

**Bolsover District Council**

**Council**

**8 September 2021**

**Environmental Health Update**

**Report of the Portfolio Holder for Environmental Health & Licensing**

Classification: This report is public.

Report By: Karen Hanson, Executive Director of Resources

Contact Officer: Ken Eastwood, Assistant Director of Environmental Health.

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**PURPOSE / SUMMARY**

To provide an update on the work undertaken by the Environmental Health Service during 2020 / 2021, outlining the impact of and response to COVID-19.

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**RECOMMENDATIONS**

1. That Members note the update on the work of the Environmental Health Service during the pandemic period.

Approved by the Portfolio Holder – Cllr Watson

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**IMPLICATIONS**

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**Finance and Risk:** Yes ☐ No ☒

**Details:**

There are no financial implications within this report.

On Behalf of the Section 151 Officer

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**Legal (including Data Protection):** Yes ☐ No ☒

**Details:**

There are no legal implications within this report.

On Behalf of the Solicitor to the Council

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**Staffing:** Yes ☐ No ☒

**Details:**

There are no staffing implications within this report.

On behalf of the Head of Paid Service

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**DECISION INFORMATION**

<b>Decision Information</b>	
<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <b>BDC:</b> <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <b>NEDDC:</b> <b>Revenue - £100,000</b> <input type="checkbox"/> <b>Capital - £250,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Cabinet / Executive</b> <input type="checkbox"/> <b>SAMT</b> <input checked="" type="checkbox"/> <b>Relevant Service Manager</b> <input checked="" type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>	Yes  Details: Ward Members

<b>Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.</b>

## REPORT DETAILS

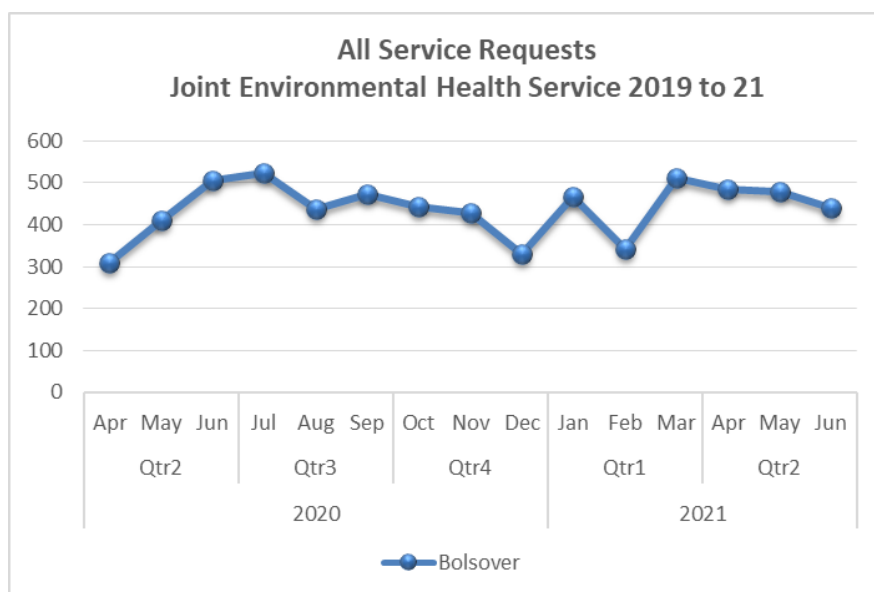
### 1 Background

- 1.1 2020/21 was a busy year for the Environmental Health Service compared to the previous two financial years. There are several reasons for this, including statutory duties arising from the Coronavirus Regulations and an increase in requests for advice and support, noise complaints, burning, litter and fly tipping.
- 1.2 In addition, a comprehensive Environmental Health Service Review was completed in the year and progress made with recruitment to new posts and existing vacancies, following additional investment in the service.

### 2. Details of Proposal or Information

#### Service Demand

- 2.1 Service requests normally fluctuate in Environmental Health, with peaks during the summer due to noise and waste complaints and between December and January with increases in housing disrepair issues and fly tipping.
- 2.2 Over the last 15 months these peaks have been added to with the impact of the pandemic bringing high volumes of business enquiries, coinciding with lockdowns and business restrictions.
- 2.3 Over the last 2 years we have seen a steady increase in caseloads across the service in Bolsover.



- 2.4 When we look at the highest volumes of work, this shows that these increases were predominantly due to increases in requests for general advice and support

from the public and business, as well as significant increases in complaints about domestic nuisances.

### **Housing & Public Health Team**

- 2.5 The Housing and Public Health Team deals with all private sector housing issues, as well as a wide range of public health matters in the domestic environment. In respect of housing conditions, whilst some advice and support is given to owner occupiers, the largest volume of work is enforcement of housing conditions in the private rented sector.
- 2.6 The team has faced significant challenges, seeing at the peak a 300% increase in domestic burning complaints last summer, as people chose to burn their waste when the Household Waste Recycling Centres were closed and people were out gardening during the lockdown.
- 2.7 During the pandemic there have been some positives, including for example a reduction in the number of barking dog complaints as more people spent time at home with their pets.
- 2.8 The team has been dealing with a number of more complex enforcement cases including working with the Gangmasters and Labour Abuse Authority, undertaking joint operations to investigate people trafficking, labour abuse, overcrowding and poor housing conditions. Currently, there are over 60 live 'landlord repair' cases in progress in Bolsover.
- 2.9 Improvement activity at West Lea, Clowne is being taken forward as a co-ordinated programme of enforcement and community engagement activity. Significant waste issues have been dealt with via service of over 40 warning letters and notices and undertaking clearance works in default, recharging costs to property owners. Investment in the Environmental Health Service has increased capacity to begin to deliver targeted projects of this nature.
- 2.10 One of the outcomes from the NG20 Building Resilience Project was identifying unsafe housing conditions and problem portfolio landlords. Follow up enforcement activity has been sustained and after the recent recruitment of a housing specialist Environmental Health Officer into one of our new posts, more of this work, including progressing HMO Licensing, will be delivered within the district.
- 2.11 To assist investigations during lockdown, the team has been trialling a Noise App to allow complainants to safely manage and send in their own nuisance noise recordings via the website. In the vast majority of cases, this has been very well received and will continue to be used as an additional means of collating evidence, post Covid.
- 2.12 Cases handled by the Housing and Public Health Team (BDC): -

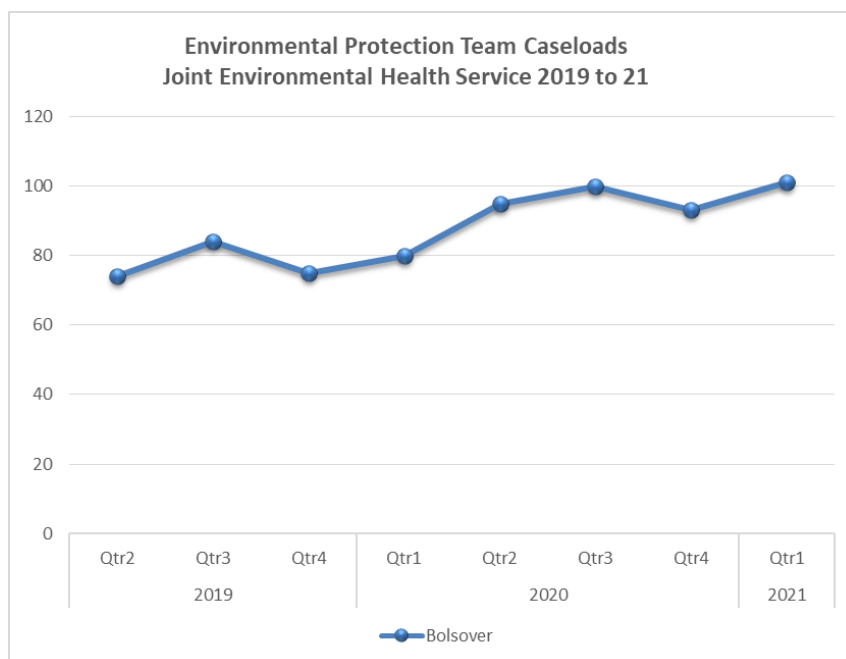
	2019/20	2020/21	Change
Q1	258	340	+32%
Q2	294	352	+20%
Q3	203	210	+3%
Q4	285	299	+5%
<b>Totals</b>	<b>1,040</b>	<b>1,201</b>	<b>+15%</b>

### **Environmental Protection Team**

2.13 The Environmental Protection Team undertakes planned and programmed work including: -

- Planning application consultations, to deliver a quick and effective service to planning colleagues and developers.
- Developing Air Quality planning guidance for developers.
- Implementing a programme of inspections and permit reviews for LA-PPC (industrial permitted sites).
- Annual billing process for permits, and associated DEFRA returns.
- Monthly air quality monitoring.

2.14 Complaints about commercial noise, waste and smoke nuisance added to the growth during the summer of 2020 and early this year. A steady increase in planning application consultations also contributed to increased workloads.

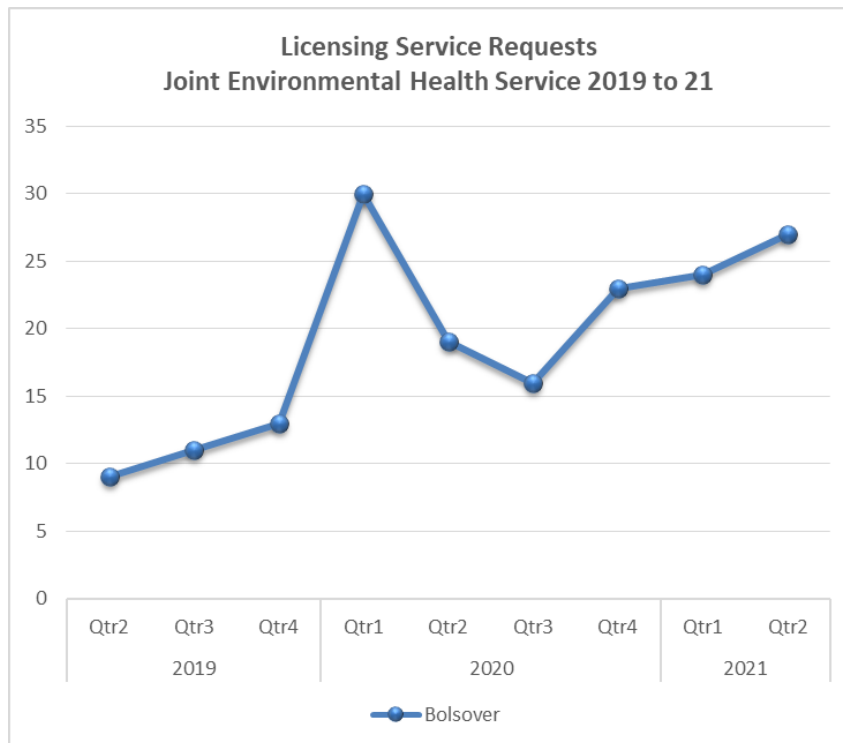


2.15 With a new Team Manager now in post following investment in the service, performance within this team has improved in a number of key areas.

- 2.16 There has been a significant improvement in Environmental Health planning consultation response performance for Bolsover, with the response target, of 90% of responses to be made within 21 days, being exceeded for the last 7 months in a row (and in that time, only one case had taken longer than 21 days to respond to).
- 2.17 More recently the team has produced and distributed advice and guidance to licensed premises on how to re-open safely and mitigate against potential noise nuisance.

### **Licensing Team**

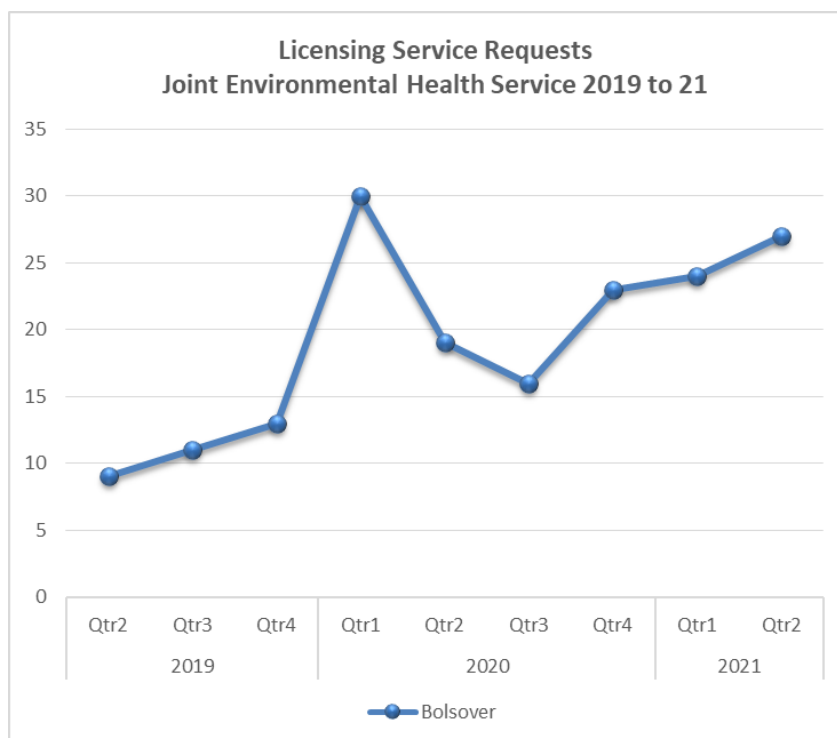
- 2.18 Since the first COVID-19 lockdown in March 2020, the Licensing Team have worked hard to ensure that licences can be issued, whilst continuing to maintain public safety. This work has included: -
- The introduction of on-line applications for all taxi licence applications.
  - The move to external DBS checks to remove the need for face to face contact with applicants.
  - Externalised safeguarding courses to ensure drivers and operators receive the required training (quality checked).
  - The introduction of processes to issue licences (where possible) by email.
  - Working closely with the Police and other agencies to ensure that licensed premises operate in a COVID secure manner or where appropriate remain closed in accordance with the legislation.
- 2.19 In addition, the service has also commenced public consultation on the following: -
- Adoption of a policy relating to the location and operation of sex establishments within the district.
  - Revision of the current taxi licensing policies to include the new revised statutory guidance issued by the Department of Transport.
- 2.20 The team has seen an increase in licensing requests for advice, mainly from the taxi trade during the pandemic, with surges doubling the enquiries by March 2020, and again as the additional waves of infections occurred during the pandemic. Although relatively small numbers, this is a significant increase in workload for what is a small team, focussed on licensing taxis and premises.



- 2.21 Staff appointed to the new Licensing Support Officer posts joined the team at the beginning of the month and work has begun on streamlining processes and working arrangements to enable the Licensing & Enforcement Officers to spend more time undertaking enforcement activity.

### **Environmental Enforcement Team**

- 2.22 The Environmental Enforcement Team are dealing with increasing incidents of fly tipping and are focussed on resuming neighbourhood patrols, which started again in May, to ensure that littering and dog fouling offences are deterred and detected.
- 2.23 Work is currently underway to review CCTV and covert surveillance technologies with a view to identifying solutions to assist further with evidence capture and enforcement of waste crime in difficult locations. In parallel, we are currently reviewing our fly-tipping deterrent, communications and enforcement policy.
- 2.24 The increase in fly tipping is again attributed to lockdown related behaviour and people spending more time walking in their local areas, an increased public awareness and happening upon fly tipped waste more frequently. Interestingly, the sharp rise seen in January to March this year was much sharper than the increase during the first lockdown.



- 2.25 The team has also been assisting the Housing and Public Health Team with domestic accumulations of waste, responding to issues and triaging to other teams as required. This has helped the service to respond to the significant increase in demand in waste and burning complaints.
- 2.26 One of the officers in the team has completed an animal welfare and licensing qualification to develop the required skills to assist implement the 2018 regulations, now fully implemented.
- 2.27 The team is also currently exploring an innovative partnership with the DVLA to take enforcement action against untaxed vehicles. This will entail developing arrangements with a contractor to seize and impound vehicles, along with administrative arrangements to liaise with the Police and the DVLA and to collect payments for release of vehicles when appropriate. This will be a very useful addition to our enforcement toolkit.

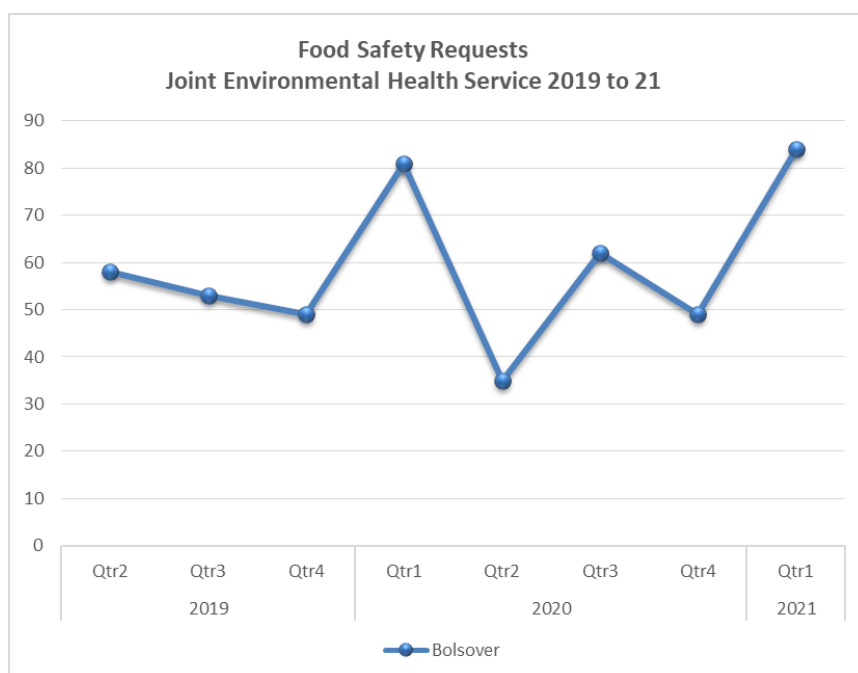
### **Commercial Team**

- 2.28 Food Hygiene and Safety inspections have fully resumed following the reductions in Coronavirus cases and the vaccination roll out.
- 2.29 Inspections had been curtailed until September last year, in line with guidance from the Food Standards Agency. Additional Personal Protective Equipment was put in place for food inspectors to ensure they could continue to inspect food businesses in close contact situations when the programme resumed.
- 2.30 Prior to the pandemic there were typically 15 to 25 new food business registrations per quarter. However, over the last 12 months the number of registrations has increased steadily, reaching 40 in quarter one, 2021. Many of



these new operators are home bakers or caterers setting up as an alternative model and selling through new platforms such as Facebook Marketplace.

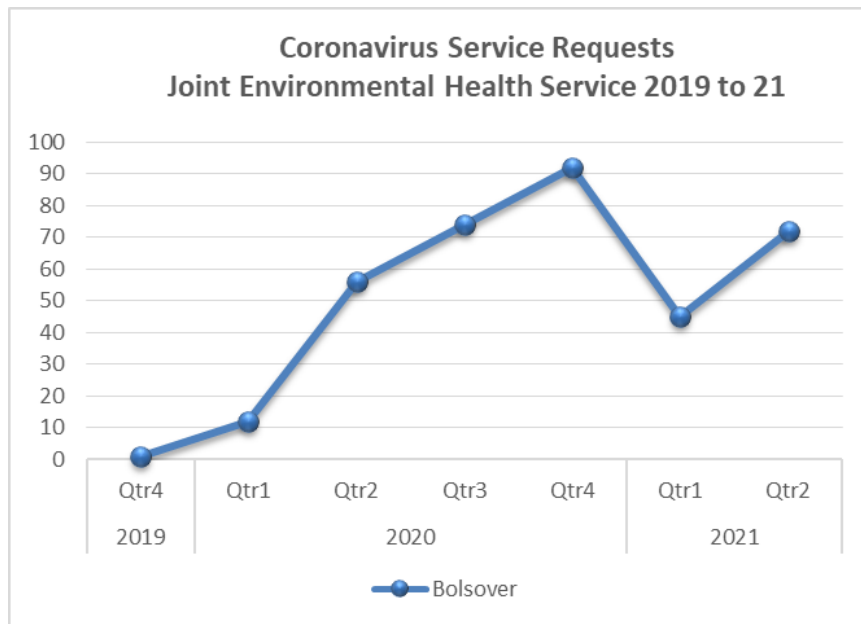
- 2.31 As the second wave of the pandemic took hold in January to March this year, there was again a sharp rise in food related service requests, mostly due to complaints and food advice requests from businesses.



- 2.32 The 2021/22 Food Safety Service Plan is drafted and details the steps the service will take to recover any lost ground on the food and safety programmes.

### **COVID Team**

- 2.33 Utilising additional funding distributed by Derbyshire County Council Public Health and Surge Funding from MHCLG, a dedicated COVID Team was established in the year to enhance capacity and meet demand, particularly with regard to compliance, business advice and support.
- 2.34 The service has dealt with enquiries, complaints, outbreak investigation referrals and proactive visits to regulated businesses. Visits are often undertaken with Police colleagues where priorities align in a particular area or business, to enable both business and public enforcement to be coordinated.
- 2.35 In the period from January 2020 to June 2021 the service dealt with 351 service requests in the district related to Coronavirus, with the majority being advice requests from businesses or complaints about breaches of restrictions, reaching a peak in October to December 2020 at the height of the second wave of infections and the run up to the easing of restrictions at Christmas.



- 2.36 Since the 1<sup>st</sup> of January 2021, the service has carried out more than 300 proactive visits to businesses in the Bolsover district, including at evenings and weekends, to check on Coronavirus restrictions and compliance levels, supporting businesses to comply with the legislation and signposting them to further support and guidance.
- 2.37 During the second and third wave of infections, visits targeted food retail premises and since February, the focus has switched to the hospitality industry, to enable them to be compliant through the phases of lockdown.
- 2.38 Overall compliance rates in businesses have been high, with the top reasons for non-compliance being: -
- Inadequate signage
  - Lack of sanitiser for customers
  - Face covering non compliances (customers and staff)
  - Lack of screens at counters and tills
- 2.39 There is a strong partnership approach with other authorities and Derbyshire County Council Public Health. Weekly the team has attended the following meetings: -
- Incident Management Team – Review of outbreaks, case data, testing and trends in the district to enable prioritisation of resources and proactive investigations/action.
  - Outbreak Control Team – To discuss in depth outbreaks and required control, testing and enforcement requirements.
  - Environmental Health partnership meeting – to agree County wide common approaches to enforcement and proactive work.

- Police SNT Area meetings – To discuss community level policing and local enforcement challenges and to identify further joint working opportunities.
- 2.40 The Team has dealt with a number of outbreaks, supporting the County Test and Trace activity. A case recently required an officer to help locate an individual who had given false address details on returning to the UK, for example.
- 2.41 A number of events planned for the summer at licensed premises and other venues, after the restrictions are to be lifted, are currently being considered by the Team along with the Safety Advisory Group and Emergency Planning Teams, to ensure that event organisers properly consider the risks to attendees and the general public.

### **The Year Ahead**

- 2.42 Additional ring-fenced grant funding has been provided by Government through the Contain Outbreak Management Fund (COMF). This is to support COVID related activities, including public health interventions, compliance and enforcement.
- 2.43 As restrictions are lifted, it is expected the focus of activity will increasingly be upon providing advice, guidance and business support. The service will continue outbreak management work with Test and Trace and through our work with businesses we regulate, will contribute to COVID recovery and public assurance.
- 2.44 Some funding has been allocated to purchase new noise monitoring and recording equipment. As a result of COVID there has been an increase in demand for the noise nuisance equipment used in domestic settings and the service has a waiting list for its deployment. New equipment will increase capacity to meet these demands and will improve service delivery in the future.
- 2.45 Following a procurement exercise, arrangements have just been put in place to provide a variety of fully funded courses for regulated businesses. These will support businesses re-opening safely and will help with food safety, allergen awareness, health and safety at work and COVID compliance.
- 2.46 A mix of online and some face-to-face training courses will primarily be offered to start-up and SME businesses, to help with compliance and provide confidence in public safety. 400 places will be available in Bolsover, initially targeting hospitality and catering businesses due a regulatory inspection in the coming year.
- 2.47 The grant funding will also continue to be used to provide additional temporary staff resource in the teams facing increases in demand due to COVID. This includes supporting teams dealing with backlogs in their inspection programmes brought about due to restrictions during the lockdown periods.

## **Staffing Matters**

- 2.48 Since January 2021, the Service has conducted a number of recruitment campaigns to fill existing vacancies and the new posts created following the service review.
- 2.49 The service has also recruited internally to two vacant Environmental Health Officer posts, creating trainee opportunities and funding officers to undertake the 2-year MSc. Environmental Health course at Leeds Metropolitan University. Given the national shortage of Environmental Health Officers resulting in some difficulties in recruitment, providing training and career progression opportunity to in house technical and administrative staff was considered appropriate.
- 2.50 A number of newly appointed officers are yet to join the service but the effects of the investment in the service are certainly being felt, with increased capacity within teams to undertake statutory duties and respond to requests for service. Although impacted by COVID, the statutory inspection programmes are manageable and will be delivered in line with guidance and national regulator expectations.

## **3 Reasons for Recommendation**

- 3.1 Council is requested to note the report.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 Not applicable to this report

## **DOCUMENT INFORMATION**

<b>Appendix No</b>	<b>Title</b>
-	
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	