

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is for Members to consider the progress made by the Regeneration Department during this period.
- 1.2 Members are further asked to note the progress more specifically of the Environmental Health and Trading Standards Divisions within the Department.

2.0 BACKGROUND

- 2.1 The Performance Monitoring Report (Appendix 1) details departmental performance over the last three months, highlights those areas of performance where our targets were not met and outlines the remedial action which has/will be taken to address this.

3.0 SPECIFIC IMPLICATIONS FOR ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE

- 3.1 The attached Departmental Performance Report is very wide-ranging and diverse in its content reflecting the broad range of service areas within the Regeneration Department. The following summary therefore highlights those areas of the Departmental Plan that will be of principal interest to Members of the Environment Overview and Scrutiny Committee, namely the work undertaken by Environmental Health and Trading Standards Divisions.

4.0 *What were the key outcomes we achieved in the last quarter?*

- 4.1 Working with the Asset Recovery Agency Trading Standards were successful in securing a £45,000 forfeiture order, under the Proceeds of Crime Act 2002, against a Wallasey based Internet supplier of counterfeit digital media. Under Home Office incentivisation guidelines Trading Standards will receive £7000 of the forfeited illegal profits.
- 4.2 During the Home Office funded Tackling Under Age Sales Campaign Trading Standards and Merseyside Police attempted 54 controlled test purchases of alcohol at off licences. Of these five off licences are currently under investigation for selling alcohol to under age volunteers. Additionally two off licences detected in a previous survey were fined a total of £900 with costs of £1188.81 awarded to the Council.
- 4.3 The Wirral Fair Trader Scheme, which encourages traders to demonstrate a commitment to trade fairly and honestly, and to deal effectively with customer complaints, successfully submitted an application for national recognition to the Office of Fair Trading's Local Authority Assured Trader Scheme Network.
- 4.4 Trading Standards achieved 39.5% of high risk inspections against the quarterly target of 25%.

- 4.5 Environmental Health Officers have initiated the annual inspection programme of high-risk food premises within the Borough. To date 223 high-risk food premises have now been inspected.
- 4.6 Environmental Health Officers routinely investigate cases of infectious disease and food poisoning notified to the Department by the Health Protection Agency. In the first quarter, 89 investigations were carried out. The outcomes of investigations are reported to the Health Protection Agency in order to monitor and improve the health of people in the Borough.
- 4.7 The Environmental Health District section responded to 123 incidents of blocked or defective drainage, 280 incidents of Public Health Nuisance, and 97 complaints of property disrepair thereby reducing associated risks to public health.
- 4.8 The Pollution Control Section helped protect the local environment by responding to 350 complaints regarding noise, 34 complaints regarding odour, and 95 complaints regarding nuisance from smoke and bonfires.
- 4.9 The Pest control section responded to 1807 requests for service. 99% of those were visited within target response times.
- 4.10 The Animal Control and Welfare service dealt with 209 dogs. 80% of stray dogs collected were rehomed. Over 2000 people visited the Council Kennels in the first quarter.
- 4.11 The Health and Safety Section carried out the first priority topic health and safety inspection and awareness raising campaign planned for this year visiting all tyre and exhaust fitters in the Borough. The 07/08 work programme will contribute towards the Health Safety Commissions Fit 3 agenda 'Fit for Work, Fit for Life, Fit for Tomorrow' Strategic Delivery Programme and will be carried out in partnership with The HSE and Environmental Health Merseyside.
- 4.12 Officers working in partnership with Wirral PCT delivered a Smokefree Wirral awareness campaign involving:
- Local media, press and radio promotions,
 - Bill board, bus, taxis, railway station and roundabout displays
 - Poster distribution and a mobile 'advan'.
 - Promotional roadshows
- 4.13 Officers visited over 300 premises during the quarter to promote Smokefree implementation prior to the national Smokefree England implementation date of 1st July.
- 5.0 ***What were the areas where we didn't do so well and what action are we now taking to address these areas?***
- 5.1 Emphasis has been given to high risk trading standards inspections, leading to a reduction in completed medium risk food standards inspections. This inspection rate will rise, as less resource is required to complete higher priority inspections.
- 5.2 Whilst Environmental Health Performance is broadly on target overall, the Environmental Health District section continues to remain under pressure as a result of the Housing Health and Safety Rating System (England) Regulations 2005 which were brought in to force, under The Housing Act 2004. The new approach has significantly increased the time required to investigate complaints and enquiries about housing disrepair. The

additional time required for each inspection continues to place a heavy demand on resources within the District section.

6.0 ***What will be the key outcomes we will be focusing on over the next quarter?***

6.1 **Trading Standards**

We will focus on enforcement action to disrupt the increase in the sales of counterfeit goods, particularly in Birkenhead Town Centre and through the Internet.

6.2 We will develop business advice and enforcement actions with our partners in the Police, PCT and Youth Service to prevent the sale of alcohol and tobacco to under eighteens.

6.3 **Environmental Health**

Smoke-free regulations introduced in England in July 2007 under The Health Act 2006 now require most enclosed public places and work places to be smoke-free. The measures will protect everyone from the harmful effects of second hand smoke when at work or leisure. The legislation supports a key aspect of the Government's strategy to reduce levels of exposure to second hand smoke as set out in the White Paper 'Choosing Health: making healthy choices easier'. Compliance through education, advice, and, where necessary, enforcement will primarily be undertaken by Environmental Health Officers. Implementation of the new legislation, advice and guidance to businesses, and support for regional and national campaigns to raise awareness are expected to continue to place considerable demand on the Division over the next two quarters.

6.4 The Food Standards Agency is placing increasing emphasis on the need for provision of advice and education to food businesses and the promotion of Safer Food Better Business initiatives. This approach calls for officers to introduce alternative intervention strategies that support, but are additional to both traditional enforcement and inspection programmes and the new requirement for food businesses to introduce a HACCP based (Hazard Analysis and Critical Control Point) system.

6.5 A recent FSA audit acknowledged that although certain advisory and promotional work had been undertaken despite identified resource constraints there is a need to expand the level of proactive advice to food businesses and closer working with other agencies on joint health promotion initiatives. This activity cannot be easily undertaken with existing resources but it is being carried out as opportunities arise.

6.6 All people who handle food in a non-domestic setting are required to demonstrate competency in relation to food safety matters. One of the ways to achieve this is by undertaking a one-day foundation course in Food Safety. Wirral Environmental Health Food Safety Team run such a course and is developing it to include some basic facts on nutrition and healthy eating.

6.7 To ensure that Officers have an understanding of nutrition and healthy eating members of the Food Safety Team will attend one-day nutrition awareness course arranged through the Chartered Institute for Environmental Health. Officers will also provide information on nutrition and will endorse the importance of nutrition and healthy eating during visits.

6.8 The Food Safety section is proposing to work with Asian food providers to improve communication and training. The initiative will begin by using a local interpreter to translate the food safety course material. Once the course attendees have the basic hygiene knowledge smaller seminars will be run to help the businesses comply with the legal requirement to provide a written food safety management system based on "Hazard

Analysis Critical Control Point” system. Again during these training sessions advice will be given on healthy eating options. Discussions are also taking place with Trading Standards Officers who will also attend sessions to give advice on healthy food, salt content of meals, and illegal additives etc

- 6.9 Providing accessible information to the public about food safety is becoming increasingly important to aid this scoring systems (known as scores on the doors) are being established through a ‘star model’ for food providers. The present situation is that that Food Standards Agency (FSA) trialling a number of schemes with 60 authorities. The results of this pilot scheme should be known in about 2 years. Once the information is collated national guidance will be issued on how to run such schemes. This information will be available via local websites. There is potential to develop a web-based facility covering food safety in venues but widening this to include whether they provide healthy food. (A website could also include general information about healthy food and campaigns). Discussions are ongoing with the PCT on developing a broader approach to the website.
- 6.10 The Health and Safety section will continue to contribute towards the Health Safety Commissions Fit 3 agenda ‘Fit for Work, Fit for Life, Fit for Tomorrow’ Strategic Delivery Programme. The ‘Fit 3’ Strategic Delivery Programme is based on analysis of injury and ill health generation across known hazard and sector hotspots in businesses, large and small. The 2007/08 work programme will concentrate on Falls from height, Asbestos management, Occupational disease reduction and Noise at work. Residential care homes will also be inspected as a priority topic area.
- 6.11 Technical Officers in the District section now provide first line enforcement action in support of the Departments Empty Property Strategy. Officers continue to prepare enforcement and documentary evidence to support Empty Dwelling Management Orders.
- 6.12 At present the Police provide an out of hour’s service for the collection and kennelling of stray and dangerous dogs when the Councils kennels are closed. The Police service will soon cease when all references to police responsibilities are removed from the Environmental Protection Act . This change is imminent and is likely to take place within the next six months The responsibility for out of hour’s provision will then fall solely to the Council. Initial discussions have taken place with local animal welfare groups to explore possible joint initiatives to deal with stray dogs out of hours in anticipation of the proposed changes. Central Government have indicated that additional financial resources will be made available to Local Authorities to meet the new responsibility but this has yet to be finalised.
- 6.13 Community Patrol Officers have recently been trained to take a greater enforcement role to combat dog fouling and promote responsible dog ownership. The officers will support Dog Wardens in a late-summer campaign to tackle dog fouling in areas centred around Birkenhead Park, Central Park Wallasey, Eastham Country Park, Bidston Hill and along Wirral’s waterfront. Advertisements will be placed in a Wirral newspaper and large posters will be displayed on bus shelters. Information leaflets, and 5000 “poop scoop” bags, will be available for distribution throughout the campaign areas. New temporary triangular signs will also be used for the first time. These eye-catching “tri-signs” will carry anti-fouling and anti-littering messages and will be fixed to lampposts in each campaign area. If they prove to be successful the moveable signs will be relocated to other areas on a rolling basis and will kept available to support any future campaigns. The Youth Offending Service will support the campaign by assisting with spraying temporary ‘No Fouling’ stencils at approaches to parks and along the Wirral waterfront.

7.0 ***What will be the resource implications for the next and subsequent quarters?***

7.1 The Rogers Review of Local Authority Regulatory Priorities, which has been endorsed and accepted by the Government, sets the following six current national enforcement priorities for local regulatory services. These six priorities are directly relevant to the activities of the Regulation section and will need to be reflected in the sections service planning over the next three years:

- Air quality (Air quality, including regulation of pollution from factories and homes) – e.g., reducing air pollution.
- Alcohol licensing (Alcohol, entertainment and late night refreshment licensing and its enforcement) – e.g., protecting people from the effects of the misuse of alcohol through licensing.
- Hygiene of food businesses (Hygiene of businesses, selling, distributing and manufacturing food and the safety and fitness of food in the premises) – e.g., preventing food poisoning.
- Improving health in the workplace
- Fair trading (Description of goods and services, trade marks and intellectual property, doorstep selling and protecting the economic interests of consumers and the vulnerable from scams and rogue traders).
- Animal and public health (Animal and public health, animal movements and identification).

7.2 In addition the Rogers Review recognises that local authority still have a responsibility to discharge statutory functions which are not identified as national enforcement priorities. The implications for local authorities are still under discussion and as yet it is unclear how the priorities identified will effect the plans of National Government organisations such as the Food Standards Agency. Further guidance and assistance on delivering the national priorities has been promised from the Cabinet Office Better Regulation Executive's Local Authority. Better Regulation Office (LBRO).

7.3 **Trading Standards**

Trading Standards has been successful in securing additional 'new burdens' funding, released by the Department of Business, Enterprise and Regulatory Reform to support additional statutory responsibilities for copyright enforcement identified by the Gowers Review.

7.4 Increased enforcement activity by Trading Standards will impact on Legal Services capacity to support litigation.

7.5 **Environmental Health**

Officers continue to be seconded from other duties to support the continuing workload on the District section.

7.6 Two Senior Technical Officers have been appointed on short term contract (11 months) and one Senior Technical Officer has been relocated from another team to promote and enforce the new Smokefree legislation. The officers will work closely with PCT initiatives to promote stop smoking services and with Trading Standards Officers to reduce under age sales of tobacco products. The officers will also assist the Division in a wider health

education context and will work to support the Health and Safety Section in improving health in the workplace and the Food Safety Section to promote food safety and healthy eating.

7.7 Two District posts, which support the Councils Empty Property Strategy, are on time limited contracts which rely on grant funding. This funding is due to come to an end at the end of March 2008 and there is a high risk that staff will leave before that date if further funding cannot be identified. This will have an impact on the section's ability to deliver the wider functions of the District section in dealing with vacant properties, public health nuisances and property disrepair in Wirral.

8.0 FINANCIAL IMPLICATIONS

8.1 The Department of Health recognised the additional demands required by the Health Act 2006 and has made £183,529 available to Wirral to support undertaking the new smoke free work.

9.0 STAFFING IMPLICATIONS

9.1 There are no staff implications arising directly from this report.

10.0 EQUAL OPPORTUNITIES IMPLICATIONS

10.1 There are no specific equal opportunity implications arising directly from this report. However, the Department is responsible for a number of performance indicators that monitor our performance in relation to equality and diversity and actions arising out of equality impact assessments will now be incorporated into individual section service plans.

11.0 COMMUNITY SAFETY IMPLICATIONS

11.1 Effective and proportionate enforcement of regulatory legislation improves community confidence and lessens the fear of crime.

12.0 LOCAL AGENDA 21 IMPLICATIONS

12.1 There are no specific implications arising directly from this report. However, the Department is actively involved in projects that will have major impacts upon the environment and the well being of people in Wirral.

13.0 PLANNING IMPLICATIONS

13.1 There are none arising from this report.

14.0 ANTI-POVERTY IMPLICATIONS

14.1 There are no anti-poverty implications arising directly from this report.

15.0 SOCIAL INCLUSION IMPLICATIONS

15.1 Trading Standards and Environmental Health Services have carried out equality impact assessments.

16.0 LOCAL MEMBER SUPPORT IMPLICATIONS

16.1 This report will be of interest to all Members of the Council.

17.0 BACKGROUND PAPERS

17.1 Department of Regeneration Performance Report for April, May and June 2007.

18.0 RECOMMENDATIONS

18.1 Members are asked to consider the performance of the Department between April and June 2007 and endorse the priorities for service delivery for the second quarter of the current financial year.

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