



Licensing and Regulatory Committee	Thursday, 25 January 2018	Matter for Information
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Title: **Corporate Enforcement Report**

Author(s): **Dave Gill (Head of Law & Governance / Monitoring Officer)**

1. Introduction

There are a broad range of environmental standards and legislation enforced by Environmental Health and Licensing either independently or interdependently with other sections of the Council. This report seeks to inform the Committee of the responsibilities and the enforcement outcomes achieved in the last three months.

2. Recommendation(s)

Members are asked to note the contents of the report.

3. Information

3.1. Asbestos Case - Marstown Avenue (Update)

As reported previously, further sampling of the gardens of Marstown Avenue and Kenilworth Road was undertaken by the Council and identified 4 properties that were still contaminated with asbestos. As a result, Enforcement Notices were served on the owners of the site in August 2017 under section 33 of the Environmental Protection Act 1990 for the deposition of controlled waste.

The requirements of the Notice were not undertaken by the recipients and the Council therefore undertook the works in default. This remediation took place on the 10 October 2017. The Council is awaiting the laboratory analysis as required by Public Health England (PHE) to discharge their guidance not to use the rear gardens.

3.2. Dog Fouling

In the period October 2017 to January 2018, the ongoing focus of pro-active enforcement activity has been the provision of advice, stencilling and placing additional signage where necessary across the Borough.

Regular monitoring visits continue in the parks and open spaces across the Borough. In the 3 months being reported upon, 43 monitoring visits have been undertaken evenly across the Borough's parks and open spaces and are seemingly acting as an effective deterrent.

There were 8 dog related cases reported during the last quarter of 2017, with only 1 complaint being related to dog fouling on the streets. This led to advice being given to the complainant and stencilling and signage being placed in the locality of the incident. This is a reduction of nearly 75% on the previous reporting period, with the impact attributed in part to the colder, darker days and evenings.

5 stray dogs were reported via our out-of-hours stray dog service. Four were successfully reunited with their owners and the fifth was picked up and taken to

kennels. There were also 5 reported incidents where dogs were being aggressive to neighbouring households or other animals and the appropriate action was taken.

3.3. **Public Space Protection Orders (PSPO's)**

The amendments required by Full Council on 5 December 2017 to the PSPO have been made and the maps have been redrawn to show the changes. The revised PSPO is to be considered separately as a stand-alone report at agenda item 7.

3.4. **Pest Control**

86 initial requests regarding pests in domestic settings were received in that time and the breakdown is shown in the table below:

Pest Type	Numbers
Rats	31
Mice	11
Cockroaches	0
Squirrels	4
Fleas/bedbugs	7
Wasps	32
Bees	1
TOTAL	86

Whilst the previous report to Committee proposed a review of the financial status of the pest control service at the end of the fiscal year, an interim review comparing the 6 months from July to December 2017 has been made with the same period of time in 2016. The comparison has shown there has been an increase in income of 4%. The revised pest control charges as agreed by Members were increased from July 2017.

In April 2018, a more detailed review will be presented for review and discussion in the hope that we have identified a sustainable market to expand the delivery of our pest control service into for the foreseeable future.

3.5. **Enforcement of Litter, Fly-tipping and Accumulations**

Environmental Health received 24 reports of fly-tipping and 19 reports of accumulations during the period which were investigated and progressed within the stipulated response times. In addition to this, the Borough is regularly monitored for any nuisances in line with the requirements of the Environmental Protection Act.

Officers from the Environmental Health Team are attending meetings hosted by the Leicestershire District Partnership Environmental Enforcement Forum to devise a campaign across Leicestershire to target fly-tipping. Further updates will be provided once the Campaign goes 'live' in the next few months.

3.6. **Abandoned Vehicles**

There have been 13 reports received of abandoned vehicles in the period, all of which were investigated and progressed, where necessary.

Discussions are underway to improve the accuracy of referrals made to the Council by members of the public using the website as a widely accessible medium. This should reduce the number of cases reported where the vehicle does not meet the criteria for an abandoned vehicle.

3.7. **Food**

The Council has a duty to undertake inspections of Food Hygiene premises. During the inspection and under guidance from the Food Standards Agency the premises are rated accordingly. The Food Hygiene Ratings can be viewed at <http://ratings.food.gov.uk/>

As previously reported, there was a reduction in the number of Food Hygiene inspections in the previous quarter due to a shortage of staff. This has also been reviewed in December 2017 and additional resources have been brought in again which should ensure we are back on schedule by the end of February 2018.

Food Hygiene inspections by Month 2017:

September	3
October	18
November	2
December	3

15 new food businesses have been registered from 1 April 2017.

3 requests have been received from businesses for a revisit under the Food Hygiene Rating System.

3.8. **Service Requests**

Service requests are issues received from residents and businesses within the Borough in relation to Environmental, Housing and Commercial matters. The department has received 269 requests for service between 1 September and 31 December 2017. Three related to Welfare Funerals and seven related to bonfires.

3.9. **Infectious Diseases**

The Department undertakes investigations of infectious diseases in conjunction with Public Health England and in line with our Infectious Disease Standard Operating Procedures, to offer relevant advice on hand washing, exclusion or screening of infected individuals. 8 new cases of infectious diseases were investigated between 1 September and 31 December 2017.

3.10. **Departmental Update**

In addition to the Food Safety internal audit, a similar exercise has been undertaken in the Licensing service area.

All matters arising have been addressed and implemented. All amendments will be reviewed within ongoing operational monitoring and performance management.

Food Sampling Campaigns are a non-statutory function which we engage in periodically and help provide a national 'picture' of compliance or non-compliance so

Officers can focus enforcement and/or advice accordingly.

3.11. **Licensing**

Intended Use Policy

An interview is being arranged where a taxi driver operated in breach of this Policy, so the case file is in preparation.

Child Sexual Exploitation Courses

Further to the Members Training in November, this Course will commence with Taxi Drivers as from 7 February 2018.

Joint Police Enforcement Operation - 8 and 9 December 2017

There was very positive support and joint enforcement with the local police over these two nights from 22:00 to 02:00. Most of the vehicles stopped were compliant with the expected standards and those minor issues identified have been addressed (i.e. the re-issue of damaged badges).

One taxi registered with Wolverhampton was stopped, however all the relevant documentation was provided and found to be intact.

Competency Tests

Since the amended Policy standard was implemented from 1 January 2018, there have been 35 applicants who sat the test. Only 3 were successful.

3.12. **Licensed Premises**

Pubwatch

This initiative is driven by the Licensees and facilitated and supported by Licensing Enforcement and the Police. It is still awaiting clear support so this initiative for 'self-regulation' can be pushed forward.

Background Documents:

None.

E-mail: paulette.samuels@oadby-wigston.gov.uk

Tel: (0116) 257 2692

Implications Corporate Enforcement Report	
Finance	There are no significant financial implications.
Chris Raymakers (Head of Finance, Revenues & Benefits)	
Legal	The report is satisfactory.
Dave Gill (Head of Law & Governance / Monitoring Officer)	
Corporate Risk(s) (CR)	<input checked="" type="checkbox"/> Regulatory Governance (CR6) Ensuring the Council has a coherent and transparent enforcement Policy across the Borough and across all tenures. <input checked="" type="checkbox"/> Other Corporate Risk(s) Failure to implement the Policy will leave the Council in a position of being unable to defend actions taken by enforcement offices in pursuance of their required duties.
Dave Gill (Head of Law & Governance / Monitoring Officer)	
Corporate Priorities (CP)	<input checked="" type="checkbox"/> An Inclusive and Engaged Borough (CP1) The entire Borough will be covered by an all encompassing enforcement policy. <input checked="" type="checkbox"/> Effective Service Provision (CP2) Provides direction and focus for enforcement decisions.
Dave Gill (Head of Law & Governance / Monitoring Officer)	
Vision & Values (V)	<input checked="" type="checkbox"/> Accountability (V1) Policy makes all Enforcement Officers responsible for a course of action. <input checked="" type="checkbox"/> Respect (V2) All persons that will meet enforcement and Licensing Officers will be provided with a respectful and transparent approach to dealing with the issues at hand. <input checked="" type="checkbox"/> Teamwork (V3) Cross department methodology building teamwork within the departments.
Dave Gill (Head of Law & Governance / Monitoring Officer)	
Equalities & Equality Assessment(s) (EA)	There are no significant equalities implications.
Dave Gill (Head of Law & Governance / Monitoring Officer)	<input checked="" type="checkbox"/> Not Applicable (EA)