

Document Pack



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FRIDAY, 12 JANUARY 2018

TO: THE EXECUTIVE BOARD MEMBER FOR PUBLIC PROTECTION

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE
**EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR
PUBLIC PROTECTION** WHICH WILL BE HELD IN
**ROOM 72A, COUNTY HALL, CARMARTHEN, AT 10.00 AM, ON
FRIDAY, 19TH JANUARY, 2018** FOR THE TRANSACTION OF
THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Janine Owen
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Ref:	AD016-001

A G E N D A

1. DECLARATIONS OF INTEREST
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3. TO RECEIVE THE DECISION RECORD OF THE EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR PUBLIC PROTECTION HELD ON THE 22ND NOVEMBER, 2017. 53 - 54

EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR PUBLIC PROTECTION

19TH JANUARY, 2018

Executive Board Member: Cllr. P.M. Hughes	Portfolio: Public Protection
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SERVICE DELIVERY PLAN 2017/18 ENVIRONMENTAL PROTECTION SERVICES

Recommendations / key decisions required:

That the Service Delivery Plan for 2017/18 be approved.

Reasons:

1. There is a requirement that the food service delivery plan is approved annually in accordance with the Food Standards Framework agreement.
2. The service delivery plan provides the basis for the Environmental Protection section priorities and programmed work for 2017/18.

Directorate Communities Name of Head of Service: Robin Staines Report Author: Sue Watts	Designation Head of Homes and Safer Communities Designation Environmental Protection Manager	Tel No. 01267 228960 E Mail Address: RStaines@carmarthenshire.gov.uk Tel No. 01267 228929 E Mail Address: sewatts@carmarthenshire.gov.uk
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Declaration of Personal Interest (if any):

Dispensation Granted to Make Decision (if any):

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

EXECUTIVE SUMMARY
EXECUTIVE BOARD MEMBER DECISION MEETING FOR
PUBLIC PROTECTION

19TH JANUARY, 2018

SERVICE DELIVERY PLAN 2017/18
ENVIRONMENTAL PROTECTION SERVICES

The Environmental Protection Section is required by the Food Standards Agency and the Health and Safety Executive to produce an annual Service Delivery Plan. The format of the plan is prescribed in the relevant Framework Agreements.

The Plan provides an outline of the Council's service aims and objectives including links to the corporate objectives and plans. A brief description of the Council is included, defining its infrastructure, economy and organisation structure. The Plan also requires the scope and demands of the Environmental Protection Services.

The Plan is divided into sections' which provide details of specific areas of each of the services and workplans' for the coming year. This is an opportunity to highlight where there are weaknesses and strengths within the relevant Teams. There are specific areas that are highlighted as being at risk and those that the section is no longer able to provide because of the limited resources.

A breakdown of resources is provided, including staffing costs, administration, supplies and services, training etc. with comparisons between financial years. Details of the breakdown of the costs are included within the text.

The final section contains information and details of quality assessments and illustrates the various ways that the Section ensures consistency, efficiency and competency.

The Service Delivery Plan is subject to annual review.

DETAILED REPORT ATTACHED?

YES



ENVIRONMENTAL PROTECTION SERVICES

SERVICE DELIVERY PLAN 2017/18

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1.0 SUMMARY

The report outlines the roles and responsibility of the Environmental Protection Section, together with the food standards work carried out by the Business and Consumer Affairs Section. It illustrates the demands on the service and the challenges that must be addressed for 2017/18. The work is predominantly statutory.

- 1.2 The Division is in the process of a re-alignment. The details of this are identified below.
- 1.3 Staff of the Public Protection Division work flexibly and as a result of no budgets available for paid overtime working, inspections and visits are undertaken out of core hours on a pre-planned basis, are worked on a 'goodwill' basis by Officers who receive time off in lieu for the hours worked. This does have an impact on the day to day operation of the Sections' and requires careful monitoring. There is no current 'on call' system, as there is no budget and any emergency response, relies upon the goodwill of Officers.
- 1.4 The service has experienced year on year efficiencies including a minimum of 12% over the following 3 years (2015/16 – 2017/18). As a result, there have been reduced resources, with an impact on service delivery. This is set against an increase in demand in some functional areas, such as the food hygiene rating act, planning applications, introduction of additional legislation with no additional resources (such as dog chipping, anti social behaviour, sampling for water/food quality, smoking in vehicles with children etc) and validation of fees/income for example. The main priority for the Service is the protection of public health, consumers and local businesses and animal health. Decisions on priorities of work are based on risks that may affect those groups.
- 1.5 Impacts that may influence the food hygiene inspection programme are the Team's response to major food incidents, food poisoning outbreaks, investigation of the illegal meat trade, food fraud, product recall Notices and water disconnections particularly to food businesses.
- 1.6 A large proportion of Pollution and Public Health Teams' work is reactive, such as noise control and the investigation of statutory nuisance. There are occasions when the demand may exceed the capacity of the Teams'. This is continually monitored and addressed where possible, by re-prioritising workloads and utilising qualified officers to ensure that there is flexibility within the teams to meet high pressures/demands.
- 1.7 Proactive work of the Pollution Team is dominated by the development of windfarms and sustainable energy projects, the monitoring of air quality including the analysis and interpretation of the results and in engaging developers to ensure that public health is not compromised. Remediation of contaminated land is a statutory responsibility. The Contaminated Land Inspection Strategy will be reviewed to focus level of activity from enforcement, to working more closely with developers, thereby securing remediation through the planning and regeneration process.

- 1.8 The majority of work in the Public Health Team involves dealing with Statutory Nuisance work such as odours, smoke, dust etc, premises in a condition that cause public health issues, such as waste accumulations or attractions to vermin, as well as fly tipping. The team also undertakes monitoring of drinking water and bathing water in the County, and provides advice / enforcement on ensuring water quality meets required standards. Officers also deal with pest control work (both advisory and enforcement), and dealing with stray dogs across the County.
- 1.9 There are a number of further changes to the legislation in licensing section including the Deregulation legislation which will have an impact in both the taxi and the premises licensing. This will require the review of our current policies and procedures and is likely to have an impact on license fees income.
- 1.10 There is a considerable amount of joint working with partners. An illustration of this is the regulation of large events and sports ground safety inspection. The Section leads multi agency groups, ie. the Safety Advisory Groups that deal with the issues, and they consist of representatives of the Police, Fire and Rescue Service, Ambulance Service and Local Health Board. As a result of this working, the Group has developed good working relationships with the applicants and licence holders. This year, the section is working on numerous larger events and safety at sports grounds
- 1.11 The Section work closely with other Authorities to ensure consistency of approach where possible. This is demonstrated by active engagement with the Welsh Heads of Environmental Health Expert Panels and regional groups.
- 1.12 One particular issue being considered is the united approach to the current proposals by the Food Standards Agency in relation to the Regulation for Change agenda which, in essence, is looking to alter the current (successful) implementation of the food legislation as the responsibility of the Local Authority Environmental Health Officers to consultants (at a cost to the business) with the LA EHO's having the responsibilities for enforcement. This has the potential impact on the current team by altering the demands within the section and may need the officers to 'do things differently'.
- 1.13 The National Enforcement Priorities for Wales will continue to drive the regulation agenda and the Regulators Compliance Code has been introduced in Wales.
- 1.14 Particular impacts for 2017/18 include :-
 - (i) A realignment of services within the Division. This is likely to result in one team responsible for Food Safety and Standards (and possibly feed safety) to provide a 'farm to fork' service. This is currently being delivered between two teams. Additionally, that the new Environmental Protection Section deliver a tenure neutral approach to statutory nuisances and anti-social behaviour.

- (ii) A review has been undertaken of all shellfish sampling conducted in the Three Rivers and Burry Inlet. Sampling of biotoxin and hygiene levels, are essential to determine both the health status of commercial shellfish beds and also the continual monitoring of their classified status. The potential opening of additional beds will require further additional resource. This additional demand will have to be resourced by the section.
- (iii) Introduction of new statutory responsibilities with no additional resources including introduction of no smoking in vehicles with children present, extending the monitoring/testing private drinking waters (including radon), implementation and enforcement of dog chipping legislation, Public Health (Wales) Act etc.
- (iv) Determine action plans for the Air Quality Management Areas in Carmarthen and Llanelli. The section is enhancing the plans by working in conjunction with Swansea University to observe the health impact on the action plans to improve air quality. In addition to this, work is also planned to engage with local schools in the areas to raise awareness of poor air quality and to instigate change in school journey behaviours.
- (v) Reviewing the current in house pest control service with the intention of widening the remit. In addition, the service is undertaking a procurement exercise for the dog pound facilities.
- (vi) Promoting safeguarding principles within the Taxi drivers of Carmarthenshire. This will be carried out in conjunction with the corporate safeguarding section, Police and School Transport section (in Environment Department). This section has also invited colleagues in neighbouring Licensing/safeguarding sections to share and work collaboratively in implementing the training and awareness on a regional basis.
- (vii) Setting of discretionary fees to recover real costs. The validation of budget income year on year continues to be a problem, as the majority of fees and charges are prescribed and cannot be set by the Council. In recent years, this has meant that the Public Protection Division has had to find an increased efficiency saving because of the validation process and a failure by successive Governments' to increase prescribed fees. Additionally, the changes in legislation and business types has resulted in a reduction in such fees over time. Licensing and Environmental Permitting income is currently overstated as a result.

1.15 Forward work plans for continuous improvement for 2017/18

- 1.15.1 Complete the Division re-alignment ensuring that the new services are bedded in quickly so as to prevent disruption to the service user. This will require provision for shadowing and additional training where necessary which will result in a 'one team' ethos.

- 1.15.2 Continue to make links with and explore possible projects with other agencies, such as Public Health Wales, and educational establishments such as Swansea University.
- 1.15.3 Continue working with Planning Section to review and improve means of receiving relevant planning applications. Additionally, liaising with the said Department to consider the use of a 'pool' of agreed conditions. Additionally, exploring the extent of information required from this section to the Planning Section as part of their pre-application meetings/fee. As part of this, to explore the possibility of providing more detailed pre-application advice for a fee.
- 1.15.4 Continue to liaise with other Departments and Local Authorities to create innovating, cross cutting ways of delivering more efficient services to customers.
- 1.15.5 To work closely with colleagues in Social Services to explore the possibility of identifying relevant support for individuals particularly in case of nuisances (where considered necessary). This may alleviate the possibility of re-curing complaints.
- 1.15.6 To monitor the demands and effectiveness of the treatment for pests from Housing and Leisure sections and to consider a business case to expand the service.
- 1.15.7 Carry out a procurement exercise in regards to an appropriate dog pound.

2.0 SERVICE AIMS AND OBJECTIVES

2.1 Introduction

The Plan is intended to inform residents and the business community about the arrangements Carmarthenshire County Council has in place with regard to the delivery of Environmental Protection Services.

Environmental Protection Services encompasses food safety, communicable disease, health and safety, licensing, pollution (including air quality, contaminated land and noise), nuisances (including noise, odour, smoke etc), anti-social behaviour, pest control advice and dog warden services. The Local Authority has a statutory duty to carry out these functions.

The Plan relates to work undertaken by the Environmental Protection Services (and Business and Consumer Affairs Sections with regard to food standards) from the 1st April 2017 until 31st March 2018. There is a separate national feed stuffs Service Delivery Plan. It details how the Teams are managed, organised and how they operate and includes an analysis of the current costs and challenges facing the service. It must be highlighted, however, that at the time of writing the plan, the Division is currently in the process of a re-alignment. The likely outcomes will result in the following:

- The Environmental Protection Section was formally recognised as Environmental Health and Licensing Section; Business and Consumer Affairs was known previously as Trading Standards;
- The Licensing Section will be managed by the Business and Consumer Affairs Manager;
- The Environmental Protection Section will encompass all food responsibilities (safety including hygiene, and standards including quality, composition, labelling, presentation and advertising of food and materials in contact with food) ;
- The Environmental Protection Section will be responsible for investigation of statutory nuisance and anti-social behaviour (tenure neutral) which is currently liaised with the relevant Housing service.

2.2 Service Aims and Objectives

Environmental Protection Service is one of the main regulatory Sections of the Council. It aims to:-

- (i) promote, provide advice, information, guidance and education on all matters relevant to Environmental Protection Services,
- (ii) carry out a range of programmed statutory inspections and other visits in accordance with relevant legislation, codes of practice and guidance, including re-inspections and re-sampling or other subsequent action as necessary, in accordance with the Council's Enforcement Policies,

- (iii) ensure that identified breaches of legislation are rectified,
- (iv) investigate complaints and notifications as appropriate, in line with procedures and corporate and procedural time limits, i.e. 1 day for urgent complaints and up to 10 working days for others.
- (v) liaise with the Food Standards Agency, Welsh Government, Department for Health, Public Health Wales, Public Analysts, Better Regulation Delivery Office, Natural Resources Wales, the Health and Safety Executive, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service, Hywel Dda Local Health Board, the Communicable Disease Surveillance Centre, Directors of Public Protection Wales, its Expert Panels and other local authority Task Groups, together with other appropriate bodies to achieve consistency in enforcement,
- (vi) work collaboratively with other local authorities and agencies where possible, to provide a consistent, effective and efficient service for customers,
- (vii) promote the work being carried out by the section with regards to preventative measures to improve health and wellbeing in Carmarthenshire. This is to be achieved by working with partners and seek areas of work where there may be closer collaboration.
- (viii) ensure that staff receive regular, appropriate training and are able to access up-to-date reference material at all times.
- (ix) ensure that food imported/produced/or sold in the UK is safe to eat;
- (x) ensure that enforcement is effective, consistent, risk based, and proportionate and is focussed on improving food standards.

2.3 Links to Corporate Objectives and Plans

At the time of writing the Plan, Carmarthenshire is currently in the process of consulting on the Public Service Board Wellbeing Plan which should be complete in March 2018.

Following consultation Carmarthenshire County Council drafted a set of Well-being/Improvement Objectives and after being approved at County Council on 8th March 2017. The following are the Well-being Objectives for 2017-18:

1. Help to give every child the best start in life and improve their early life experiences
2. Help children live healthy lifestyles
3. Continue to improve learner attainment for all
4. Reduce the number of young adults that are Not in Education, Employment or Training

5. Tackle poverty by doing all we can to prevent it, help people into work and improve the lives of those living in poverty
6. Create more jobs and growth throughout the county
7. Increase the availability of rented and affordable homes
8. Help people live healthy lives (tackling risky behaviour and obesity)
9. Support good connections with friends, family and safer communities
10. Support the growing numbers of older people to maintain dignity and independence in their later years
11. A Council-wide approach to support Ageing Well in the County
12. Look after the environment now and for the future
13. Improve the highway and transport infrastructure and connectivity
14. Promote Welsh Language and Culture

Environmental Protection Services links to these objectives are as follows:-

- providing the statutory regulatory framework for food and health and safety, public health, pollution control and licensing,
- enforcing no smoking in public places and regulating the use of sunbeds, tattooing practices, body piercing and skin treatments,
- investigating notifications of communicable disease, food poisoning and zoonoses (animal health infections),
- Promoting the 'preventive' outcome of the work carried out by the service
- implementing the Food Hygiene Rating legislation,
- sampling food, including shellfish to monitor safety and quality,
- Ensure food sold and produced in Carmarthenshire is safe to eat and as described (including accurate information on allergens),
- Investigating allegations of food fraud, such as illegal slaughter and the illegal movement of shellfish, and
- ensuring that the safety of the community is maintained, with respect to licensed premises, gambling, taxi and private hire vehicles, drivers and street or house to house collections.

3.0 BACKGROUND

3.1 Profile

Around 185,100 people currently live in Carmarthenshire making it the county with the 4th highest population in Wales. In line with trends across Wales, Carmarthenshire has an ageing population with over 40's accounting for 56% of the population, and over 65's for 23%. This trend is set to continue with projections suggesting that increases in overall Carmarthenshire population to 2021 will be primarily in the 65+ age group.

The Carmarthenshire population is one of the sparsest in Wales at just 78 people per km² who live across a diverse County of both urban and rural communities. There are three major towns of Llanelli, Carmarthen and Ammanford which are home to 25% of the population. 60% of the population live in rural areas which form 53% of the County geographically according to the Rural Development Programme definition. The remaining 40% of the total County population all live within 400m of natural or semi-natural green space.

Carmarthenshire is the third largest County in Wales, covering some 2,365 sq. kilometres, which represents 11.5% of the total landmass of Wales.

Carmarthenshire is a County of contrasts. The agricultural economy and landscape of rural Carmarthenshire, right through to the urban and industrial south-eastern area. The County has over 6,200 registered agricultural holdings managing some 210,500 ha of land, with 1400 of these being over 50ha (125 acres) in size.

Due to its central geographic location, Carmarthen typically serves the needs of the County's rural areas. Carmarthenshire has a rich natural and cultural environment, including sites designated at the international level to protect important biodiversity features, as well as striking landscapes and distinctive historic towns and villages.

The County also has the highest number of Welsh speakers in Wales, with 78,048 speakers according to the Office of National Statistics and 80% of Welsh speakers in the County speak Welsh on a daily basis.

3.2 Organisational Structure

Appendix 1 outlines the Political Structure in Carmarthenshire County Council

Appendix 2 outlines the Corporate Strategic Management Structure

3.3 External Services

The following provide specialist services :-

Food and Agricultural Analysts

Formal and informal feeding stuffs samples are examined by the Public Analyst at Minton Treharne & Davies , Unit 5, Llwyn yr Eos, Parc Menter, Crosshands.

Food Examiners

Informal samples and faecal testing for communicable disease investigation, is carried out in the Public Health Wales Laboratory in Carmarthen.

Both of the above are accredited.

3.4 Service Delivery

The service is provided from three centres in the County, at Ammanford, Llanelli and Carmarthen, which are open from 08:50am to 05:10pm Mondays to Thursdays and 08:50 to 04:30pm on Fridays. Staff can work flexible hours between 07:00am and 07:00pm. As many complaints occur and businesses open only in evenings and weekends, Officers work flexibly where necessary and will work unsociable hours on a goodwill basis without paid overtime. However, the moratorium on paid overtime brings challenges to management of the service and the safety of Officers. Enforcement visits are carried out outside core hours on a pre-planned basis. Any emergency response is currently carried out on a goodwill basis.

3.5 Enforcement Policy

The current documented Enforcement Policies are linked to the nationally agreed Enforcement Concordat. This is currently being reviewed to include the Regulators Compliance Code which was introduced in Wales last year.

3.6 Cultural and Ethnic Diversity

Translated versions of several business leaflets are available and the Council has sourced translators which have been used to translate Notices and or letters when required, at a significant cost.

The Sections' also implement the Council's Welsh Language Policy and provide Welsh speaking Officers when dealing with service requests.

3.7 Education and Partnership Working

The Teams work closely with Public Health Wales, Local Authorities, Hywel Dda Local Health Board, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service etc. This has been illustrated in many of the actions identified from the Integrated Community Strategy.

4.0 FOOD SAFETY AND WORKPLACE HEALTH AND SAFETY

Food Safety and standards, Communicable Disease Control, safety and health

4.1 Scope of the Service

The responsibility for enforcing food standards and feeding stuffs legislation, in addition to other responsibilities, lies with the Business and Consumer Affairs Section.

The feeding stuffs responsibility is not found within this report as it is included in an All Wales Service Delivery Plan.

The Environmental Protection Section is based at Carmarthen, Llanelli and Ammanford and is responsible for enforcing food safety, amongst other wide ranging responsibilities. The table below indicates the breakdown of FTEs' for food hygiene, food standards and health and safety.

The Division is currently in the process of a re-alignment which will result in the food and feed functions sitting in one team within the Environmental Protection section.

	Food safety 2016-17 FTE*	Food safety* 2017/18 FTE (EHP)	Food stand^ 2016/17 FTE	Food stand^ 2017/18 FTE (TSO)	Health and Safety** 2016/17 FTE	Health and Safety** 2017/18 FTE (EHP)
Environmental Protection Manager	0.2	0.2			0.05	0.05
Principal Officer	0.7	0.7	0.6	0.6	0.3	0.3
Senior officers	0.8	0.8		2.9	0.2	0.2
EHP'S/ TSO's	7.35	6.95	2.5		1.2	1.2
Technical Assistant - sampling	0.8	0.8				
Animal Health Officers	0.05	0.05			0	0
Total	9.9	9.5	3.1	3.5	1.75	1.75
Identified total in plan		9.5		5.0		1.75

Note :- * 'Food safety' includes inspection (including implementing the food hygiene rating scheme), advice, sampling, shellfish monitoring, infectious disease, health improvement,
 ***Health and Safety' includes inspection (and initiatives), advice, accident investigation, and general public health including the implementation of the smoking, skin treatments and sunbed legislation.

The figures above illustrate the current proportion of Officer resources. It may be necessary, however, to regularly review the workloads and demands on the service and re-align the Section to ensure that the demands on the service are delivered according to priority

4.2 Demands on the Service and Food Premises Profile

Table 1 shows the number and type of premises in the County. There are 1,986 registered food businesses.

Table 1

Type of business	April 2015	April 2016	April 2017
Primary Producer (registered)	13	8	7
Manufacturer/Packer	77	88	84
Importer/Exporter	0	1	0
Distributor/Transporter	6	6	8
Supermarket/Hypermarket	30	31	32
Small Retailer	295	303	301
Retailer/Other	125	129	117
Restaurants and other caterers	342	355	359
Hotel/Guest House	88	87	81
Pub/Club	306	303	293
Take Away	139	142	146
Caring Premises	145	152	154
School/College	133	136	140
Mobile Food Unit	69	80	82
Restaurant and Caterers – Other	169	173	182
TOTAL	1937	1994	1986

At the time of writing the report, there are 27 EU Approved businesses in Carmarthenshire which produce a variety of meat, dairy, fish and egg products. Some of these businesses only manufacture on a small scale, but the majority prepare high risk foods with complex and specialised procedures. They supply food to businesses outside the County on a considerable scale.

Shellfish gathering continues to be a large industry in Carmarthenshire, which requires regular sampling, monitoring and enforcement. A sampling regime is essential to maintain / review bed classification and biotoxin monitoring, in order to permit commercial gathering. This can be a very lucrative business and multi-agency monitoring is carried out regularly to prevent, where possible, incidents of food fraud.

In addition to EU Approved premises, the County is also the home to a number of large non-approved food manufacturers. These include:

- 2 Water Bottling Plants (Spring water and Natural Mineral water) plus an additional Natural Mineral Water plant, currently being established, and
- 2 large Ice Cream manufacturers.

Due to the demographic nature of Carmarthenshire, there are approx 5,000 Primary Producers of food, predominantly falling under the category of dairy, beef or sheep farms. Of these, approximately 1,000 are considered to be high risk, as they operate multi-species businesses. In order to comply with the principles of 'better regulation', Animal Health Officers carry out basic inspections and any food safety related issues are reported back to Environmental Health Practitioners for further action if necessary.

The level of joint working with the Health and Safety Executive (HSE) has been considerably reduced as a result of limited HSE resources and the prioritisation of activities.

Increased partnership working with Public Health Wales particularly in communicable disease.

Various organisations and businesses use the County for large out-door events and thematic street markets. These need to be regulated and checked for hygiene, water supply, refrigeration and basic public health standards.

Officers also look for ethnic products of animal origin and products not of ethnic origin during their enforcement duties, particularly in wholesale premises and pound shops.

4.3 Service Delivery

4.3.1 Food Safety Inspections and Education

Premises liable for food safety inspections are risk assessed and the risk assessment category dictates the frequency and level of inspection they receive.

The inspection programmes for 2017/18 are found in tables below:-

Category	Planned Inspections 2017/18
A	1
B	43
C	486
D	223
E	310
Unrated	21
Total Inspections	1084
FHRS Revisits (estimated)	45
Estimated revisits	50
FSM projected visits	0
Total visits	95

Inspections are grouped geographically where possible for reasons of economy and efficiency.

All food safety high risk premises receive a full inspection/audit in order to attain the targets set locally and in order to issue a food hygiene rating to the business (following an unannounced inspection). Low risk premises could be subject to an inspection or alternative intervention depending on;

- 1) Whether they are excluded from FHRS or
- 2) It is the first official control visit following a full programmed inspection which resulted in the premises being deemed broadly compliant

There is only one National PI for food safety for 2016/17 - the percentage of food establishments which are 'broadly compliant' with food law.

Deviation from the programmes outlined above, may occur in response to major food incidents e.g. food poisoning outbreaks, investigation of illegal meat trade; special projects referred from the Food Standards Agency; new legislation etc.

In order to determine whether a revisit is necessary, consideration will be afforded to:

- 1) The number and seriousness of the offences,
- 2) The willingness of the proprietor to comply,
- 3) Issues related to public health protection, and
- 4) Premises awarded a FHR score of 2 or less

The Estimated Resources required to deliver this service is 5.2FTE

4.3.2 Food Standards

All premises that sell, supply or manufacture food are risk assessed in accordance with the LACORS Risk Rating Scheme. The scheme suggests that all high risk, together with 50% of medium risk and 20% of low risk businesses should be inspected annually. The low risk businesses should be subject to a questionnaire survey.

On the 1st April, the annual programme is set, which includes the name and address of the premises, the risk category, the due date and the number of interventions programmed.

All premises are held on APP database and all officers have individual, measurable intervention targets. APP generates reports on interventions due and completed, when requested.

This Authority will ensure, as far as practicable, that interventions are carried out in accordance with this programme. Interventions are applied in a risk based manner so that more intensive regulation is directed at those businesses that present the greatest risk.

The section will carry out visits/revisits between programmed interventions where significant contraventions are found or following complaints.

Category	Planned Inspections 2017/18
A – High	39
B – Medium	895
Unrated + low	1052
Total	1986

The Estimated Resources required to deliver this service is 1.6FTE

4.3.3 Primary Producers

The Environmental Health Practitioners (EHP's) work with Animal Health Officers in the Trading Standards Services Section to carry out inspections at farms and other premises identified as Primary Producers. The inspection process uses inspection forms which are based on the Code of Practice developed for use by Animal Health Officers and where issues are identified, they are passed to the Environmental Health Practitioners' for further action where necessary.

The Estimated Resources required to deliver this service is 0.05FTE

4.3.4 Safety and Health

The recent national guidance relating to enforcement and inspection of workplaces suggests that only high risk, ie. 'A' category premises, should be prioritised in the planned programme of inspections regime. In addition, local authorities are encouraged to participate in national and regional health and safety initiatives. The initiatives are set 'thematically' as a result of intelligence led data.

This year, the number of 'A' risk premises included in the programme of inspections is 3.

The section will be continue to inspect and review all the Sports Grounds certificates within the County.

The table below outlines the details of the programmed initiatives :-

Regional or National	Type of initiative	Number of premises included	Notes
Local	<p>Maintaining a register of premises and persons offering skin treatments including piercing, tattooing, micropigmentation etc.</p> <p>The businesses are monitored for compliance with conditions of the licence, linked to the adoption of the byelaws</p> <p>Providing fact and information sheets for both businesses and customers.</p>	Intelligence led	<p>The premises currently carrying out ear piercing, tattooing and acupuncture are licensed, however the treatments are becoming more extensive and currently we have approximately 80 premises who are carrying out treatments that would require a licence under this byelaw.</p> <p>There are also a considerable number of treatments which are not included within the remit of the byelaws, but do pose a risk to public safety and health if not monitored.</p>
National (Wales)	Cellar Safety	To be determined	Officers to engage with pubs, clubs etc with cellars to promote the risks of cellars and to provide advice/guidance. As a result of engagement by our officers with larger businesses such as Felinfoel and Brains, literature is being circulated more widely.
National (Wales)	Care home safety	10% equivalent to 12	Assessing compliance of issues such as legionella, bedrail safety, manual handling, water systems etc.

To date, due to pressures associated with the enforcement of food hygiene, no commitment has been pledged to the undertaking of any of the specified initiatives.

The introduction of the Public Health (Wales) Act will look to regulate and extend current responsibilities of the section. The first of these is to require persons and premises to be registered/licensed in order to carry out tattooing and or body modifications. As indicated above, this section is aware of its businesses through proactive work and therefore, the implementation of the legislation next year should be reasonably straight forward. It will, however, provide additional, more effective tools which may be used where there is found to be non-compliance.

In addition, the Public Health (Wales) Act proposes Regulations to extend the Smoke Free Premises legislation will require Local Authority Officers to enforce no smoking in a wider public attendance remit. This does provide an addition challenge to the section as there are no resources to support its implementation. It is the intention that initially the section will support the introduction by means of general publicity and working with educational services to focus on concerns with parents in vehicles outside schools etc. Officers will also work with the Leisure section (and schools) to support smoke free playgrounds.

The Estimated Resources required to deliver this service is 1.35FTE

4.3.5 Food Hygiene, Safety and Standards Service Requests

Service requests that are recorded on the data base systems, include food and premises advice, complaints and legislation queries, etc. Officers no longer visit businesses pre-opening to offer setting up advice. Individuals are signposted to advice and information on the website, however, the section is considering offering onsite, tailored advisory basis at a cost later in the year.

A further example of service requests include notification from Dwr Cymru/Welsh Water of potential water disconnections has an impact on food safety and standards, together with workplace health and safety. Where businesses providing high risk foods are threatened by disconnection, the businesses are contacted or visited to ensure that the water supply remains constant during operation or if the disconnection proceeds, that the businesses does not trade until such time as the supply is reconnected.

Food Standards complaints and requests for service are handled in accordance with the Quality Manual and Food Law Code of Practice. The manner of recording such requests have improved over the past year thereby providing a more accurate picture on the demand; there is a steady increase in the number of service requests year on year. The nature of this work varies greatly from simple advice to complex manufacturing/labelling enquiries to criminal investigations – as a result officers' time can be taken up in grossly different amounts.

	2009/ 10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Service Requests	491	507	574	538	667	741	878	1219
Food Standards Service Requests/ Complaint	97	62	66	69	84	102	65	278

The Estimated Resources required to deliver this service is 0.5FTE (EHO) and 1 FTE (TSO)

4.3.6 Home Authority Principle and Primary Authority

The Council does not act as a Primary Authority nor is it a Home Authority for any food business in the area. Carmarthenshire is however, classified as an originating authority for approximately 77 manufacturers, thus being the initial point of contact for any food complaints arising outside the authority in relation to such products. The section is currently exploring the possibility of becoming Primary Authority for businesses within Carmarthen. It is anticipated that this will be progressed significantly by the end of the financial year.

4.3.7 Advice to Businesses

Officers provide information during the inspection process. Information packs are available for new businesses and the website is currently under review. It is anticipated that information for consumers and traders will be available, with links to other sources of information from which advice can be obtained free of charge. The service is looking to provide a more comprehensive advisory and training opportunity which could not only assist businesses who are currently requesting assistance but also provide an income.

The Estimated Resources required to deliver this service is included in the FTE for inspections (4.3)

4.3.8 Food Sampling

Food sampling programmes are developed annually in response to perceived local needs and problems. The hygiene sampling follows the Welsh Food Microbiological Forum Sampling Programme and this year it will focus on sampling local producers, manufacturers and retailers as part of these surveys. It is anticipated that the Section will procure 120 samples during the year.

Shellfish sampling is carried out on a rolling programme, to ensure the continual classification of beds for commercial gathering. In light of the fact that Welsh Government is intending to open the Three Rivers for Commercial Gathering, there may be a requirement for the section to carry out more sampling on a monthly basis. At the time of writing the report, this is to be confirmed. The Section must have the capacity to retrieve 96 toxin and bacterial flesh samples and 36 water samples throughout the year. It is anticipated however that the number may fluctuate pending quality results, incident occurrence, this may result in approximately 120 flesh samples and 48 water samples. Additionally, Welsh Government has confirmed that there is an intention to open additional beds which may increase the sample demand. The resources required to increase in number is also affected by the geography, access and the tidal periods. The team are working on the premise that there will be additional resources sought should this request to increase the sampling programme be extended.

The Estimated Resources required to deliver this service is 0.5FTE

4.3.9 Food Standards Sampling Programme 2016-2017

On 1st April an annual sampling programme for composition and labelling parameters is set (see details below) with consideration to National Sampling Priorities and consultation with the Public Analyst and regional food/feed groups, in accordance with operating procedure OP005. During the consultation, the section will identify sampling priorities and then prepare and publish a chemical food sampling policy (OP005) and make it available to businesses and consumers.

There is a £30,000 sampling budget plus FSA regional bid. The Service will aim to target 50 high-risk premises, each to be sampled dependant on the nature of their product.

As the sampling programme is set out with considerable thought and planning and targeted to known problematical sectors of the food business, the results obtained from this sampling generates vast amounts of work for officers. High instances of failures generates advisory, cautionary or investigatory work with further sampling to validate corrective actions/compliance.

Other routine sampling will take into account problem areas identified last year along with the sampling priorities for 2017-2018 laid down by the FSA.

Previous years have demonstrated that the extensive sampling programme and the outcomes are such that the capacity is unable to achieve the intended programme. Hence this has been recognised in the required FTE and the available capacity.

Date	Product	Formal / Informal	Number of samples
Apr-17	Chinese	Informal	38
May-17	Non-pp Sandwich shops	Informal	10
May-17	Pre-packed sandwiches (QUID)	Informal	10
Jun-17	Alcohol	Formal	60
Jul-17	Indian takeaway	Formal	20
Aug-17	Honey	Informal	10
Sep-17	Cakes	Informal	20
Dec-17	Bottles from micro-breweries	Informal	12
	Mince Meat - hospital	Informal	2
	Mince Meat - Schools	Informal	4
	Mince Meat - CCC care homes	Informal	4
	High Risk		39
	Fitness foods		
	Overall totals:		229

The Estimated Resources required to deliver this service is 1.5FTE

4.3.10 Control and Investigation of Outbreaks and Food Related Infectious Disease

This year, the section have been utilising a multi agency electronic web portal for recording and notification of cases. The system is called TARIAN. The system also sets response times thereby making the approach to investigation of notifiable diseases consistent throughout Wales. There have been teething problems including double handling of information and difficulty in cross referencing information, however, it is anticipated that these issues will be resolved within time. All cases of food poisoning or suspected food poisoning are investigated and contact is made in person, by telephone or by letter. The Council participates in all Wales Enhanced Surveillance Projects, currently for individual cases of Lymes Disease.

All outbreaks are investigated on the same day as the notification is received.

All outbreaks to date have a viral origin.

The County also has a high prevalence of zoonotic disease, primarily TB in food animals. The Section has duty to ensure that any milk produced from affected dairy farms is pasteurised.

Notification Type	2010	2011	2012	2013	2014	2015	2016
Campylobacter	194	267	182	193	319	233	240
Salmonella	20	12	7	18	18	22	15
E Coli	5	9	5	9	3	5	3
Cryptosporidium	21	15	24	18	29	32	25
Giardiasis	8	6	5	12	9	14	7
Other Food Poisoning	19	17	0		13	15	30
Clostridium	1	2	0	4	3	5	11
Listeria	1	1	0	0	1	0	1
Shigella	0	2	0		3	0	0
Legionnaire's Disease	0	1	8	4	0	1	3
Typhoid Fever	0	0	1	0	0	0	0
TOTAL	269	332	232	258	398	324	335

The Estimated Resources required to deliver this service is 1.4FTE

4.3.11 Food Incidents

All Officers are notified of food incidents electronically. Action is taken in accordance with the hazard warning category and on the basis of additional advice given in the warning.

Food standards incidents and alerts will be dealt with in accordance with operating procedure OP002

Allegations of food fraud will instigate investigations as necessary. Any intelligence received is reported to the Food Fraud Co-ordination Unit.

The Estimated Resources required to deliver this service is 1FTE

4.3.12 Accident Investigations

Notifiable accidents which occur in workplaces regulated by the Council must be reported to the local authority or the Health and Safety Executive by the responsible person in charge of the premises. The Section has developed a procedure for dealing with those notifications and they are investigated in accordance with the revised LAC 22/13 circular. The number of workplace accidents reported and investigated has therefore reduced.

	Nos of accidents reported
2007/8	110
2008/9	100
2009/10	117
2010/11	146
2011/12	126
2012/13	75
2013/14	61
2014/15	86
2015/16	78
2016/17	89

The Estimated Resources required to deliver this service is 0.4FTE

4.3.13 Liaison

The Public Protection Division has in place arrangements to ensure that enforcement action is consistent with those of neighbouring local authorities and is represented on the following groups;

- Directors of Public Protection Wales Expert Panels and Task Groups dealing with Food Safety, Communicable Disease and Health and Safety,
- South Wales Shellfish Liaison Group
- Mid and West Wales regional Food/Feed Panel and
- All Wales Welsh Heads of Trading Standards Food/Feed Panel.

The Service has good working relationships with the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) and Welsh Government's Fisheries Unit, together with Public Health Wales.

There is a good working relationship with the Health and Safety Executive and other local authorities. It also works closely with Dyfed Powys Police, the Mid and West Wales Fire and Rescue Service and the Welsh Ambulance Service particularly with regards to the Safety Advisory Groups for events and Sports Grounds.

The Estimated Resources required to deliver this service is 0.5FTE

4.3.14 Food Safety and Standards Promotion

The section proposes to engage with businesses and Public Health Wales to promote more healthy menus to attempt to tackle obesity issues within Carmarthenshire. With the proposed Project Officer for food provision within the Communities Department, it is proposed that there will be engagement to pilot health eating options. It is the intention that this can be extended to other businesses and manufacturers within Carmarthenshire in the near future.

Extending the education initiatives will focus on addressing issues identified during last year's interventions, including educating FBOs in relation to allergen information and use of colours banned in certain foods. Enforcement action will be considered, where necessary, in accordance with the authority's Enforcement Policy.

Providing guidance and raising awareness of food safety to the public and businesses to ensure compliance with food law. This is achieved through leaflets, press releases, seminars, display stands and training as resources permit.

The section are discussing with businesses in the County with the prospect of entering into Primary Authority Agreements.

4.3.15 Food Safety Week

The Section will be participating in Food Safety Week this year which will focus on the theme of 'Don't wash your raw chicken' which help consumers re-assess their existing food safety behaviours in their own home kitchens. Promotional material will be placed in the Customer Service Centres throughout the Council and in the foyer of a very busy supermarket at Crosshands.

4.3.16 Christmas Safe Cooking and Safe BBQ Cooking Information

The Section provides information to the public and caterers regarding the safe storage and cooking of poultry in the run up to Christmas each year and by offering leaflets to butchers for display and to offer to customers.

4.3.17 Butchers Project

Interventions from last year highlighted some non-compliances with food standards legislation in the butchery sector. The Trading Standards Team will undertake an education project to address outstanding issues.

4.3.18 Colours and allergens

Promotional project to raise awareness of issues relating to colours and allergens in food aimed at residents and businesses. This is to be arranged by Trading Standards in conjunction with the authority's press and communications team.

The Estimated Resources required to deliver this service is 0.2FTE (EHP) and 0.4FTE (TSO)

SECTION 4

5.0 LICENSING

5.1 Scope of the Service

The Licensing Team is based in Carmarthen and is responsible for providing advice, processing and enforcing authorisations issued under the Licensing and Gambling Acts, Hackney Carriages and Private Hire Vehicles, drivers and operators, Street and House to House Collections and Street Traders

The table below indicates the breakdown of FTEs' on various functions identified above for Licensing.

Licensing FTE April 2017	
Head of Public Protection*	
Public Health Services Manager	0.2
Principal Officer	1.0
Senior Officer	1.0
Licensing Officer	4.0
Licensing Assistant	2.0
TOTAL	8.2

5.2 Demands on the Service

5.2.1 Profile of Licences

Table 1 shows the number and type of Licenses as of April 2017 :-

Type of Licence	No. April 2014	No. April 2015	No. April 2016	No. April 2017
Licensing Act*	881	878	873	872
premises licences		82	79	74
83 Club Premises Certificates				
2,236 Personal Licences		2221	2317	2493
433 Temporary Event Notices (2013/14)		414	390	367

Gambling Act*	26 Premises Licenses (ex permits)	25	25	25
	324 Non Commercial Lottery	313 Non Commercial Lottery	305 Non Commercial Lottery	306 Non Commercial Lottery
	43 Permits	54 Permits		
	249 Alcohol Licensed Premises Automatic entitlement Permits	253 Alcohol Licensed Premises Automatic entitlement Permits	58 Permits	56 Permits
			180 Alcohol Licensed Premises Automatic entitlement Permits	181 Alcohol Licensed Premises Automatic entitlement Permits
Taxi/private Hire Drivers**	560	569	582	622
Taxi/private Hire Vehicles**	432	472	448	492
Taxi/private Hire Operators**	36	39	38	35
Street traders***	14	37 during the year	53 during the year	49 during the year
House to House***	68	62 during the year	42 during the year	49 during the year
Street Collections***	135	94 during the year	98 during the year	109 during the year
TOTAL	5,520	5,520	5,420	5,730

*prescribed fees
**discretionary fees
***no fees

The legislation regarding alcohol and regulating entertainment is constantly evolving in order to deregulate. This is challenging for license holders and enforcement agencies to maintain.

The Environmental Protection Manager leads a multi agency group, the Safety Advisory Group which assesses large events and it consists of representatives other partner agencies, eg. Police, Fire and Rescue Service, Ambulance Service and the Local Health Board, together with Officers of other Departments of the Council. As a result of this pattern of working, the Team has developed good working relationships with the partner agencies, as well as with applicants and licence holders. The introduction of the Deregulation Act as well as other changes to the Licensing Act has resulted in a relaxation of licensing requirements for regulated entertainment at certain locations and events including Local Authority premises. As a result, to ensure safety, the licensing section work alongside event organisers including the Leisure Division of the Authority to establish a Safety Advisory Group as necessary.

The section is working collaboratively with the corporate Safeguarding team, school transport section and the Police to run safeguarding awareness courses for licensed drivers within the Authority. The intention is to share the training with neighbouring authorities within the Dyfed Powys areas.

The legislation used in the enforcement of licensed vehicles and drivers is currently being reviewed. The Deregulation Act is now in place. It has removed the requirement for personal licenses to be renewed which has had an implication on income for the team. The legislation has also introduced the increase in length of drivers and operators licenses. The section has, however, offered applicants opportunity to retain the current licensing process or to apply for longer licenses. To date, the applicants are choosing the current process. Additionally, the Law Commission Report has been published and is awaiting Parliamentary approval. This report if approved will result in the repeal of much of the existing legislation and will provide a single legislative framework to regulate both taxi and private hire services.

The Section has established a Licensing Action Group which is made up of representatives from the Responsible Authorities which meet regularly to target/highlight problem/higher risk premises and agree joint actions to tackle issues.

There is concern about the impact of validation on the income stream of the Licensing budget. The vast majority of licensing fees and charges are prescribed and cannot be amended, except by Central or Regional Government. In addition to this, the implementation of the Deregulation Act has resulted in approximately 1,000 personal licences not requiring renewal. Year on year validation produces an additional efficiency saving that the Public Protection Division has to find. Fees and charges have become overstated and the income projections are in a position where they are not realised. Locally set fees were reviewed through the year and will be reviewed year on year utilising the All Wales Fees toolkit. The section are also currently participating in a survey for the Local Government Association to assess the costs for Local Authorities in processing and compliance checks for those applicable to Licensing Act. It is anticipated that this may be collated to request for an increase in Licence prescribed fees or to introduce locally set fees for such licenses.

5.3 Service Delivery

5.3.1 Inspection, Education and Enforcement

Officers are responsible for processing licensing applications, offering advice to applicants as well as members of the public who are concerned about applications or activities and they also undertake compliance/enforcement exercises to ensure that relevant legislation and conditions where applicable, are complied with. Enforcement is conducted during normal working hours, however, there are occasions when it is more appropriate to conduct enforcement out of hours often with the Police or other agencies frequently during the busier periods in the night time economy.

Officers provide information during inspections, during telephone calls and also to personal applicants or complainants at the Carmarthen Customer Service Centre. The website is currently under review and it is anticipated that information to both consumer and traders will be available with links to other sources of information, from which advice can be obtained free of charge.

The Estimated Resources required to deliver this service is 7.2FTE

5.3.2 Liaison

The Council ensures that enforcement action is consistent with those of neighbouring local authorities and is represented on the Directors of Public Protection Wales Licensing Expert Panel and the Institute of Licensing Group. There is also a Liaison Group linking the four Counties' of Carmarthenshire, Pembrokeshire, Ceredigion and Powys, as well as the Dyfed Powys Police.

The Estimated Resources required to deliver this service is 0.5FTE

5.3.3 Licensing Promotion

The section are working closely with the press office to promote safety for example unlicensed taxis, correct management for running events, responsible drinking messages etc.

The Estimated Resources required to deliver this service is 0.5FTE

SECTION 6

6.0 POLLUTION

6.1 Scope of the Service

The Pollution Team is based in Ammanford and works County-wide, but the Officers do work from the Llanelli and Carmarthen offices, as and when required. The proactive responsibilities include monitoring and enforcing a wide range of regulatory controls dealing with noise, air quality and contaminated land issues. The reactive services include dealing with nuisances such as noise.

The table below indicates the breakdown of FTEs' involved in Pollution work :-

Pollution Team FTEs' April 2016	
Head of Public Protection*	
Public Health Services Manager	0.20
Principal Officer	1.00
Environmental Health Practitioners*	4.60
Scientific Officers	1.00
Total	6.80

* As part of efficiency savings, the team was re-aligned and the Division now shares the Head of Housing (now Head of Housing and Public Protection)

6.2 Demands on the Service

All functions are statutory. Officers handle high and often complex caseloads which can, at times, exert pressures on other service delivery areas and on the Team as a whole. The team deal with both reactive and proactive work. With regards to the proactive, this can be programmed over the year, however, the reactive can, at times, be a real challenge for the team with regards to demand and complexity.

6.3 Service Delivery

6.3.1 Noise (prevention)

Responding to planning consultations forms a considerable proportion of the work of the Team. The noise assessment process is complex and extremely time consuming, involving work at the pre-application stage as well as during the formal Planning Consultation.

The team responded to 198 planning consultations during 2016/17 (compared to 204 the previous year), 58 pre-planning consultations and 6 scoping opinions. In order to improve the efficiency of the consultation process, the section has developed a comprehensive guide for applicants identifying what is required from Environmental Health and Licensing Services in order to assess the application.

Additionally, the Section has developed a guide for complaints about wind turbines that are in situ. Following a process review within the Development Management Team, there is now a greater emphasis being placed on pre-application engagement with developers. This places a greater burden on the Pollution and Public Health Teams in that additional liaison with developers must take place to ensure that all information is present and satisfactory prior to an application for Planning Consent being submitted. A code had been created to allow the additional work generated to be accounted for on the Divisions Data Management system. A guidance document has also been produced to outline the requirements of noise impacts from development.

The Estimated Resources required to deliver this service is 2FTE

6.3.2 Noise (reactive)

The Team deals with service complaints relating to noise from a wide range of sources, including those from a domestic, commercial and industrial setting. 2016/17 saw some highly complex, sensitive and long standing noise complaints being dealt with which involved multi-national companies. Work with these will continue into 2017/18, together with any similar issues that arise. There continues to be a high demand for service requests and with the advent of the new powers contained within the Antisocial Behaviour, Crime and Policing Act 2014, it is likely that figures for 2017/18 may increase. The Section has invested heavily in noise monitoring equipment and Officers are often required to work unsociable hours in order to witness and assess noise disturbances as part of the investigation process.

A substantial number of noise service requests relate to Council Owned homes and many of these include an element of Anti Social Behaviour. Where Noise is an issue, Officers take a lead in assessing the impact of activities on nearby residents and the Community as a whole. There are new provisions contained within the Antisocial Behaviour, Crime & Policing Act 2014 that can be used to deal with such issues, along with those already contained in the Environmental Protection Act 1990. This will require close working with Housing Colleagues and the Police to resolve issues. It is also the intention of the Team to work more closely with Tenants with the aim of raising noise awareness and preventing problems from occurring in the first place if possible.

Service Requests received

Types of Service Requests	2014/15	2015/16	2016/17
Noise	899	766	856
Planning applications	156	204	196
Pre-application consultations			58
TENS	414	405	383
Premises licence application consultation	76 (29 new)	88 (42 new)	88 (23 new)

The Team continues to deal with issues of Anti-Social Behaviour, and is actively involved with the Area Anti Social behaviour Problem Solving Groups, which is a multi agency forum. The Anti Social Behaviour, Crime and Policing Act 2014 has been introduced and is likely to have an impact on the way in which the officers work, and expands the issues they may be able to deal with.

The current Licensing legislation has had an impact on the work of the Team, especially as Environmental Health Practitioners have a role as a Responsible Authority in respect of Temporary Event Notices, in providing responses and assessments in relation to noise, public safety and nuisance. The team received 383 TEN consultations in 2016/17 (405 in 2015/16), and 88 consultations relating to Premise Licenses (88 in 2015/16), 23 of which related to new applications (42 in 2015/16). In addition to this, officers are consulted on events that are held on Council owned land, even if the event does not fall within the remit of the Licensing Act 2003.

Officers also provide expertise in relation to noise and public safety at Safety Advisory Groups for large scale events. The officers from this team and Licensing team have produced a document to assist organisers in setting up a management plan for events to take into account issues such as impact by noise, public health and licensing. Currently, they will also offer advice on a case by case basis. The section also, in liaison with Licensing, respond to any issues arising from the Police's Weekly Incident List.

The Estimated Resources required to deliver this service is 2.8FTE

6.3.3 Air Quality

The Air Quality Management Area (AQMA) declared for Llandeilo in November 2011 continues to progress. The Action Plan to improve air quality in the town has been implemented, and a review of the effectiveness of the first year of phase 1 of the plan has been reported to the Action Planning Group and Welsh Government. 2016/17 saw the implementation of year 2 of the Action Plan and monitoring of Nitrogen Dioxide will continue. The effectiveness of measures during year 2 will be reported on during 2017/18

Two further Air Quality Management Areas were declared in 2016/17; one in Carmarthen and the other in Llanelli. As a result, this will require consultation and collaborative work to produce action plans this year for each area. Close collaboration with colleagues in the Transport & Engineering Division Service and Planning Services will continue throughout the process.

Additionally, data will continually be gathered. The section have taken an opportunity to work alongside Swansea University who will be looking to undertake the health impact assessment in conjunction with this sections work in reducing the levels of pollution. The section are also proposing to link in with local Eco –schools coordinator in the management areas to attempt to engage with the school and school pupils to raise awareness of poor air quality and to instigate change in school journey behaviours.

Local screening assessments of air quality will continue throughout the County, with detailed assessments undertaken in areas which are near or exceed the EU intervention level for NO₂ in the atmosphere.

Every three years, the Council is required to submit a comprehensive Updating and Screening Assessment (USA) of Air Quality report to Welsh Government and the last report was submitted in 2015. Progress reports are submitted in the intervening years, and one was submitted in 2016-17.

The Estimated Resources required to deliver this service is 1FTE

6.3.4 Environmental Permitting

Legislation requires the Council to manage certain industrial processes that have the potential to pollute the atmosphere and they include petrol stations, dry cleaners, timber processing plants, cement batching and pet food manufacture, for example. At the start of 2017/18 there were 69 processes that benefit from Environmental Permits. Some of the processes are very complicated and require a degree of specific knowledge and understanding of the operation to ensure that they are operating within conditions attached to the Environmental Permit. In 2017-18, Permit holders will receive an inspection as determined by DEFRA's risk rating scheme and they are required to pay an annual fee, which is prescribed by Welsh Government. The validation of these fees during the budget process produces a considerable extra efficiency saving that the Public Protection Division has to find, as does the reduction in the number of the installations that require a Permit.

The Estimated Resources required to deliver this service is 0.4FTE

6.3.5 Land Contamination

The Division has previously identified areas of land within Carmarthenshire that have potential for ground contamination to exist, mainly as a legacy of its industrial heritage. The legislation regulating contaminated land has not changed and there remains an explicit duty conferred on local authorities to inspect land with a view to determining whether or not it is classed as contaminated land. The Contaminated Land Inspection Strategy was reviewed and approved during 2015 as a result of updated statutory guidance. This reflects the current proactive approach following the withdrawal of Welsh Government Capital Funding with the emphasis being to remediate potentially Contaminated Land through the Development Management and Regeneration processes and working with landowners / developers. 2016-17 will continue with this approach and will also identify Council owned land that may require investigation.

As with other service areas, the option of charging for some areas of this work, e.g. property searches may be explored.

The Estimated Resources required to deliver this service is 0.6FTE

7.0 PUBLIC HEALTH

7.1 Scope of the Service

The Public Health Team is based County-wide with Officers working from the Ammanford, Llanelli and Carmarthen offices, as and when required. The proactive responsibilities include monitoring and enforcing a wide range of regulatory controls dealing drinking and bathing water quality monitoring, shellfish monitoring, good dog ownership etc. The reactive services include dealing with nuisances, such as odours, smoke, dust and light, as well as from poor conditions of properties resulting in concerns from neighbours, e.g. animal waste / waste accumulations. The section also provide an enforcement and advisory service for pest control.

The table below indicates the breakdown of FTEs' involved in Public Health work :-

Pollution Team FTEs' April 2017	
Public Health Services Manager	0.20
Principal Officer	1.00
Environmental Health Practitioners	2.00
Technical Officers	2.00
Technical Assistant/Dog Warden	4.00
Total	9.20

* As part of efficiency savings, the team was re-aligned and the Division now shares the Head of Housing (now Head of Housing and Public Protection)

7.2 Demands on the Service

Most functions are statutory. Officers handle high and often complex caseloads which can, at times, exert pressures on other service delivery areas and on the Team as a whole. The team deal with both reactive and proactive work. With regards to the proactive, this can be programmed over the year, however, the reactive can, at times, be a real challenge for the team with regards to demand and complexity.

Further legislation has been introduced including the requirement for microchipping of dogs, Anti Social Behaviour legislation to help with dogs behaving dangerously on private land, and there are also future requirements for testing for Radon in drinking water being introduced later this year. In addition to this, the Section is expected to carry out additional shellfish sampling as a result of the opening of additional commercial beds.

In order to attempt to meet the challenges, the Technical Assistants and the Dog Wardens combined in September 2016 in an attempt to provide flexible cover across the County and help efficiency for dealing with complaints. Officers now deal with both pest control requests and dog warden duties with dual purpose vehicles.

7.3 Service Delivery

7.3.1 Prevention work

Responding to Planning applications forms a considerable proportion of work within the team. Certain applications require input from the section in order to consider and prevent future nuisances. Some of the applications are quite complex and require careful consideration and discussions with the applicant and Planning. The numbers of the application responses have increase over the last couple of years:

	2014/5	2015/6	2016/17
No of Planning applications responded to	35	86	196 (based on all planning consultations requiring a response.)

7.3.1 Statutory Nuisance

The Team receives over 3,600 service requests last financial year (an increase of 400 from the previous year) and many of these requests relate to statutory nuisance. Where the investigation of a complaint reveals that action is required, the Officer will attempt to resolve the issue through advice or mediation, but where this is unsuccessful, a Notice will be served. A total of 22 Statutory notices were served in 2015/6, an increase of 7 from the previous year.

Any works or actions necessary to abate or remedy the statutory nuisance will be monitored and if there is non-compliance, legal proceedings will be instituted or works undertaken in default. In cases of accumulations of waste on land, the Section will take action against landowners and occupiers to require its removal, if the person(s) responsible cannot be found. Works undertaken in default of any Notice will have an impact on budgets, as some costs for works may not be recoverable. The Teams' capacity will have to be reviewed throughout the year and an assessment made on the impact on resources.

High numbers of fly tipping cases are reported on private land, and these cases require high amounts of time for investigation including finding evidence to identify the offender etc. The number of reports for fly tipping in 2014/5 was 209. This was reduced to 174 in 2015/6 but increased again to 256 in 2016/7. This has placed more work on officers with additional CCTV work and investigations to try and identify perpetrators.

Service Requests received

Types of Service Requests	2013/14	2014/15	2015/16	2016/17
Public Health	2026	2197	2139	2149

Urgent complaints or conditions that present a threat to life, eg. carbon monoxide poisoning incidents will be responded to on the same working day.

The Team continues to deal with issues of Anti-Social Behaviour, and is actively involved with the Anti Social multi agency working groups. The Anti Social Behaviour, Crime and Policing Act has been introduced and may have an impact on the way in which the officers work. This has introduced new powers that can be used in addition to/ where current legislation is not suitable. An example of the latter may be dogs that are not kept under control and officers have already used these powers successfully with Community Protection Notices and Fixed Penalty Notices to resolve nuisance dogs.

There is also a significant number of Housing stock related complaints being dealt with. The process of hand over of such complaints to the pollution and public health teams has been reviewed to ensure an efficient and consistent approach, and appears to be working well.

Officers are currently working on approximately 370 cases each annually. Should there be any longer term vacancies, this will have a big impact on workloads and service delivery.

The Estimated Resources required to deliver this service is 4FTE

7.3.2 Water quality

There are approximately 2,356 private drinking water supplies in the County, the majority supplying single domestic properties. Officers will only sample drinking water at these premises, if requested to do so by the owner or if Officers are investigating a public health issue.

Under the Private Water Supply (Wales) Regulations 2010, there are currently 59 large or commercial supplies, and 10 small supplies (shared source). There are 2,065 single domestic properties that could require monitoring.

In addition to the above, EU legislation requires Local Authorities to carry out sampling for private waters to include tests for presence of radon. There are areas in Carmarthenshire where radon is prevalent. Work has already been carried out and to date there have been approximately 30 supplies identified which will require further investigations within the County. It is as yet unclear, but the requirement may require additional sampling at the cost of the Local Authority.

The Team will work closely with Dwr Cymru to ensure that water supplies for large events are fit for purpose and present no public health risk.

The Estimated Resources required to deliver this service is 0.6FTE

7.3.3 Bathing Water

Natural Resources Wales has responsibility for the two EU designated bathing beaches at Pembrey and Pendine. Officers of the Public Health Team sample bathing water at Burry Port beach, which is a non-designated bathing water, under EU legislation. Bathing water quality is sampled weekly between May and September of each year which is the bathing season. North Dock in Llanelli, will also be sampled monthly throughout the year, as it is used for recreational purposes. As a result of a motion carried by Council at the beginning of the financial year, the sampling programme for monitoring waters used for bathing will be reviewed this year.

Officers also monitor for blue green algae in water which is accessible for members of public. Where there is evidence of contaminants, officers will work alongside owners/responsible persons to prevent, where possible, any public health issues.

The Estimated Resources required to deliver this service is 0.2 FTE

7.3.4 Pests

The team's Technical Assistants cover both pest control and dog warden duties. In relation to the pest control side of the work the section has been providing advice to treat for pests, prevention access/harbourage for pests and surveys of drainage to identify, where possible, areas of damage leading to points of access and remedial work required. The numbers reports and areas are monitored annually.

Types of Service Requests	2013/14	2014/15	2015/16	2016/17
Pest control	334	527	448	623

In cases where there are no improvements in the situation i.e. advice has not been implemented and there is still a pest problem, the team will undertake enforcement. A total of 42 notices were served in 2016/7 compared with 46 in 2015/16.

As a result of feedback from the public, evidence seen during investigations and closer working with other Divisions, such as Housing and Leisure, the section has introduced a monitoring and treatment service to Local Authority premises (where agreed). This will be carried out at an agreed cost. However the provision of advice only at this stage will still be free. It is intended that this will provide a faster, more effective service to the tenants. This will be monitored to ensure that there is adequate capacity to implement this and also consideration on whether to expand the service.

7.3.5 Dog Warden

In relation to the dog warden duties, the team operates County-wide and covers the collection of stray dogs and provides a response to irresponsible dog ownership.

Types of Service Requests	2013/14	2014/15	2015/16	2016/17
Dog Warden	1093	969	884	814

Approximately 890 stray dogs were dealt with by the dog warden service last year with some being impounded and some being returned to their owners where known. The service has continued to hold a number of free dog identity micro-chipping events in various parts of the County which proved to be very successful. Legislation requiring all dogs to be micro chipped is being implemented in Wales this year. It is anticipated that non compliance could result in maximum fines of up to £500.

In addition to this, the section relating to dogs in the Anti Social Behaviour, Crime and Policing Act was implemented last year. Part of the legislation is likely to have an impact on enforcing complaints about dogs behaving dangerously on private land. This is likely to result in an increase in demand on the officers.

In light of the fact that there was no additional funding to implement either of the above pieces of legislation, there are no plans currently to carrying out enforcement work to identify owners that have not chipped their dogs and we will monitor the workloads and demands on the latter.

The Estimated Resources required to deliver this service is 4 FTE

7.3.6 Scrap Dealers Registration

The Public Protection Division has been working closely with Dyfed Powys Police to register applicants upon application under the Scrap Dealers Act on identifying scrap dealers across the County, to help reduce the levels of metal crime. To date, 29 collectors have been licensed. In addition to this, there are currently 5 scrap yards, which includes motor salvage operators.

The requirement to register is currently being promoted through scrap yards and the press, and anyone caught trading without the necessary registration will be prosecuted.

The Estimated Resources required to deliver this service is 0.2 FTE

7.3.7 Advice to Businesses and Customers

Officers provide information during inspections, during telephone calls and also to personal complainants at the County's Customer Service Centres'. The website is currently under review and it is anticipated that information to both consumer and businesses will be available with links to other sources of information, from which advice can be obtained free of charge.

7.8 Liaison

Enforcement action in relation to pollution control is consistent with those of neighbouring local authorities and Officers' represent the Council on the Directors of Public Protection Wales Expert Panels. These working relationships with DEFRA, Natural Resources Wales, Welsh Government, Public Health Wales, Dyfed Powys Police and other departments' of the Council will continue in 2015-16.

7.1.9 Promotion

Responsible dog ownership.

The service will continue to hold a number of free dog identity microchipping events in various parts of the County to promote responsible dog ownership. In addition to this, the team will also extend the promotion to clearing up after their dog. This will run alongside the enforcement work that may be required with the new legal requirements for dogs to be chipped

Carbon Monoxide awareness

During colder months, officers will be undertaking proactive monitoring for carbon monoxide inside properties during visits to investigate other service requests. This will be carried out by officers wearing personal monitors.

The Estimated Resources required to deliver this service is 0.2 FTE

SECTION 8

8.0 RESOURCES

8.1 Budget and Staffing Allocation

The staffing level of the Public Health Services Section is described using Full Time Equivalents (FTEs') for the various responsibilities of the service and they have been highlighted in the previous sections of this report.

The budget for food and health and safety is outlined in Appendix 3.

Efficiency savings continue to have a considerable impact on the Service and staffing is being reduced as a consequence. The Section faces a very challenging time, as it constantly monitors, reviews and realigns as necessary functions, services and response times with its resource allocation and the requirement to implement current legislation.

The validation of budget income year on year continues to be a problem, as the majority of fees and charges are prescribed and cannot be set by the Council. In recent years, this has meant that the Public Protection Division has had to find an increased efficiency saving because of the validation process and a failure by successive Governments' to increase prescribed fees. The section is working with the Division as a whole to address the shortcomings, highlight the reasons and to attempt to explore other means of income generation.

The Division is exploring various areas for collaborative working with neighbouring Authorities. In addition, all Teams' will participate in Expert Panels and Working Groups to ensure consistency of approach, however, it is unlikely to result in any significant financial savings.

The Welsh Assembly is in the process of producing the Local Government Bill which will identify a revised footprint of Authorities in Wales. It is unclear at this stage whether the 'Williams Report' recommendation will form part of the basis, however, the West Wales and Powys Authorities will continue to work collaboratively where possible

The National Enforcement Priorities for Wales, as identified by the BDRO, are being delivered on a regional basis and there are three of relevance to Environmental Health and Licensing Services :-

- Ensuring the safety and quality of the food chain to minimize risk to human and animal health,
- Protecting individuals from harm and promoting health improvement, and
- Improving the local environment to positively influence quality of life and promote sustainability.

The Team will have to work hard and imaginatively in 2015 to minimise the impact of reducing resources to meet those objectives.

SECTION 9

9.0 QUALITY ASSESSMENT

9.1 Consistency

Senior Officers of the Team attend all Wales Expert Panels and local or regional Task Group meetings where local and national information is discussed and exchanged. This is brought back to the Teams and cascaded via Team meetings. Officers utilise standardised inspection forms and standard paragraphs to ensure consistency and reviews of documentation and procedures are developed or implemented through the Team meeting process. Regular monitoring is undertaken by Principal Environmental Health Practitioners at the fourth management tier level.

The sections will continue to implement 'challenge sessions' as part of continuous improvement.

9.2 Competency of Officers

All Officers that carry out food safety and standards functions must fulfil the statutory qualification prescribed in the Food Law Code of Practice and they must also hold Registration Board Membership with the Chartered Institute of Environmental Health. Officers that carry out food inspections must also undertake a minimum of 10 hours (core) food related training annually, together with 20 hours Continuing Professional Development (CPD) annually. Officers carrying out noise assessments hold a post graduate qualification, the Institute of Acoustics Diploma in Acoustics and Noise Control. Over the last 4 years, the Department has supported /continues to support 5 officers (holding satisfactory degrees) in expanding their current knowledge and in developing new skills through the Masters in Environmental Health distance learning course, which will enable them to become Environmental Health Practitioners. To date, 4 of the officers have completed the qualification. This has resulted in the teams offering more flexibility to cover areas of higher demand. The budget allocation of £10,000 for staff training is shared between all Officers of the Public Protection Division and individual training needs are assessed during the 'Helping People to Perform' Process.

9.3 Staff Development Plans

The Section implements the Corporate Appraisal Process known as 'Helping People to Perform' and this will continue in 2017/8. The Appraisal Process defines a set of work objectives for each member of staff which is agreed between the Officer and his or her line manager. The principles of Investors in People will be applied throughout the Team in 2017/8.

9.4 Enforcement

All enforcement action is taken in accordance with the Enforcement Concordat, relevant Enforcement Policies and Procedures, together with the Food Law Code of Practice. The Enforcement Policy is currently being reviewed to take into account the Regulators Compliance Code.

SECTION 10

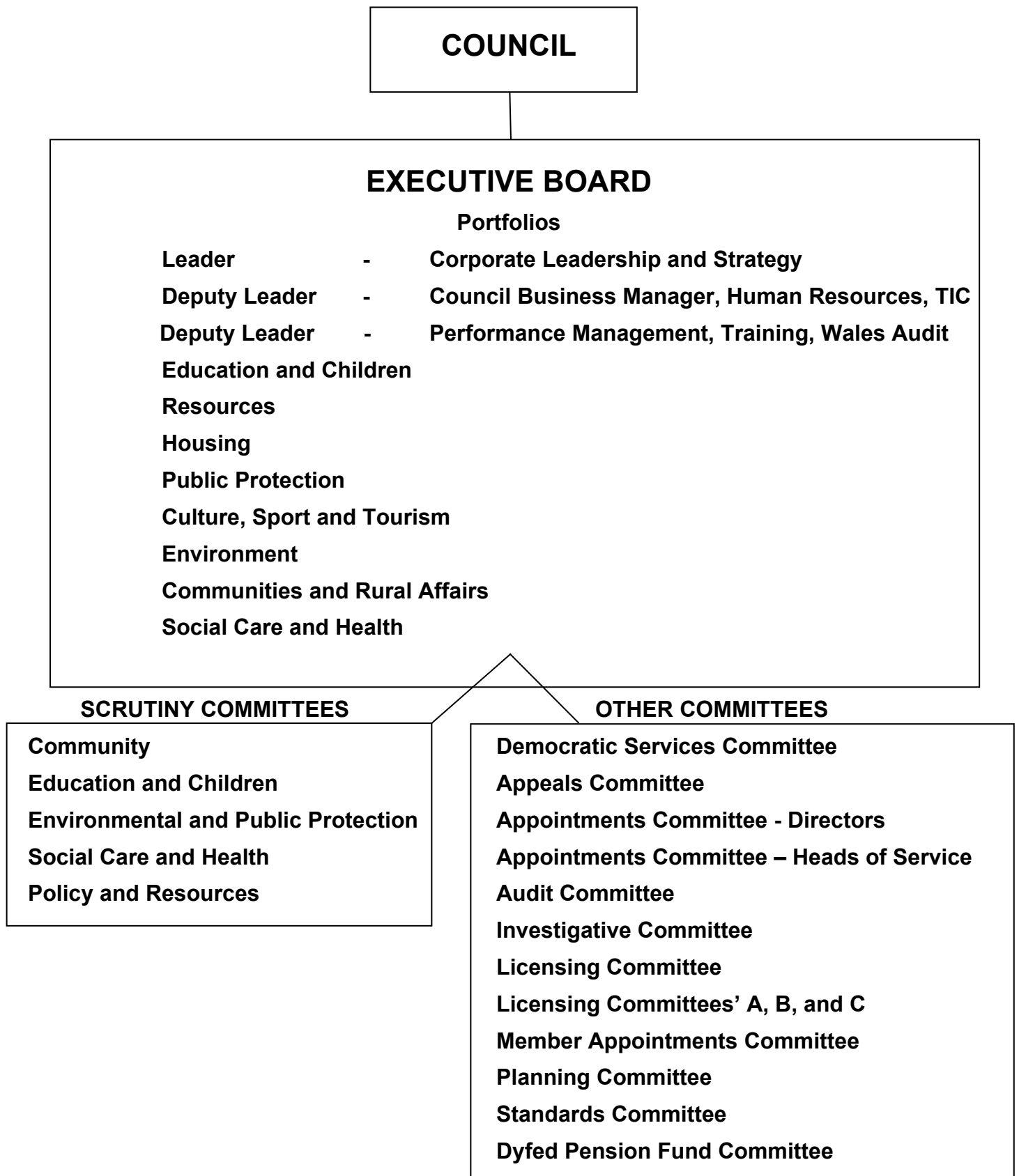
10.0 REVIEW

10.1 Review

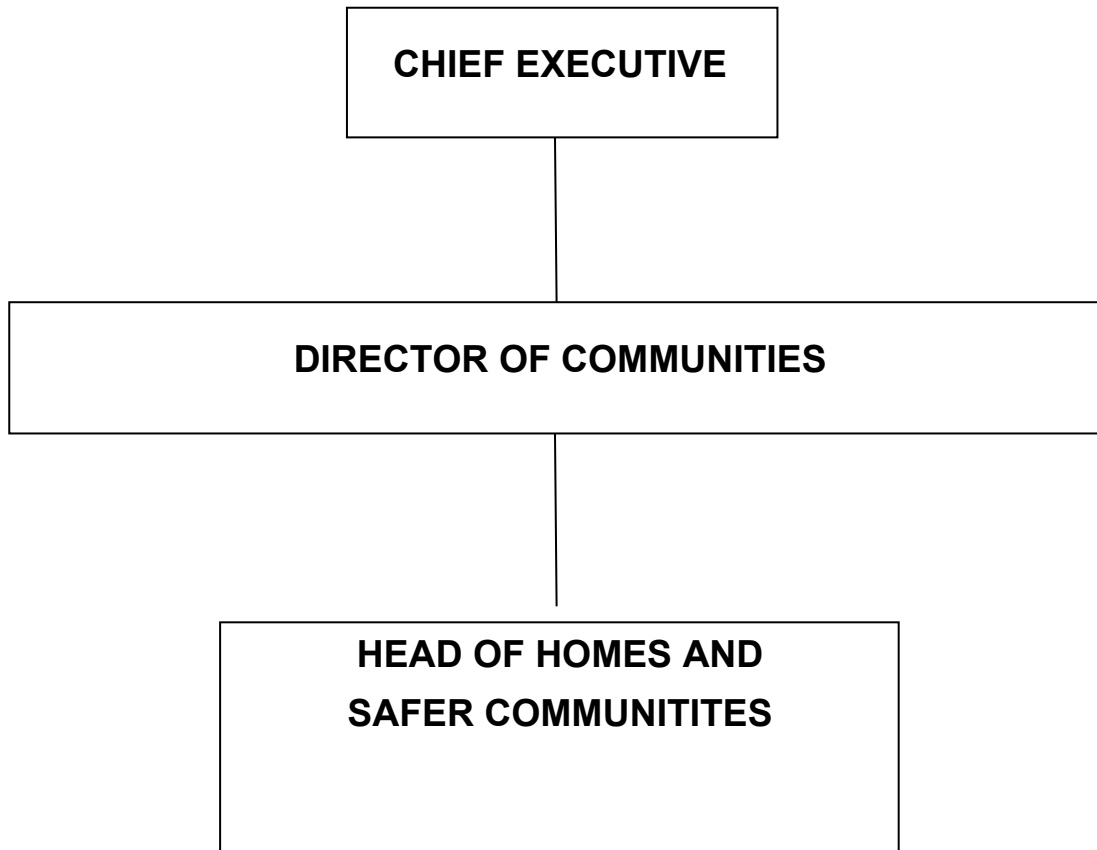
The Service Delivery Plan will be reviewed on an annual basis alongside the Departmental Business Plan and quarterly Performance Indicators.

An annual report will be produced for the Environmental and Public Protection Scrutiny Committee at the end of the financial year, which will identify any variances in performance.

POLITICAL DECISION-MAKING STRUCTURE



STRATEGIC MANAGEMENT STRUCTURE



Appendix 3(i)

Local Authority Expenditure

<i>The expenditure includes that for food safety, standards and health and safety</i>		
	3 Actual 2016/17 £	2 Budget 2017/18 £
EMPLOYEE COSTS Include: basic pay, overtime, employer's superannuation, employer's national insurance SSP due, pay arrears, other allowances/payments, car allowances/payments, car allowances/mileage/leases/travel expenses and fares, subsistence, pension increases and other employee costs.	606,853	597,218
Property costs	0	0
SUPPLIES AND SERVICES Include: computer equipment (purchase/rental/ maintenance), furniture, equipment and other tools including protective clothing, publications, journals, newspapers and other supplies and services and contractors.	1,605	2,849
SAMPLING COSTS Include: purchases made for the purposes of sampling/testing	1,447	2,600
TRANSPORT AND PLANT Include: hire of external vehicles	330	2,363
ADMINISTRATION Include: printing and stationery, telephones, advertising (recruitment), postages/couriers, insurance, medical costs, petty outlays, hospitality and other administration costs	2,984	6,513
TRAINING AND CONFERENCES Include: training, conferences, membership fees/subscriptions and exam fees.	13,884	13,429
PAYMENT TO OTHER BODIES For example, public analyst, test unit, cross-boundary projects	31,824	28,614
FINANCING CHARGES Include: central support costs	104,819	104,789
GROSS COSTS (total of all above costs)	763,746	758,375
INCOME	-52,968	-97,443

Appendix 3(ii)

The Division's budget for 2017/2018 is:-

	Expenditure	Income	Net
	£	£	£
Public Protection Management	176,998	-7,660	169,338
Business Support Unit	190,804	0	190,804
Public Health Services	1,895,061	-472,264	1,422,797
Trading Standards Services	1,291,335	-282,362	1,008,973
Public Protection Total	3,554,198	-762,286	2,791,912

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EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR PUBLIC PROTECTION

22ND NOVEMBER 2017

PRESENT: Councillor P.M. Hughes (Executive Board Member)

The following officers were in attendance:

R. Edgecombe, Legal Services Manager

Roberts, Policy and Strategy Officer, Environmental and Enforcement

J. Owen, Democratic Services Officer

Democratic Services Committee Room, County Hall, Carmarthen – 9:00am - 9:20am

1. DECLARATIONS OF INTEREST

There were no declarations of personal interest.

2. REGULATION OF INVESTIGATORY POWERS ACT

The Executive Board Member considered a report which reviewed the written procedures for the conduct of covert surveillance by staff and for the use of such surveillance.

The Executive Board Member noted that the Regulation of Investigatory Powers Act (RIPA) required local authorities to adopt written procedures governing them to be monitored by elected members and that the last annual report was presented shortly before the local authority elections in May 2017.

The Legal Services Manager explained that whilst to date the Authority had not used its powers under the Regulation of Investigatory Powers Act to acquire communications data, there had been an occasion where an Investigating Officer had sought to do so. Therefore, it had been necessary to amend the corporate procedure to include an additional section which related to the acquisition of communications data.

Reference was made to the new Section 9 – Communications Data which highlighted that the process now included a requirement for applications to be scrutinised and approved by the National Anti-Fraud Network (NAFN) in the first instance. The Policy and Strategy Officer for Environmental Enforcement confirmed that he was the contact for NAFN.

The Executive Board Member made reference to Section 14 – Scrutiny and Tribunal of the procedure and following a query the Legal Services Manager stated that the last inspection by an OSC inspector was 2016 in which one of the outcomes of the inspection was to be more consistent with regard to completion of forms. Appendix 3 appended to the procedures provided an example of a completed Authorisation Directed Surveillance form which would provide officers with guidance for a more consistent approach.

Following a query, the Policy and Strategy Officer for Environmental Enforcement stated that a database of all operations involving covert surveillance was supplied to the Legal Services Manager who was responsible for vetting all RIPA applications and maintaining the Central register.

The Executive Board Member asked to be kept informed of any approved applications, the Legal Services Manager agreed and stated that a report reviewing and monitoring activity would be brought to the Executive Board Member for consideration in May 2018.

In response to a query regarding cameras (Body Cams) worn by Enforcement Officers, the Legal Services Manager clarified that as body cameras were clearly visible and that officers inform individuals verbally that a surveillance camera was in operation, the RIPA legislation would not apply.

RESOLVED to approve the amendments to the corporate procedure on the conduct of covert surveillance.

3. TO RECEIVE THE DECISION RECORD OF THE EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR PUBLIC PROTECTION HELD ON THE 25TH SEPTEMBER, 2017.

RESOLVED that the decision record of the meeting held on 25th September, 2017 be signed as a correct record.

EXECUTIVE BOARD MEMBER

DATE