



INFORMATION NOTE

Environmental Health Overview

1. The Environmental Health department sits within the Health and Environment Service and has responsibility for the following areas:
 - a) Food Safety (1 Principal Officer, 2 Technical Enforcement Officers, 1 Technical Support)
 - b) Commercial Health and Safety (1 Senior Environmental Health Officer, 1 Technical Enforcement Officer)
 - c) Waste Enforcement and Environmental Protection (1 Principal Officer, 1FT & 1PT Technical Enforcement Officer, 2 x Waste Prevention and Enforcement Officers)
 - d) Licensing (2x Technical Enforcement Officers)
 - e) Dog Warden Service (2 x Dog Enforcement Wardens)
 - f) Pest Control (advisory service)
 - g) Community Safety and Partnerships (1 x Community Safety Officer, 1 x Partnerships Support Officer)
 - h) Emergency Planning
2. The purpose of the report is to update Elected Members on the range of work undertaken within the teams during 2016/17.

Food Safety

3. The Food Safety team consists of a Principal Officer, 2 Technical Enforcement Officers and a Technical Assistant. The role of the Food Safety Officers is to ensure that all food and drink provided for human consumption by Fylde's 800 food businesses is produced, stored, distributed and handled without risk to the health and safety of the consumer. The team publish details of their inspections on the [Food Standard Agency's \(FSA\) national food hygiene rating scheme](#).
4. In addition to the rating scheme, information regarding inspections and interventions for all local authorities is also published through the Local Authority Enforcement Monitoring System (LAEMS) which may be accessed [here](#).
5. The team have been involved in a number of high profile cases during 2016/7, notably Harvey's takeaway on Poulton Street, Kirkham. This business was served with 2 emergency prohibition notices and legal proceedings were commenced relating to a number of food hygiene breaches. The operator has recently pleaded guilty to the offences and is scheduled to be sentenced at Preston Crown Court in November 2017.
6. Historically, businesses could appeal the decision of the inspecting officer (based on specific requirements), request a free of charge re-visit within a specified time scales or have the right to reply via Food Business Operator comments on the FSA register, explaining any mitigating actions taken in response to concerns raised during the inspection. Following a change in legislation it became possible to charge for a re-visit. Fylde participated in a pilot charging scheme and a charge of £120 was introduced for a re-visit. This resulted in an additional income of £1680 in the previous financial year.

7. Further information is provided below regarding the 2016-17 Food Inspection Program 2016/7:

On inspection program for 2016 / 2017	345
Total % of Broadly Compliant establishments	93%
Voluntary closure	3
Hygiene improvement notices	9
Total number of establishments subject to Written warnings	370
Total number of establishments subject to formal enforcement actions – Simple caution and prosecutions	5

8. Registered medical practitioners in England and Wales have a statutory duty to notify their local authority or local Health Protection Team of suspected cases of certain infectious diseases. The team work closely with Public Health England to investigate, monitor and help to reduce the number of infectious disease notifications each year. 146 notifications were received in 2016-17, including:

Campylobacter	104
Cryptosporidium	17
E. Coli	2
Norovirus	1
Salmonella Enteritidis	7

9. The team are also responsible for carrying out food sampling to identify potential sources of infection.

10. The Food Safety team received a total of 247 service requests in 2016/17:

Suspect Food Poisoning	24
Food complaint (general)	69
General advice/guidance	134
Food Premises Condition	14

Health and Safety

11. Health and safety at work is enforced jointly by the Council and by the Health and Safety Executive. Fylde Council is responsible for the lower risk businesses such as offices, shops, leisure facilities, warehouses and catering premises. The Health and Safety Executive enforce health and safety in high-risk and manufacturing premises.

12. The Council works closely with local businesses to help them meet their legal obligations and to improve health and safety of employees, customers and contractors who may be affected by their business. The Council's responsibility for Health and Safety includes:

- Enforcing Health and Safety matters in designated workplaces
- Investigating complaints about working conditions
- Dealing with accident notifications
- The team also has responsibility for Caravan Site licensing

13. The most significant event for the team was the conclusion of the Jane Bell investigation, aged 3, who drowned at the Dalmeny Hotel, St Annes. Following a thorough investigation, and with the assistance of the Council's Legal Department, the Dalmeny pleaded guilty to 2 counts of health and safety breaches and was fined £100,000 and ordered to pay costs of £19,714.60. The Judge described what happened as a terrible, tragic event; that the defendant's breaches of health and safety legislation were significant in leading to the death of a young child and that it must take significant responsibility for what happened. The Judge added

that it was also an important warning to parents on the dangers of swimming pools.

14. Premises in the borough that have and operate swimming pools have subsequently been identified and visited to ensure health and safety policies and procedures are suitable and sufficient and where appropriate, Improvement Notices have been served.
15. The team has also worked in partnership with Electricity North West targeting illegal electrical abstraction in the Kirkham area and have conducted interventions in such areas as the risk of infection from the use of cut throat razors, risk of canopy collapse following an incident in Blackpool, gas safety and the illegal use of pizza dough rollers.
16. The Health and Safety team carried out the following targeted interventions in 2016/17:

Intervention	Number of Visits Targeted	Number of Visits Achieved
High Risk	1	1 (100%)
Guarding of pizza dough rollers	18	14 (78%)
Gas Safety in commercial kitchens	48 100% received information on their gas responsibilities	11(23%) Provided copies of their gas safety certificates
Asbestos removal notifications 2	2	1 (50%)
Barbers- prevention of infections from cut throat razors	2	2 (100%)
Swimming Pool Safety	15	15 (100%)
Canopy and Sign Safety	17	17 (100%)
Electricity Abstraction	11	11 (100%)
Interventions 2016/2017	11	11 (100%)

17. Responsibility for investigating accidents under the Reporting of Injuries and Dangerous Occurrences (RIDDOR) in local authority enforced premises also rests with the team. The table below provides a breakdown of notifications received:

Accident Type	Investigated	No Investigation	Referred to CQC
Contact with moving machinery	-	-	-
Hit by moving/flying object	2	1	-
Hit by moving vehicle	1	-	-
Hit something fixed or static	-	3	1
Manual Handling	3	1	-
Slip and trip	7	36	25
Fall from height	3	11	1
Drowned/asphyxiated	1		-
Exposed to hazardous substance	1	0	-
Physical assault	1	1	-
Burns and scalds		1	
Dangerous Occurrence	4		
Another kind of accident	8	8	2
Total	31	62	29

18. The Health & Safety team received a total of 420 service requests/complaints in 2016/17:

Type of Request for Service/Complaint	Total Number
Registration for Skin Piercing	22
Caravan Site Licensing	121
Licensing Act 2003	8
General Advice (visits requests from businesses)	8
Asbestos	2
Referral to another department	0
Accident investigation following a complaint	2
Dangerous occurrence following a complaint	4
Health and Safety Welfare complaint	14
No further investigation	9
Complaint referred to HSE	2
Smoke free complaint	3
Health and Safety Complaint Visit (Contact Interventions)	103
Health and Safety Complaint non-visit	117
Private Water Supplies	5
Total Complaints and Requests for Service	420

Waste Enforcement and Environmental Protection

19. The team consists of a Principal Officer, 1 full time and 1 part time Technical Enforcement Officers who deal with complaints relating to statutory nuisances, anti-social behaviour complaints, permitted processes etc., and 2 x Waste Prevention and Enforcement Officers with responsibility for waste minimisation, education and enforcement relating to complaints relating to such as matters as bins being put out for collection early, misrepresented waste, etc. The team was also heavily involved in the roll out of the Green Waste subscription service.
20. Two particular issues stand out for the team in 2016/17 - a fly tipping case and a light nuisance case both of which received significant press coverage.
21. During May and June 2016 a number of fly tipping incidents were report to Fylde Council. Three separate large scale deposits were reported at Meagles Lane, Elswick; Bradshaw Lane, Weeton and Annas Road, Westby. Following a thorough investigation, the offender was eventually identified and prosecuted. He was sentenced to 12 weeks custody for each offence to run concurrently. The sentence was suspended for 12 months with 200 hours of unpaid work to be completed within 12 prior to the 4th June 2018.
22. Compensation of £1,437.00 was awarded to the Council together with prosecution costs of £2,600.00 and a Victim Surcharge of £115.00 (totalling £4,152.00, to pay £40 per week and a Collection Order made)
23. The light nuisance case related to a light in the rear of one property shining into the bedroom of the neighbouring complainant. There is a history of disputes between the two parties that prolonged and prevented any mutual agreements.
24. The case was complicated by the fact that the light illuminates a shared passageway and it was argued that this was a fire escape. Despite the advice given the light nuisance was not resolved and an abatement notice was served. The owner of the light replaced it with another but the problem continued. Officers revisited and confirmed light nuisance was still being caused. Officers continued to advise and many discussions and man hours were taken up trying to resolve the issue. All efforts were taken to prevent this from progressing to trial but unfortunately there was no option but to take formal action for breach of Notice.
25. On Tuesday 8th August 2017 the matter was taken before the Court and following long discussions between the Legal Teams the case was adjourned as the owner agreed to relocate the light in question. The light has now been removed and the matter closed. This is the first time a case like this has gone so far in Fylde but through no fault of the Local Authority. The Council has a legal duty to investigate and take action against a statutory nuisance and if not resolved must take the necessary steps to prevent recurrence. Court proceedings are always the last resort.

26. The Waste Enforcement Team have recently joined Environmental Health and have played a significant role in the implementation of the green waste subscription service, distributing 36000 leaflets by hand to each property, 3 awareness roadshows promoting the service, designing communication materials, leaflets, posters and subscription stickers and providing extensive back office support to the operational teams in facilitating the smooth collection of 17,000 authorised green bins.

27. The team has investigated a wide range of diverse service requests and complaints over the past year:

Noise Complaints - Commercial	66
Noise Complaints - Domestic	338
Light Nuisance	10
Odour Nuisance	46
Smoke/Burning Nuisance	49
Fly Tipping	943
Accumulations on Private Land	189
Filthy Premises	64
Planning Consultations	80
Licensing Consultations	120
Animal Welfare Inspections	29
Permitted Process Inspections	21
Abatement Notices Served:	
Noise	4
Light	1
Drainage	3
Accumulation	1
Equipment Seized	2
Public Health Funerals	6
Waste Enforcement Team	
Abandoned Vehicles	87
Assisted bin enquiries	146
Waste Analysis (extra bin requests)	102

Licensing

28. The Licensing Team comprises 2 Technical Enforcement Officers with a responsibility for the issuing of licences in accordance with the Licensing Act 2003, Gambling Act 2005, taxi and private hire licensing, animal welfare (pet shops, zoo, riding establishments etc) and charitable collections.

29. The team also administers the Council's Event Notification procedure and provides support for the Safety Advisory Group meetings and processes road closures for local community events such as the Club Days. The Council was notified of 91 events in 2016.

30. The licensing team refers certain matters to the Public Protection Committee for consideration. The Committee met on 3 occasions last year to consider such matters as an application for a zoo licence, and applications for driver licences where the applicant has a criminal history; it also authorised a consultation exercise regarding the introduction of a revised Hackney Carriage and Private Licensing Policy.

31. Matters relating to alcohol licensing are referred to a Panel of the Licensing Committee. During the period 1/4/16 to 31/3/17, a Panel met on 7 occasions relating to 9 licence applications. 3 related to applications at Mill Farm and the Premises Licence for Harvey's (food premises) was revoked following a review. One decision of the Panel was appealed to the Magistrates Court and mediation subsequently took place.

32. 1531 applications were received and considered by the Licensing team in 2016/17:

Vehicle licences issued	326
Driver licenses issued	374
Disclosure and Barring Service checks requested	156
Premises Licence New/Variation applications	44
Personal Licence Applications	73
Temporary Event Notices received	242
Premises Inspections	172
Licences relating to animal welfare issued	38
Street Trading	10
Street Collections	35
House to House Collections	16
Gambling Act applications, including Small Lotteries	45

Dog Enforcement Wardens

33. The Dog Enforcement Wardens became part of the Environmental Health department in February 2017 and consist of 2 Wardens working on rotation 0700 – 1400 and 1200 – 1900 (Mon – Fri) with 6 hours coverage each Saturday. An out of hours' service is provided through a Service Level Agreement with a commercial kennels licensed by the Council.

34. The Wardens are responsible for proactive and reactive patrols relating to fouling, stray and roaming dogs and are also responsible for the enforcement of the Public Spaces Protection Orders which came into effect on the 1st October 2017 relating to dog control.

35. Following persistent complaints regarding dogs escaping into a neighbouring garden, a Community Protection Notice was issued utilising new powers under the Anti-Social Behaviour, Crime and Policing Act. This required the occupier to secure the garden to prevent further escape. There were 3 subsequent breaches resulting in fixed penalty notices of £100 being served on each occasion. The resident failed to pay the notices and was subsequently prosecuted in the Magistrates Court. She pleaded guilty and received a £500 fine, £406.15 costs (full costs to Fylde Borough Council after halving them), Victim surcharge £50 (Total fine: £956.15). Following the prosecution, there have been no further incidents of the dogs escaping.

36. A brief summary is shown below of the work undertaken by the Dog Enforcement Wardens:

Complaints Received	166
Pro-active Patrols	640
Reactive Patrols	498
Dogs to kennels	56
Dogs to owners by Wardens	27

Community Safety and Partnerships

37. The Community Safety Officer sits within the department and submits an annual report to the Environment, Health and Housing Committee which may be seen [here](#). He also sits on various groups such as Early Action, MARAC (Multi Agency Risk Assessment Conference), Tasking and Co-ordinating as the Council's representative and is responsible for delivering Prevent Training across the organisation.

38. The Council's public realm CCTV systems fall within the remit of the Community Safety Officer to ensure that CCTV Regulations are fully complied with and the Committee will be aware that a Working Group was recently established to consider the provision of rapid deployment CCTV in the Borough.
39. The Officer also represents the Council at the Lancashire Strategic Hate Crime and Cohesion Group, the Lancashire Prevent Delivery Partnership Group, the West Division Road Safety Group and West Division Reducing Reoffending Board. Furthermore, whilst essentially the community safety initiatives budget is funded externally, the Community Safety Officer has been successful in securing funding from several sources which benefit the Council, such as a successful bid to the Genga Partnership for body worn video to be used by enforcement officers.
40. The Partnership Support Officer works closely with the Community Safety Officer and there are many areas of crossover with Safeguarding and Prevent responsibilities however the post reports directly to the Head of Health and Environment.
41. The main focus of the post is to co-ordinate, facilitate and administer the Children's Trust initiatives across the Council services including the Troubled Families, Wellbeing, Prevention and Early Help and Working Together with Families project. The Officer plays a key role in health and wellbeing initiatives, including project support to the NHS Healthy New Town Whyndyke Garden Village scheme and provides administrative support to partners working with the Council on corporate initiatives to ensure that partnership outcomes are consistent with the Council's priorities.

Emergency Planning

42. The Department is also responsible for providing the Councils Emergency Planning function as required by the Civil Contingencies Act 2004. During the period April 2016 to March 2017, officers participated in a table top exercise for multi-agency incident training, exercises/familiarisation relating to Westinghouse and also represented the Council on incidents such as the Avian Flu outbreak, severe weather tele conferences.

Freedom of Information Requests

43. Finally, the department received 154 Freedom of Information requests over the period, all were dealt with within the required time scales (20 working days), with an average of 4.02 days per request. The majority of enquiries relate to Bona Vacantia (37), requests specifically regarding the Public Spaces Protection Orders for dog control (29) with other commonly requested information concerning food inspections, visits and reports, animal welfare registers, dog control issues, and licensing enquiries.

FURTHER INFORMATION AVAILABLE FROM

Chris Hambly, chris.hambly@fylde.gov.uk, 01253 658422.