

REPORT TO: Safer Policy & Performance Board
DATE: 13 November 2012
REPORTING OFFICER: Strategic Director, Communities
PORTFOLIO: Environmental Sustainability
SUBJECT: Environmental Health Annual Report 2011-2012
WARD(S): Boroughwide

1.0 **PURPOSE OF REPORT**

1.1 To inform Members of the Policy & Performance Board of the key issues and activities of the Environmental Health Service in 2011-2012

2.0 **RECOMMENDATION**

i) **That Members of the Board note the report.**

3.0 **SUPPORTING INFORMATION**

The Environmental Health Service is responsible for two main areas i.e. Environmental Protection and Food & Health & Safety.

Providing a range of regulatory and advisory services to the council, local businesses and members of the public.

The work of the teams comprises both programmed planned activities and reactive work in response to service requests.

3.1 Environmental Protection

3.1.1 Local Air Quality Management

The DEFRA (Department of Environment, Food and Rural Affairs) Air Quality Strategy provides a framework to improve local air quality and minimise risks to health, this strategy focuses on seven common pollutants and sets out Health based limits for each of these pollutants. Air quality management in Halton is carried out by passive diffusion tubes measuring average levels of nitrogen dioxide at key locations around the Borough. Monitoring over the years has indicated that air quality in Halton has improved significantly over recent years and generally meets the Government standards as

outlined in the Strategy.

There are two small areas within Widnes Town Centre where monitoring indicated that the standard for nitrogen dioxide was being breached. The levels had only just exceeded the accepted levels. This is due to the levels of stationary traffic at certain times of the day. Halton BC has therefore declared two Air Quality Management Areas (AQMAs) within the Widnes Town Centre. In Cheshire and Merseyside local authorities, Cheshire East has 13 AQMAs, Cheshire West has 2, St Helens has 4, Sefton has 5, Warrington has 3 and nearly the whole of Liverpool has been declared a AQMA. A remedial action plan for the Halton AQMA is now in progress in consultation with other departments within the Council, including Policy, Transport and Planning. The Action Plan is on schedule to go out for consultation in 2012.

3.1.2 Inspection of Industrial Processes

Regulation of industries as set out under the Environmental Permitting (England & Wales) Regulations 2012 in order to reduce pollution and help improve air quality. These industries can only operate with the issue of a permit for which a charge is made to cover local authority costs. Charges are dependent on the risk assessment for each concern set out by DEFRA.

The following is a profile of the prescribed processes within Halton:

Type of Process	Number of premises
A2 Installations	2
Animal & Vegetable	2
Coating Processes	8
Use of Styrene	2
Mineral Processes	11
Metal Processes	2
Incineration	1
Timber Processes	3
Waste Oil Burners	2
Petrol Stations	13
Dry Cleaners	5
Total	51

In 2011-2012:

- 81% of scheduled Local Air Pollution Control Audits were carried. These included ALL high risk industries. The lower risk concerns will be prioritised in the inspection programme for 2012-13.
- 92% of Local Air Pollution Control Audits were compliant.

3.1.3 Planning Consultations

The team provide advice on the environmental implications of planning applications received by the Council.

In 2011-2012 125 planning applications were advised on including

- INEOS. The team is currently managing the air quality monitoring project carried out in relation Condition 62 of the planning consent for the 'Energy from Waste Plant' being constructed in Weston on INEOS land. This includes the review of monthly data, liaison with interested parties, other Council departments and the compiling of an annual report. The team are also advising the Planning team in relation to a section 106 agreement relating to air quality and noise.
- Proposed Mersey Gateway Bridge. The team is working with air quality and noise consultants for details of background levels in the vicinity of the proposed bridge. Further work and liaison will be required during the tender process and more detailed consultation once a successful tender is confirmed.

3.1.4 Service Requests about Pollution

The following service requests about pollution were made in 2011-2012. The service standard is for all requests to be responded to within 3 working. 95% of requests were responded to within 3 days, the remainder within 5 days.

Complaint Type	2010-11	2011-12
Odour	121	236
Dark Smoke	162	110
Dust & fumes	12	23

Noise pollution comprises a large proportion of service requests. Complaints derive from domestic, commercial and industrial premises.

While the majority are resolved informally, some then progress to statutory notices or seizures of equipment in the last resort. In 2011-2012 a total of 957 service requests about noise were received as follows:

Complaint Type	2010-11	2011-12
Domestic	718	598
Commercial	86	71
Industrial/ Construction	171	259
Traffic	31	29
No. Statutory	12	10

notices served		
No. prosecutions	2	1
No. Seizure of equipment	4	5

The increase in the number of complaints about industrial/construction noise in 2011-12 reflected the greater number of construction works being carried in Halton.

3.1.5 Other Statutory Nuisances

The team also investigate a range of statutory nuisances including filthy & verminous premises, accumulations of waste, vacant premises and blocked drains. When informal action is not effective, statutory notices may be served and work in default carried out with costs thereafter recharged.

3.1.6 Housing

The team inspect privately rented housing within Halton to ensure safety and remove hazards. Working closely with the Fire Service, Building control, Registered Social Landlords and Housing Strategy.

In 2011-2012 163 requests were made about such housing. All complaints were investigated and 146 reports were sent to landlords to require them to carry out relevant works. Most work was carried out by landlords in response to these letters but 2 statutory notices were served when no work was carried out.

In 2011-2012 17 programmed inspections were carried out of Houses in Multiple Occupation (HMOs) to ensure they reach the statutory standard and where required (2), a license is issued. There is a charge of £295 for the licence application.

The team inspect homes to ensure decent standard and size for immigration purposes. In line with other local authorities, a charge is now applied for each inspection. 4 Inspections took place in 2011-2012. The charge is £80 (this has been benchmarked with colleagues in Cheshire & Merseyside local authorities).

Housing Figures

	2010-11	2011-12
Unsatisfactory Housing	177	163
No. HMO's	17	17
No licensed HMOs	3	3
No. immigration inspections	4	5

3.1.7 Halton Healthy Homes Network- Launched in February 2012

The aim of the network is to raise awareness of health implications of poor housing and fuel poverty and to encourage all front line staff, community workers, Council Members and volunteers within Halton to identify those at risk and signpost them to relevant organisations who may assist. There are currently more than 80 members in the network.

3.1.8 Animal Welfare

Enforcement and advice on animal health & welfare legislation relating to farm and pet animals including risk based inspections of farms and drafting contingency plans in relation to animal disease. All animal premises subject to licence are inspected each year:

Animal License premises inspected 2011/2012

Premises type	Number of premises
Pet shops	5
Boarding Establishments	3
Breeding Establishments	1
Riding Establishments	2

3.1.9 Stray Dogs

The team enforce Dog Control Orders such as stray dogs, dog fouling and dog exclusion areas.

In 2011/2012 a total of 274 Stray dogs were collected and kennelled. This work is done in partnership with Liverpool, Sefton and Knowsley Councils. A fee is charged to owners when the dog is reclaimed (£40 within 48 hours, £95 thereafter)

Dog Control Orders were introduced to replace bye-laws and simplify the system of controlling dogs. They ensure a consistent approach to dog control issues. Four orders have been introduced in Halton: penalties for dog fouling, excluding dogs from certain areas (playgrounds) and keeping a dog on a lead in certain areas or if the dog is causing a stress to other persons or animals.

In 2010-11 348 complaints were received, 306 complaints were received in 2011-12.

A number of events to promote responsible dog ownership were held in Runcorn and Widnes. They were organised in partnership with RSPCA, PDSA, Dogs Trust and other Merseyside local

authorities.

3.20 Pest Control

A total of 5274 (5837 in 2010-11) service requests were made in 2011-2012:

Complaint	2010-11	2011-12
Rats & Mice	1561	1499
Ants	72	52
Wasps, Bees	1092	870
Cockroaches	5	1
Bedbugs	16	27
Fleas	79	75
Complaints relating to dogs	920	767

Pest Control is currently undergoing a complete management and procedural review to improve service delivery and efficiency.

3.2 Food & Health & Safety

3.2.1 Food Safety

The team fulfils the Council's statutory role as a 'Food Authority' for the enforcement of Food law. This work is carried out in partnership with the Government's Food Standards Agency (FSA).

The objectives of the service are:

- Ensure food produced and sold in Borough is fit for human consumption
- Reduce the incidence of foodborne infectious disease
- Help consumers make informed choices about where they eat & shop

These objectives are achieved through a combination of:

- Programmed risk base inspection
- Provision of advice & guidance
- Food sampling in the Borough
- Responding to national Food alerts and incidences.

Where advice and guidance has not been effective other enforcement options include statutory notices, seizure of food, closure of premises and/or prosecution.

Food Safety & Standards Key Performance Figures 2011-2012 with previous year comparison:

Activity	2010-11	2011-12
Inspections Food Safety	982	738
% high risk inspected	100%	100%
% broadly compliant with law	87%	89%
Supplementary Visits	636	540
Complaints about food / premises	113	113
Requests for advice	224	241
Samples taken (unsatisfactory)	419 (51)	244 (24)
Written warnings	513	523
Improvement notice	5	5
Simple Caution	2	2
Prohibition / closure	3	1
Prosecution	1	0
Infectious disease notifications	108	87

The lower number of visits in 2011-12 is in fact due to an unusually high number of visits undertaken the previous year. This was due to 2 main factors;

- Additional visits by contractor to low risk premises - funded by FSA in preparation for National Food Hygiene Rating Scheme
- Following FSA guidance approximately 100 childminders were added to the inspection programme. Although a high volume these were short low risk visits.

Infectious Disease Control.

The team works in partnership with the Health Protection Agency (HPA) and Primary Care Trust (PCT) to investigate cases and outbreaks of infectious disease.

National Food Hygiene Rating Scheme

In April 2011 Halton became the first authority in Cheshire and Merseyside to adopt the National Food Hygiene Rating Scheme. Hygiene ratings for most food premises in the borough are published online and businesses are provided with certificates and window stickers to display their score. Halton had previously operated its own "scores on the doors" scheme since 2007. Businesses are awarded a score of between 0 and 5 (highest). 89% of businesses achieve the top 3 scores and are considered broadly compliant with food hygiene law.

Supplementary planning document – Hot food Takeaways

In its role as a member of Halton and St Helens PCT's obesity commissioning group the team liaised with the Planning department and actively contributed to the production and adoption of the

Supplementary Planning Document on Hot Food Takeaways. The policy sets out the council's policy with respect to proliferation of takeaways particularly around schools, colleges and play areas. The policy also sets out standards relating to litter, odour and waste disposal.

3.2.2 Gas and Fire Safety in Takeaway food premises

During 2011-12 the food team have undertaken a project to address standards of gas safety in takeaway food premises. The food team ensure business owners are maintaining gas equipment in a safe condition so as to avoid the risk of fire and explosion or exposure to carbon monoxide fumes. The project began with a training session for staff from Gas Safe the organisation who maintains the statutory register of gas installers. Engineers from Gas safe have also accompanied officers on inspections to help address installations that give rise to concern. During 2011-2012 Gas Safety was addressed in 64 premises. The food team also liaise with the fire service if there are concerns about fire safety particularly when there is also living accommodation on the premises.

3.2.3 Health & Safety Enforcement

The team fulfils the Council's role as a Health & safety Enforcement Authority. This work is carried out in partnership with the Health & Safety Executive (HSE).

While the Health & Safety team is the enforcing authority for retail, wholesale, warehousing, caterers, entertainment and leisure premises within the Borough, The HSE is the enforcing authority in higher risk workplaces such as construction, manufacturing and chemical industries.

The overall objective of the H&S service is to ensure business owners fulfil their duties to protect the health, safety & welfare of their employees and members of the public who may be affected by their activities.

This is achieved by advice or guidance or by a range of enforcement actions including the service of statutory notices, closure of premises, seizure of equipment or/and prosecution.

Health & Safety Key Performance Figures 2011-2012 with comparison with 2010-11

Activity	2010/11	2011/12
% high risk inspections (number)	100% (21)	100% (20)
% that improved in risk rating	New for 2011	70%
Additional targeted interventions	182	226
Complaints investigated	52	68

Accident notifications	155	152
Requests for advice	91	93
Written warnings	122	188
Improvement notices	13	12
Prohibition notices	10	5
Simple Caution	0	1
Prosecution	5	0

3.2.4 Smoke Free Playgrounds

In October 2012 In partnership with Heart of Mersey and the Primary Care trust Halton became the first authority in Cheshire and Merseyside to launch a voluntary smoke free code in all of its 72 playgrounds and multiuse games areas. The aim of the scheme is de-normalise smoking amongst children and prevent them from becoming the next generation of smokers

3.2.5 Illegal Cosmetic treatments

During 2011-12 the team have responded to a number of allegations concerning illegal cosmetic treatments in particular unregistered home tattooists. It is a legal requirement that any person or business engaged in the practice of tattooing and body piercing is registered with the authority and complies with by-laws relating to hygiene and safety. These controls exist to protect customers from the risks of blood borne infections such as hepatitis and HIV. Unregistered tattooists are a significant concern as they will not have undergone inspection to ensure they reach hygiene standards. It is also illegal for a person to tattoo anyone who is under 18. It is suspected that home tattooists may be responsible for tattooing school age children. This also raises safeguarding issues. The authority is investigating a number of complaints from parents and teachers of children who have received a tattoo.

In January 2012, following a complaint from a member of the public and other evidence of illegal activity the team executed a warrant with the police at an address of an illegal home tattooist in Runcorn. The tattooist was issued with a prohibition notice preventing him carrying out the activity of tattooing at his address and after admitting the offence was issued with a simple caution.

The health and safety team are also assisting the General Dental Council with investigations into two individuals who are alleged to have been conducting teeth whitening illegally at two salons in the borough. Although teeth-whitening is a legal cosmetic treatment it should only be carried out by a registered dental practitioner.

3.2.6 Enforcement of the Sunbed (Regulation) Act 2010

The above regulations make it illegal for persons under the age of 18 to use a sunbed or any form of ultraviolet tanning equipment. UV radiation is known to be a risk factor for skin cancer and premature skin aging. The team have written to all premises in the borough offering the use of tanning equipment to inform them of the regulation. This letter was followed up by inspection visits to 9 premises.

3.2.7 Health and Safety in residential care homes

During 2011-12 the health and safety team undertook a special project in partnership with the authority's quality assurance team to inspect health and safety standards in residential care homes. Home owners and managers were invited to a seminar to outline their health and safety duties. This was followed up by health and safety inspections of 21 residential care homes.

3.2.8 Retail Violence

The health and safety team have worked in partnership with Cheshire Police, crime prevention and the community safety partnership to address violent instances such as robbery in high risk retail premises. Such premises frequently employ lone workers and handle a significant amount of cash and include bookmakers, corners shops and petrol stations. Whilst robbery is a criminal offence to be investigated by the police – where the risk of robbery is foreseeable or staff are particularly vulnerable - the owners of businesses are under a health and safety duty to implement reasonable safeguards to protect their staff. Working in partnership with the police and crime prevention the authority can use health and safety powers to implement safeguards and systems of work that help to protect workers and make businesses less vulnerable to crime.

The team issued retail violence information to 58 businesses including 12 premises that had suffered a violent incident.

4.0 **POLICY IMPLICATIONS**

4.1 All enforcement action is guided by the Environmental Health Enforcement Policy

5.0 **OTHER/FINANCIAL IMPLICATIONS**

5.1 There is an income derived from Pest Control activities.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 The Service is currently undergoing a comprehensive review in order to maintain good practice, policy & procedures and identify

any improvements to service delivery.

6.2 Children & Young People in Halton

EH works with nurseries & schools to improve quality & standards of diets provided for children & young people. Recent project work with Police, schools around tattooing, use of sunbeds and other beauty treatments by young people.

6.3 Employment, Learning & Skills in Halton

Encouraging food safety training for employees of food businesses in Halton.

6.4 A Healthy Halton

EH are involved in a large number of public health projects with a number of partners including smoke free playgrounds, Healthy Homes network, improving quality & standards of diets.

6.5 A Safer Halton

Working with businesses in Halton for safer working environments.

6.6 Halton's Urban Renewal

Working with private landlords to develop empty or vacant properties.

7.0 RISK ANALYSIS

7.1 All activities are in line with the statutory duty of the Council and in accordance with the advice and guidance of the relevant Government bodies.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 A Equality Impact Assessment (EIA) is not required for this report.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

The Food Safety Act 1990
The Health & Safety Act 1974
The Pollution, Prevention & Control Act 1999
The Environment Act 1995
The Animal Welfare Act 2006