases recorded against each of the main functions undertaken by WRS. Whilst the totals for 2015/16 and 2016/17 reflect the entire financial year, the total for 2017/18 is a 'year to date' figure and will continue to increase each quarter until the end of year report is published.



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Cheltenham Borough Council

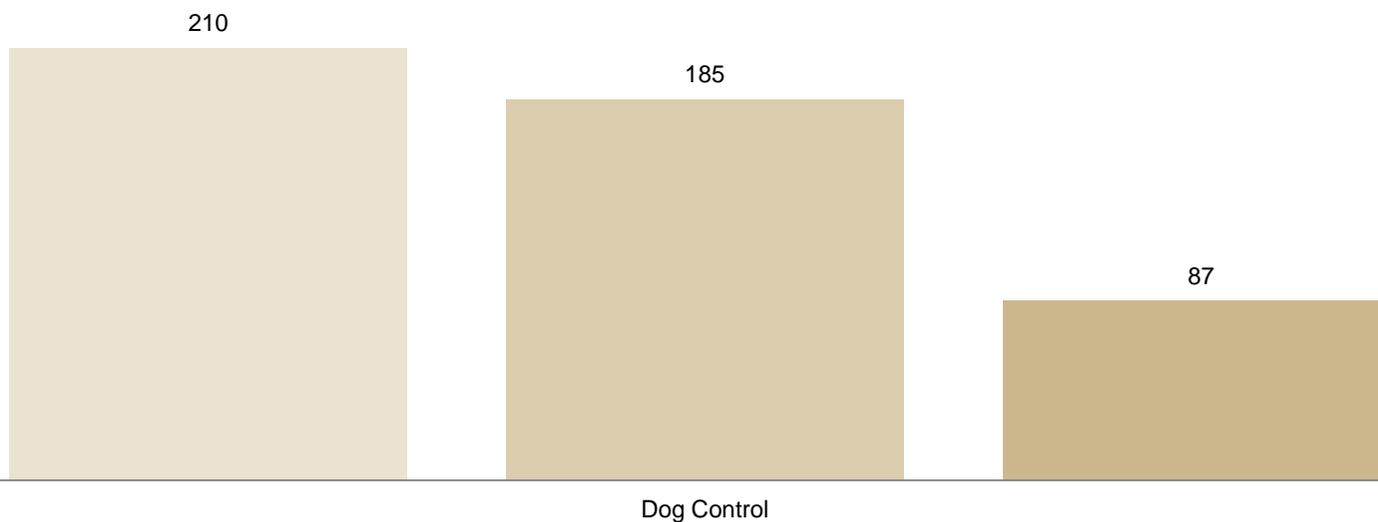


The dog control work WRS undertake for Cheltenham Borough Council is part of a three year contract with two other Gloucestershire authorities (from 2017) to deliver the collection, kennelling, returning of dogs to owners and rehoming of stray dog functions. The contract was renewed following delivery by WRS for the previous 3 years and has been highly successful in reducing stray dog numbers for Cheltenham Borough Council, utilising existing WRS resource and expertise. Such arrangements enable economies of scale to be realised and the continued retention of valuable assets to the benefit of Partner Authorities.

The numbers of stray dogs are reducing annually as is consistent with trends in Worcestershire.

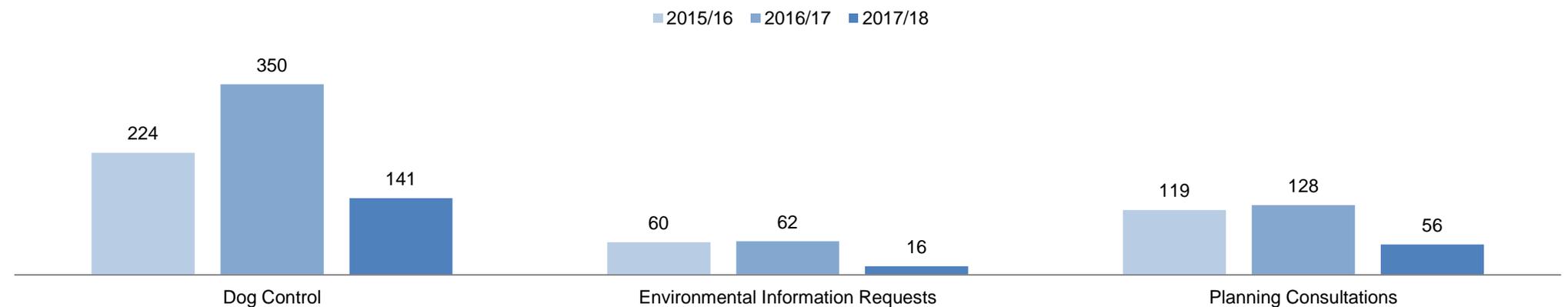
Note: The chart (below) show the total number of cases recorded against the function undertaken by WRS. Whilst the totals for 2015/16 and 2016/17 reflect the entire financial year, the total for 2017/18 is a 'year to date' figure and will continue to increase each quarter until the end of year report is published.

■ 2015/16 ■ 2016/17 ■ 2017/18



The dog control work WRS undertake for Gloucester City Council is part of a three year contract with two other Gloucestershire authorities (from 2017) to deliver the collection, kennelling, returning of dogs to owners and rehoming of stray dog functions. The contract was renewed following delivery by WRS for the previous 3 years and has been highly successful in reducing stray dog numbers for Gloucester City Council, utilising existing WRS resource and expertise. Such arrangements enable economies of scale to be realised and the continued retention of valuable assets to the benefit of Partner Authorities. As with other Gloucestershire and Worcestershire authorities the numbers of stray dogs are reducing annually. The number presented here shows the numbers in 2015/16 were particularly low. Gloucester City changed their procedures during that year whereas previously dogs were automatically returned to owners for free where the owner could be easily identified and found. Only where this could not be done were the dogs recorded as strays and passed to WRS (at which point are recorded by WRS). It is anticipated that this year numbers of stray dogs will be lower than last year's high and will continue to drop as the message gets about that it costs to get your dog back if you let it stray and those owners who refused to pay had their dogs rehomed. Unlike Worcestershire, for Gloucester City Environmental Information requests are lower than previous years. Whilst requests for advice on Planning Consultations (for Contaminated Land) were initially higher than previous years in Quarter 1, due to internal changes, there was a breakdown in work being passed to WRS in a timely manner. Consequently whilst it looks like numbers are down it is anticipated they will increase for Q3 to begin to match last year again. In addition to the above we also undertake some Environmental Permitting work for Gloucester that is part of their ongoing inspection programme. During this period WRS continued to provide advice and assistance with a Metal Processing facility that presented significant noise and odour issues to local residents and Gloucester have agreed to WRS completing all other inspections due this year.

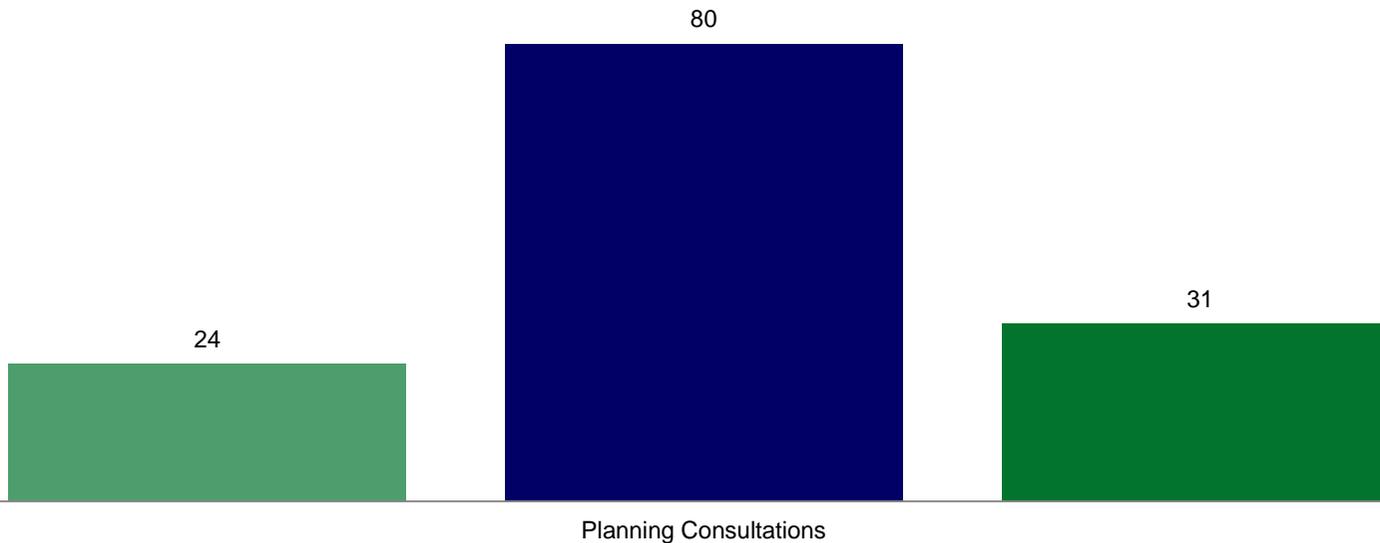
Note: The chart (below) show the total number of cases recorded against each of the functions undertaken by WRS. Whilst the totals for 2015/16 and 2016/17 reflect the entire financial year,



South Gloucestershire being located on the outskirts of Bristol was subject to significant contaminative industries and activities historically. Pressures on brownfield development recently have presented the authority with a large volume of planning applications on significantly contaminated and complex sites. For a number of years now WRS has been asked to assist with this work focusing on the complex sites, so whilst numbers of referrals remain low (and lower than last year) they continue to be time consuming and complex. The expertise the Partner Authorities pooled with the formation of WRS has enabled us to provide a high standard of service during this period.

Note: The chart (below) show the total number of cases recorded against the function undertaken by WRS. Whilst the totals for 2015/16 and 2016/17 reflect the entire financial year, the total for 2017/18 is a 'year to date' figure and will continue to increase each quarter until the end of year report is published.

■ 2015/16 ■ 2016/17 ■ 2017/18



The dog control work WRS undertake for Tewkesbury Borough Council is part of a three year contract with two other Gloucestershire authorities (from 2017) to deliver the collection, kennelling, returning of dogs to owners and rehoming of stray dog functions. The contract was renewed following delivery by WRS for the previous 3 years and has been highly successful in reducing stray dog numbers for Tewkesbury Borough Council, utilising existing WRS resource and expertise. Such arrangements enable economies of scale to be realised and the continued retention of valuable assets to the benefit of Partner Authorities. As predicted, the number of dogs collected or reported as strays are significantly lower than previous years. This follows the national trend in dogs being reported to Dog Wardens as discussed previously. The number of planning applications that WRS are requested to provide nuisance or air quality advice on continue to be high. If the current numbers referred to WRS continue at this rate, it will be far higher than last year at 376 applications.

Note: The chart (below) show the total number of cases recorded against each of the functions undertaken by WRS. Whilst the totals for 2015/16 and 2016/17 reflect the entire financial year,

