Members of the **Community Cabinet Committee** of **Gravesham Borough Council** are summoned to attend a meeting to be held at the Civic Centre, Windmill Street, Gravesend, Kent on **Tuesday, 9 June 2015 at 7.30pm** when the business specified in the following agenda is proposed to be transacted.

S Kilkie  
Assistant Director (Communities)

**Agenda**

**Part A**  
Items likely to be considered in Public

1. Apologies

2. To sign the minutes of the previous meeting  
   (Pages 1 - 4)

3. To declare any interests Members may have in the items contained on this agenda. When declaring an interest Members should state what their interest is.

4. To consider whether any items in Part A of the agenda should be considered in private or those (if any) in Part B in public.

   (Pages 5 - 18)

   (Pages 19 - 30)

7. Any other business which by reason of special circumstances the Chair is of the opinion should be considered as a matter of urgency.

8. Exclusion  
   To move, if required, that pursuant to Section 100A (4) of the Local Government Act 1972 that the public be excluded from any items included in Part B of the agenda because it is likely in view of the nature of business to be transacted that if members of the public are present during those items, there would be disclosure to them of exempt information as defined in Part 1 of Schedule 12A of the Act.

Civic Centre, Windmill Street, Gravesend Kent DA12 1AU
Part B
Items likely to be considered in Private

None.

Members

Cllr David Turner (Chair)
Cllr Alan Michael Ridgers (Vice-Chair)

Councillors: Valerie Ashenden
             Gurjit Kaur Bains
             John Caller
             Rob Halpin
             Bronwen McGarrity
             Jordan Meade
             Brian Sangha

Substitutes: Greta Goatley
             Samir Jassal
             Lyn Milner
             Peter Rayner
             Peter Scollard
19. Introduction

The Chair welcomed two new Co-optees to the Committee from Gravesham’s Youth Council; Humaira Farooq and Josh Stevens.

20. Apologies

Apologies were received from Cllr Lenny Rolles and Cllr Derek Shelbrooke.

21. Minutes

The Minutes of the last meeting held on 26 January 2015 were signed by the Chair.

22. Declarations of Interest

No declarations of interest were made.

23. Performance Update – Quarter Three 2014/15

The Assistant Director (Communities) provided Members of the Business & the Community Committee with a report on the progress made by the Council in delivering the Strategic Objective and Measures of Accountability, relevant to the Committee, as set out within the Corporate Plan 2011/15 (Mid-term review).
The Assistant Director (Communities) advised Members of the following key areas of improvement/good performance:-

**CBP 9 – GBC Consultation**

Quarter three saw the Council continue its programme of consultation activity across the various forums, panels and events it hosts.

Amongst these activities were the three Gravesham Neighbourhood Forums attracting a total of 82 attendees. Key topics of interest on this round of events were discussions including Electoral Registration and Community Safety.

In addition to the standard events, the Council facilitated the Gravesham Youth Council elections in December 2014. Organised in partnership with Leisure Services, Electoral Services and The Gr@nd, the elections were held on Thursday, 18 December at Northfleet School for Girls and saw over 500 votes cast.

The Committee commended the healthy turnout for the Gravesham Youth Council Elections and supported the wider promotion of the democratic process in order to encourage participation from additional schools in Gravesham.

The Committee raised concerns over the limited public attendance at certain Neighbourhood Forum meetings. The Chair advised the Committee that better publicity was required, especially for the Rural Forum, and this should be relayed to the relevant officer at Kent County Council.

A Co-optee suggested a wider use of social media to publicise the Forums.

The Assistant Director (Communities) advised the Committee that a new GBC ‘Community Involvement Officer’ role had been created and that the new postholder would be encouraging community cohesion and supporting community engagement and involvement.

Members expressed some concern about the overlap between certain Strategic Objectives and Measures of Accountability in the way that they are reported to the Cabinet Committees via the quarterly performance reports.

The Assistant Director (Communities) advised that the Corporate Plan is currently being reviewed and consulted upon, and that a re-examination of performance measures and their reporting will form part of this review process.

Following a question from a Co-optee, the Assistant Director (Communities) advised the Committee that she would find out how the progress with the six months Service Level Agreement between the Council and the Slovak-Czech Community Group will be reported back to Members.

Some Members felt that it would be beneficial for Councillors to meet with an Eastern European Group to learn about their culture.

A Member of the Committee raised the importance of recognising the following in Gravesham; VE Day, the Battle of Waterloo Bicentenary.
The Leisure Manager advised the Committee that numerous events were being planned in Gravesham over the next three years, including VE Day.

The Committee discussed the current work of the Licensing Team and the police in raising awareness amongst licensees regarding ‘legal highs’ and the responsible behaviour to be exercised by licensed businesses.

Members considered the report and noted the information contained within the report appendix.

24. Review of current Statement of Policy for Hackney Carriage and Private Hire Licensing

The Assistant Director (Communities) apprised Members of the nil response to the public consultation carried out regarding the draft Statement of Policy for Hackney Carriage and Private Hire Licensing as previously agreed by Business and the Community Committee.

The Assistant Director (Communities) sought final approval for the Statement of Policy for Hackney Carriage and Private Hire Licensing as put before the Business and Community Committee on 26 January 2015 in draft format and unchanged since then.

It was agreed by the Committee and ratified by the Portfolio Holder that:-

(1) the post-consultation draft Statement of Policy for Hackney Carriage and Private Hire Licensing as put before the Business and Community Committee on 26 January 2015 be approved;

(2) the revised Hackney Carriage and Private Hire Licensing Policy be published, to run from 1 May 2015 until 30 April 2018 unless reviewed earlier due to legislative change or other significant circumstances.

The Chair announced the retirement of Chris Hills, Senior Licensing Officer at the end of this month and took the opportunity to thank her for the sterling service she’s provided to the Council and the community over the past 37 years.

Close of meeting

The meeting ended at 8.48 pm.
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Gravesham Borough Council

Report to: Community Cabinet Committee
Date: 9 June 2015
Reporting officer: Assistant Director (Communities)
Subject: Environmental Health - Commercial Section Annual Report 2014/15

Purpose and summary of report:
This report describes the operational activities of the Council in relation to its statutory function of food safety and health and safety for the year 2014/15.

Recommendations:
Members to note information relating to activities associated with the food hygiene and health and safety function in 2014/15 and endorse the service improvements for 2015/16 as detailed in paragraph 14 of the report.

1. Food Hygiene and Safety Inspections

1.1 Programmed interventions, which include full or partial inspections, and questionnaires to low-risk business, form the core activity of the food enforcement function. 299 interventions were made to food premises rated category A-E with a further 43 alternative enforcement questionnaires completed by category E (low risk premises). All programmed interventions to high-risk food premises, (Category A-C) and all programmed interventions to medium and low risk premises, (Category D-E) that were due in 2014/15 were completed as required by the Food Standards Agency (FSA) code. 37 re-visits to food premises were undertaken to ensure legal contraventions had been remedied. Due to a change in the way the team deals with newly registered premises the number of advice visits have increased this year from 9 to 38.

1.2 During 2014/15, the total number of proactive health and safety inspection visits (as defined in our annual return to the HSE) dropped in line with Government Better Regulation Policy. Unusually, new joint enforcement initiatives, led by the Health and Safety Executive, were not organised during this last year.
1.3 However all food safety visits are used as an opportunity to ‘hazard spot’ for any health and safety issues. As a result, two health and safety visits were completed following the identification of issues during food safety inspections. Workplace accidents were investigated where they met the accident investigation selection criteria. 80 accident reports were received through the HSE website with the majority being dealt with by way of standard letters. 4 required follow-up investigations.

1.4 Specific details of food and health and safety interventions are shown in [Appendix 2].

2. Requests for Service

2.1 The Commercial Team received 390 service requests in 2014/15. These included 109 infectious disease notifications, 20 food complaints, 35 health and safety complaints 80 accidents, 193 general food hygiene requests, 9 licensing consultations, 4 complaints / enquiries about smoking and 11 skin piercing applications. All these complaints were fully investigated and relevant action taken in accordance with statutory requirements and departmental guidelines. 78.6% of urgent requests for service were responded to within 24 hours. Initial responses to 98.6% of all other service requests were responded to within the five day target.

3. Food Sampling

3.1 Food sampling is important to help ensure the safety of food. The Commercial team continues to participate in national sampling surveys which examine the safety of specific foods which have been highlighted as potentially having issues. This year this included the survey which required the swabbing of wooden platters used by businesses to serve food. In addition, samples were taken as routine surveillance of local manufacturers. In 2014/15, officers took 47 samples and sent them for microbiological examination. A total of 12 unsatisfactory results were investigated further and advice given to businesses on how to resolve problems. Re-samples were taken where it was felt necessary. Further details can be found in [Appendix 3].

4. Food Poisoning and Food Related Infectious Disease

4.1 The incidence of confirmed cases of food-borne disease in the borough, as reported to us by the Public Health England laboratory, over the last three years is detailed in [Appendix 4]. During 2014/15, a total of 109 infectious disease reports were made and investigated. Advice was given to people suffering from food poisoning or food related disease particularly where they work as a food handler or a carer. Where necessary, further investigations and sampling are undertaken with businesses that may have been implicated as the source.
5. **Broadly Compliant Premises**

5.1 The percentage of food businesses in the area which are ‘broadly compliant’ with food hygiene legislation is determined from the inspection scores for food hygiene and food handling practices, structure of the premises and confidence in management. This is a categorisation defined by the FSA.

5.2 The Council’s results show that 94% of our food businesses are broadly compliant and have achieved a rating of 3 or more in the National Food Hygiene Ratings Scheme. This is a 2% increase on 2013/14 figures. Full details are presented in [Appendix 5].

6. **Formal Enforcement Action**

6.1 In order to protect public health, it is sometimes necessary to take formal action against businesses. In 2014/15, officers prosecuted one Indian food business for food hygiene offences. The restaurant was formally closed due to a serious mouse and cockroach infestation. The Food Business Operators were not fined on this occasion however they were given 180 hours each unpaid work over a 12 month period and both prohibited from running a food business for 12 months. A £60 victim surcharge and full costs of £1458.28 were awarded to be split between the 2 defendants. The restaurant has since closed. A further 2 businesses agreed to voluntarily close due to poor standards of cleanliness. One food hygiene improvement notice was served to secure compliance in another business for failure to provide adequate hand washing facilities. As well as formal notices, 174 informal notices and advisory letters were served, in order to drive improvements.

6.2 During 2014/15 no health and safety prosecutions were undertaking however, 4 businesses were served with improvement notices and 3 businesses were served with Prohibition Notices. These were to enforce improvements in electrical installations (x3) Gas installation (x1) and prevent falls from height (x1). The 3 Prohibition Notices were served in order to close 3 businesses at Lawrence Square due to structural instability following the appearance of a Dene Hole at the rear of the shops.

7. **Promotional Initiatives**

7.1 The Commercial team continues to promote and educate businesses and the general public through initiatives such as Food Safety Week. In June 2014, Food Safety Week focused on the “Do not wash your chicken” campaign which gave consumers advice about why it is important to not wash raw chicken. A number of tweets and facebook posts were issued via the Councils social media team and a display was erected in the Civic Centre reception.

7.2 Safety in Action took place in July 2014. This is an annual competition held for Year 6 pupils from schools across Dartford and Gravesham. This competition has been held at Cobham Hall for the last few years. Officers run a home safety scenario in conjunction with Dartford Environmental Health Officers, where the students have to spot the various hazards. This year’s
event was again held in marquees so officers put together a camping scenario which incorporated home safety and food safety elements.

7.3 Food Safety was also included in the Council Christmas campaign. Officers put together a display on how to store and cook your turkey safely which was placed in the Safety Shop in the St Georges Centre which was organised by the Community Safety Team.

7.4 In February an officer took part in the annual Cubs Science badge day at Hopehill the talk included information about good and bad bacteria and handwashing procedures to prevent the spread of germs using the glitterbug disclosure kit – 120 Cubs attended along with approx. 15 adults. A game of pass the parcel was also performed to illustrate the importance of preventing cross contamination. This used a fluorescent powder on the parcel which showed up on the Cubs hands under ultra-violet light.

7.5 Officers continue to deliver food safety and health and safety training as requested. This year the scheduled food hygiene course was cancelled due to insufficient delegates. However, a qualification course was run in July in conjunction with the Gr@nd Healthy Living Centre at which all 16 delegates passed.

7.6 In August 2014 all food businesses received a safety newsletter which included articles on the following:

7.7.1 Menu descriptions – how to get it right
7.7.2 Do you wash or not – advice about washing raw chicken
7.7.3 The Food Information Regulations 2013 – advice on allergy labelling
7.7.4 Kent Healthy Business Awards – working towards a Healthier Business
7.7.5 Workplace Major injuries hit an all-time low – updated accident statistics from the Health and Safety Executive
7.7.6 Survey results from the Food Standards Agency
7.7.7 Update on the Commercial Teams performance
7.7.8 An article on “Reducing the Strength” campaign to remove higher strength beers and ciders from sale in local off licenses
7.7.9 And just for fun a health and safety word search.

8 Planning Applications

8.1 The Commercial team are formally consulted by their colleagues in the Planning department on applications received and on which there is a commercial element. Certain recommendations and information is given to the applicants. These recommendations are intended to pre-empt and
address areas of food hygiene and safety concern prior to the development starting and ensure that appropriate measures are addressed and implemented within the proposal to ensure compliance with food hygiene and health and safety legislation when the businesses open. The Commercial team reviewed 60 applications in 2014/15 and made comments on 43 of these.

9. Licensing Applications

9.1 The commercial team are formally consulted by their colleagues in the Licensing department on applications received in relation to new applications and amendments to existing premises licenses. 9 applications were received and commented upon during 2014 - 15

9.2 The commercial team also undertake licensing inspections at relevant businesses. During 2014 - 15, 11 licensing inspections were undertaken and reports were sent back to the Licensing section for any follow up work.

10. Private Water Supplies

10.1 The routine sampling of private water supplies, as required by the legislation continues.

10.2 Discussions are on-going with the owner of the one commercial private water supply in the borough on potential improvements to the area around the source of their supply.

11. Skin Piercing applications

11.1 The commercial team operates a registration scheme for all skin piercers operating within the borough. This is due to potential infection risks, including bloodborne infections such as Hepatitis B or HIV which can arise from poor skin piercing practices. New by-laws were adopted in September 2012 requiring anybody carrying out tattooing, ear piercing, body piercing, semi-permanent make-up or electrolysis to register with the Local Authority. During the year, 11 new skin piercers were registered and this included the inspection of 5 premises.

12. Safety Advisory Group

12.1 Since all the work around the Olympics in 2012, local authorities have been required to set up and run a Safety Advisory Group for any medium and large scale events taking place within the Borough. This is a multi-agency group set up to advise event organisers to ensure that events are organised with as little disruption as possible to local residents and to ensure that they are safe for those attending. The meetings are attended by various representatives from Gravesham BC, Kent County Council (including Highways and Emergency Planning) and all areas of the Emergency Services.

12.2 The SAG is chaired by the Assistant Director (Communities) and the officer co-ordinating the SAG is based within the commercial team. During 2014-15
the SAG met 5 times and notifications were considered for 56 events from 37 different organisers including all council events.

13. **Corporate Health and Safety**

13.1 The responsibility for Corporate Health and Safety sits within the Commercial Team, Regulatory Services so as to ensure the competency of the health and safety advisors for the council. This falls outside the remit of this report therefore no further detail is included.

14. **Proposed Service Improvements – 2015/16**

14.1 It is intended that the following service improvements will be delivered in 2015/16:

14.1.1 Continued Participation in the Kent Healthy Business Award as agreed with KCC Public Health and for which a grant of £10,000 has been provided.

14.1.2 Increase the percentage of broadly compliant food businesses by continued focus on the higher risk food businesses (rating 0-2 on the Hygiene Rating Scheme) using sampling and advice visits to improve performance

14.1.3 Participation in health and safety initiatives as agreed by the Kent Health and Safety Group – first of which is the introduction of the Tattoo Hygiene Rating Scheme in June / July 2015.

14.1.4 Participate in the food hygiene promotional initiatives lead by Food Standards Agency to raise awareness of food hygiene and drive down infectious disease.

14.1.5 Use more of the financial allocation provided by Public Health England to take samples and swabs from under -performing food businesses and as a surveillance tool for suspect foods.

14.1.5 To work more closely with our Economic Development Team, recognising that the 2 functions are closely linked and that good standards of compliance will support business success.

14.1.6 On a more strategic level to progress partnership working with other regulators, businesses and the South East Local Enterprise Partnership (LEP), with view to introducing the “Better Business for All” model. A report detailing this proposal was made to Business and the Community Committee on 20 May 2014.
BACKGROUND PAPERS

None
<table>
<thead>
<tr>
<th>IMPLICATIONS</th>
<th>APPENDIX 1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Legal</strong></td>
<td>The Council has a statutory duty to monitor food safety and health and safety of commercial premises within the borough.</td>
</tr>
<tr>
<td><strong>Finance and Value for Money</strong></td>
<td>All service improvements will be undertaken within existing budgets. Administrative /technical support staff are trained and utilised to support the function thus freeing up technical staff resource.</td>
</tr>
<tr>
<td><strong>Risk Assessment</strong></td>
<td>Failure to properly manage and deliver the food safety functions could result in censure by the Food Standards Agency, and breach of Section 18 of the Health and Safety at Work etc. Act 1974 to censure by the Health and Safety Executive.</td>
</tr>
<tr>
<td><strong>Equality Impact Assessment</strong></td>
<td>Screening for Equality Impacts</td>
</tr>
<tr>
<td><strong>Question</strong></td>
<td><strong>Answer</strong></td>
</tr>
<tr>
<td>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?</td>
<td>No</td>
</tr>
<tr>
<td>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?</td>
<td>No</td>
</tr>
<tr>
<td>c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above*
<table>
<thead>
<tr>
<th>Corporate Business Plan</th>
<th>There are direct links to areas of focus:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Focus Area 1 - Keeping Gravesham Safe</td>
</tr>
<tr>
<td></td>
<td>Focus Area 3 - Working towards a healthy Gravesham</td>
</tr>
<tr>
<td></td>
<td>Focus Area 13 – Driving the Economic Development of the Borough</td>
</tr>
<tr>
<td></td>
<td>Focus Area 16 - Ensuring a strong customer focus and delivering quality frontline Services.</td>
</tr>
</tbody>
</table>

| Crime and Disorder | The health and safety regulatory function includes addressing the issue of “violence at work” and the safety of lone workers. |
FOOD HYGIENE INTERVENTIONS – includes inspections and audits, verification and surveillance, sampling, advice and education, information gathering and intelligence gathering visits.

<table>
<thead>
<tr>
<th>Premises risk rating and frequency</th>
<th>No. interventions carried out 2012/13</th>
<th>No. interventions carried out 2013/14</th>
<th>No. interventions carried out 2014/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>A – 6 months</td>
<td>6</td>
<td>24</td>
<td>1</td>
</tr>
<tr>
<td>B – 12 months</td>
<td>40</td>
<td>33</td>
<td>24</td>
</tr>
<tr>
<td>C – 18 months</td>
<td>205</td>
<td>197</td>
<td>107</td>
</tr>
<tr>
<td>D – 2 years</td>
<td>80</td>
<td>93</td>
<td>95</td>
</tr>
<tr>
<td>E – 3 years *</td>
<td>63</td>
<td>123</td>
<td>95</td>
</tr>
<tr>
<td>New Businesses</td>
<td>89</td>
<td>92</td>
<td>75</td>
</tr>
<tr>
<td>Total No. of Visits (including the categories above, and other visit types)</td>
<td>483</td>
<td>564</td>
<td>431</td>
</tr>
</tbody>
</table>

HEALTH AND SAFETY INTERVENTIONS

<table>
<thead>
<tr>
<th>Type of Intervention</th>
<th>No. interventions carried out 2014/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proactive inspections</td>
<td>0</td>
</tr>
<tr>
<td>Non-inspection interventions e.g. awareness raising, newsletters</td>
<td>1050</td>
</tr>
<tr>
<td>Reactive visits e.g. to investigate complaints and/or accidents</td>
<td>22</td>
</tr>
<tr>
<td>Re-visits</td>
<td>5</td>
</tr>
</tbody>
</table>
Total 1077

* Low risk premises some of which were questionnaire

Appendix 3

FOOD SAMPLING PROGRAMME 2014-15

<table>
<thead>
<tr>
<th>DATE</th>
<th>SAMPLING PROGRAMME</th>
<th>RESULTS</th>
</tr>
</thead>
</table>
| April – May 2014         | Public Health England Study 53 – Swabs from ready to use platters used to serve food | 15 samples taken
|                          |                                                                                  | 12 satisfactory results
|                          |                                                                                  | 3 unsatisfactory for hygiene indicators only *                          |
| October 2014             | Public Health England Study - 54 Hygiene and Food Safety in Takeaways with a FHRS of 3 or below | 9 samples taken
|                          |                                                                                  | 2 satisfactory result
|                          |                                                                                  | 7 unsatisfactory for hygiene indicators only *                          |
| October 2014             | Raw Meats Samples from Approved Premises                                         | 2 samples taken
|                          |                                                                                  | 2 satisfactory results                                                 |
| April 2014 – March 2015  | In house sampling programme – swabs of hand contact surfaces in premises identified as poor following a food hygiene inspection | 17 samples taken
|                          |                                                                                  | 15 satisfactory results
|                          |                                                                                  | 2 unsatisfactory for hygiene indicators only *                          |
| January 2015             | Out of date sandwich samples following a complaint of out of date food being sold | 2 samples taken
|                          |                                                                                  | 2 satisfactory results                                                 |
| January 2015             | Focus on Imported Foods – Cooked meat samples from 2 Eastern European Retailers   | 2 samples taken
|                          |                                                                                  | 2 satisfactory results                                                 |

35 Satisfactory (Test results indicating good microbiological quality)

0 Borderline (Test results are on the upper limit of acceptability and which indicate the potential for development of public health problems)

12 Unsatisfactory (for pathogens, test results at levels which indicate a product that is potentially hazardous to health. For hygiene indicators, test results that require remedial action.

* No resampling undertaken poor results dealt with by way of education on cleaning.
## CONFIRMED CASES OF FOOD BORNE DISEASE

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Salmonella</td>
<td>19</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>Campylobacter</td>
<td>54</td>
<td>104</td>
<td>87</td>
</tr>
<tr>
<td>Dysentery</td>
<td>2</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Hepatitis A</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>E coli</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Cryptosporidium</td>
<td>5</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Giardia lamblia</td>
<td>6</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Listeria</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Food poisoning – organism unknown</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>87</strong></td>
<td><strong>124</strong></td>
<td><strong>109</strong></td>
</tr>
</tbody>
</table>
### SUMMARY OF NATIONAL FOOD HYGIENE SCHEME RATINGS

<table>
<thead>
<tr>
<th>Rating</th>
<th>Number of businesses</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Five (Very Good)</td>
<td>467</td>
<td>80</td>
</tr>
<tr>
<td>Four (Good)</td>
<td>81</td>
<td>13</td>
</tr>
<tr>
<td>Three (Generally Satisfactory)</td>
<td>19</td>
<td>3</td>
</tr>
<tr>
<td>Two (Improvement Required)</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>One (Major Improvement Required)</td>
<td>11</td>
<td>2</td>
</tr>
<tr>
<td>Zero (Urgent Improvement Required)</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>584</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Data correct as of 1 May 2015.
Gravesham Borough Council

Report to: Community Cabinet Committee
Date: 9 June 2015
Reporting officer: Assistant Director (Communities)
Subject: Environmental Protection Annual Report 2014/15

Purpose and summary of report:
This report describes the operational day to day work of the Council in relation to its statutory function of Environmental Protection and Pollution Control for the year 1 April 2014 to 31 March 2015.

Recommendations:
Members to note the contents of the work carried out by the Environmental Protection Team in 2014/15 and endorse the proposed service improvements for 2015/16.

1. Background

1.1 This report details the current statutory duties undertaken by the Environmental Protection Team (EP) of Regulatory Services for the year 2014/15. It contains details about all aspects of the team’s work, which include:

1.1.1 responding to service requests and carrying out any subsequent investigation that may be required;

1.1.2 responding to formal consultations on planning applications, premises licence applications and Temporary Events Notices (TENs);

1.1.3 commenting on specialist reports concerning noise, air quality and contaminated land submitted as part of a planning application;

1.1.4 investigating and responding to enquiries about potentially contaminated land for prospective property purchasers;

1.1.5 complying with the requirements of the Environmental Permitting Regime;

1.1.6 complying with the requirements of the Local Air Quality Management Regime including air quality monitoring

1.1.7 licensing of animal establishments to regulate animal welfare standards

1.1.8 monitoring and reviewing all aspects of our pest control service
1.1.9 promotional work carried out including participation in noise education, dog microchipping etc.

2. Requests for Service

2.1 During the twelve months from 1 April 2014 to 31 March 2015, 1,842 requests for service were responded to by the team. Details of the total number of requests received are shown in Appendix 2 with the previous two financial years for comparison. Commentary on trends are also provided as follows:

2.1.1 Overall the number of complaints received by the team reduced slightly by 104 (5.6%) as compared to the previous year.

2.1.2 There were no areas of the team’s work which changed by more than 10% above or below the average. This indicates the numbers of complaints remain relatively constant and there is no particular area which is reducing or increasing in relation to the public’s concern.

2.1.3 Noise related service requests, as a percentage of the total number of requests for service, remained the same at 28%. This includes complaints about noise from licensed premises and events, house alarms, neighbour noise and barking dogs.

2.1.4 On receipt of a nuisance (noise, odour, bonfire, accumulation, light etc.) complaint, letters are sent to the complainant (with diary sheets) and to the subject of the complaint. The letters confirm the complaint and request the complainant to complete the diary sheets and return them to Regulatory Services. The letter to the subject advises them that a complaint has been received, asking them to consider the situation and resolve the situation if necessary. In many cases, no further communication is received by officers from either party, indicating that the initial letter to the person alleged to be the source of the problem resolved the issue. In some cases however further investigation work is necessary including the placement of noise recorders, officer visits and ultimately the service of formal notice (see Appendix 3 and 2.1.6), works in default and/or seizure. This council also operates an out of hours noise service for dealing with referred situations or where a noisy event has gone on for too long/too late. This is available over the following times:-

- March and April 9.00 p.m. – 2.00 a.m. Sat nights
- May to August inclusive 9.00 p.m. – 2.00 a.m. Fri and Sat nights
- September and October 9.00 p.m. – 2.00 a.m. Sat nights

and can be accessed by ringing the out of hours line via the general council number (01474) 56 44 22.

2.1.5 On receipt of a dog fouling or dog control complaint, a letter is sent to the complainant confirming whether action is possible e.g. the land is covered by the Dog Control Order for fouling and to the person alleged to be causing the issue, if known, advising them that a complaint has been received and asking them that if the allegation is correct to resolve the situation. In many cases, no further communication is received by officers from either party, which may indicate that the initial letter to the person alleged to be the source of the problem resolved the issue with no further involvement from officers. If the source is not known then the area was
included in the Animal Control Officer’s patrols for a period of six weeks to attempt to identify the source and to intervene with the service of a Fixed Penalty Notice where applicable.

2.1.6 It is necessary on occasion for the team to instigate formal action on individuals and businesses to protect an individual’s enjoyment of their own property or to protect public health. Before doing so, officers must have regard to the Service’s Enforcement Policy. In 2013/14, 47 formal Notices were served relating to 25 premises. In 2014/15, 66 Notices were served relating to 25 premises and in addition one seizure of noise equipment was carried out. A summary of the Notices served is provided in Appendix 3.

3 Performance indicators

3.1 Out of the 1,842 requests, 1,135 were relevant to the departmental performance indicators, 1,112 required a five day response which was achieved in 97% of the requests. The remaining 23 required a response before the end of the next working day. Of those 22 (96%) received such a response.

3.2 A total of 151 out of hours requests for service were received. Of these 144 required a 5 day response which was achieved in 99% of the requests. 7 required a response before the end of the next working day. All of these received such a response.

4 Licensing Applications

4.1 Under the provisions of the Licensing Act 2003, Environmental Health is a statutory consultee in respect of Premises Licence applications, in relation to the prevention of nuisance. This Service is notified of all Temporary Event Notice (TEN) applications where an application is made for an event on land, which either does not have a Premises Licence or what they wish to do is not covered by the existing premises licence, up to a maximum of 500 people in both cases. The applications have to be submitted a maximum of 10 days and a minimum of 5 days before the event. Environmental Protection officers have 3 working days if they wish to respond or object.

4.2 During 2014/15, the team responded to 14 premises licence applications, variations and 176 TENs applications.

5 Planning Applications

5.1 The Environmental Protection team are formally consulted by their colleagues in Planning Services on applications received and on which the team may wish to recommend the inclusion of conditions or “informatives” if planning permission is granted. These recommendations are intended to pre-empt and address areas of environmental concern prior to development starting and ensure that appropriate mitigation measures and/or remediation measures are addressed and implemented within the proposal to protect the quality of life for the future occupants of the development and neighbouring properties.

5.2 The Environmental Protection team responded to 823 planning applications in 2014/15.
6 Contaminated Land

6.1 There are two principal aspects to the role of the council in respect of contaminated land. Firstly, to identify and prioritise known areas of contaminated land within the Borough and secondly to ensure that through the planning process areas of potentially contaminated land are investigated and remediated during development.

6.2 The shared working arrangement with Tonbridge and Malling Borough Council of this post continued to work well for both parties with one Scientific Officer being employed by Tonbridge and Malling and half the post being funded by Gravesham.

6.3 In 2014/15 the team provided 42 reports in relation to specific contaminated land enquiries, the majority from prospective property purchasers.

7 Environmental Permitting Regime (EPR)

7.1 The Environmental Permitting Regulations control the emissions to air, land and water from specified industrial processes, which have to obtain a ‘permit to operate’ from the relevant enforcing authority. Enforcement responsibilities are divided between the Environment Agency and Local Authorities.

7.2 There are 31 permitted processes within the Borough which fall to the council to inspect and regulate, ranging from dry cleaners, petrol stations, re-spraying of road vehicles, cement batching, road stone coating, sand drying, concrete crushing, small waste oil burners and screening of aggregate.

7.3 The inspection interval is dictated by risk assessments and ranges between 12 months and 36 months. A total 19 inspections were carried out during the year. The standard of compliance with the permit and any attached conditions remains satisfactory at most of the installations, however 5 of the 19 inspected it was evident that there was a failure to maintain their equipment satisfactorily which resulted in informal action taken against them to resolve the situation and their risk assessment scores increased considerably. The problematic operations were petrol stations and drycleaners. The change of risk assessment category from Low to Medium or High results in more frequent inspections and an increase in annual subsistence fees to the council to cover the additional time spent on these installations. No complaints against permitted processes were made. Throughout the year the team continue to look out for any installations operating without a permit.

7.4 One application for surrender of a permit was received and granted for an installation whose solvent usage was no longer above the threshold for vehicle re-sprayers.

8 Air Quality

8.1 It has been proven air quality can affect human health causing cardio-vascular diseases, exacerbating existing conditions and shortening life expectancy. Air Quality objectives have been set by European Union Directives and the UK’s own Air Quality Strategy. We are therefore required to monitor, investigate and report on current levels and attempt to reduce public exposure to air pollution.
8.2 Gravesham Borough Council has, over a number of years, built up a network of monitoring sites to provide good quality information on the state of the air quality in the borough. This currently consist of two permanent air monitoring stations at Lawn Primary School in Northfleet and Painters Ash School which measure the amount of small airborne particulate matter \( <10 \text{ microns} (\mu \text{m}) \) known as PM10 or fine particles and Nitrogen dioxide (NO2) together with a borough wide network of 68 diffusion tubes which measure NO2 at 58 specific locations. The borough has also declared 7 Air Quality Management Areas (AQMAs). These are located in and around the town centre, one covering the Northfleet Industrial Area and one along and around the A2 Trunk Road.

8.3 In May 2014 the Air Quality Annual Progress Report (APR) was submitted to DEFRA for approval. This reports the monitoring results for 2013 and identifies if there are new sources of pollution in the borough e.g. new developments that may impact on the local air quality.

8.4 The report showed the annual mean and the hourly mean objective for NO2 were met at both the monitoring locations, with a slight increase in the annual mean observed at both. The annual mean and the 24-hour mean air quality objectives for PM10 continue to be met at both monitoring locations, with the annual mean concentration continuing to decrease at the Industrial Background site. The A2 Roadside site has shown a slight increase from the 2012 result.

8.5 DEFRA’s appraisal report for the APR 2014 is still awaited.

8.6 In February 2015 DEFRA required an additional Progress Report on Action Planning. This was submitted. It is understood that no feedback will be given in relation to this report.

9 Animal Establishment Licensing

9.1 Annual licensing visits were made to all premises covered by animal licensing legislation to check on health and welfare standards. This Borough’s existing riding stables, 2 pet shops, 2 dog breeders and 5 boarding establishments were all reissued with a licence. One application for a licence to board dogs in a home environment was received and granted for the boarding of 2 dogs from one household. Enquiries and complaints are received throughout the year about dog breeders. A licence is required for dog breeders who either breed dogs as a business i.e. for profit or have 5 litters or more a year. The team look out for multiple adverts of puppies from the same resident in order to clamp down on the unlicensed commercial sale of puppies and illegal importation of puppies being sold by those claiming to be breeding them.

10 Pest Control

10.1 A total of 310 pest control treatments were requested by members of the public for their domestic premises. Of these 99% were contacted before the end of the next working day by the contractor Monitor Pest Control Services and 97% were offered appointments within 2 working days as required by the contract. This service continues to receive excellent feedback.

10.2 The contract expired on 31 March 2015 but has been continued in an arrangement whereby the council takes the enquiries from the public for any and all pests and then refers them through to Monitor by email. The customer can then make use of set preferential rates negotiated by the council. Monitor then contact
the person by the end of the next working day to confirm if they wished to go ahead with the service and if so Monitor takes the payment. The council will be then be invoiced for the balance of those entitled to a concessionary fee for rats and mice. The council also will receive a small payment on a sliding scale for all those referrals for other pests that are taken up by the customer. It is considered that this new approach offers a more comprehensive service to the public and reduces the burden on the council for taking payments from customers.

11 Promotional Work

11.1 Officers visited a cub group on 20 May in Gravesham and provided information to 30 cubs explaining why it is important to protect your hearing and letting them know what this Service does to help with noise problems. The evening ended with an ear-bashing shouting competition.

11.2 In anticipation of the legal requirement (due in April 2016) for all dogs to be microchipped so they can be identified; the team carried out 6 free chipping events in association with the Dog Trust at various locations within the borough. 104 dogs were chipped. A total of 586 dogs have now been chipped free of charge by the council.

12 Proposed Service Improvements 2015/16

12.1 It is proposed that the following service improvements are to be implemented in 2015/16:

12.1.1 Continue to work with the other stakeholders to work towards improving the air quality within the Borough including Public Health professionals. In relation to this the Kent and Medway Air Quality Partnership, of which Gravesham take an active part, were successful in obtaining a £30,000 grant for promotional and awareness raising work on air quality and health. The resulting toolkits were delivered to Kent County Public Health in March 2015.

12.1.2 Work with partners to progress and implement the new discretionary powers under the Anti-Social Behaviour Act relevant to our nuisance and dog control work.

12.1.3 Continuation of the new pest control service arrangements with 3 monthly reviews.

13 Background Papers

None
Legal
The Council has a statutory duty to investigate:
- complaints of alleged nuisance;
- review and assess the local air quality;
- implement the requirements of the Environmental Permitting Regime; and assess
  land under the Contaminated Land regime.

Finance and Value for Money
All service improvements will be undertaken within budget.
Admin/technical support staff are trained and utilised to support the functions of the
Environmental Protection team, freeing up technical staff to carry out their core
work.
Payments for pest control service now collected by contractor which removes the
council’s responsibility for the bank and credit card charges and refunds etc.

Risk Assessment
The failure of the Environmental Protection team to meet its statutory obligations
would result in formal complaints and potential criticism from other agencies
including DEFRA.

Equality Impact Assessment

<table>
<thead>
<tr>
<th>Screening for Equality Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Question</strong></td>
</tr>
<tr>
<td>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?</td>
</tr>
<tr>
<td>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?</td>
</tr>
<tr>
<td>c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?</td>
</tr>
</tbody>
</table>

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above*
<table>
<thead>
<tr>
<th>Corporate Business Plan</th>
<th>There are direct links to areas of focus:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Focus Area 1 - Keeping Gravesham Safe</td>
</tr>
<tr>
<td></td>
<td>Focus Area 2 - Working to maintain a clean and green environment</td>
</tr>
<tr>
<td></td>
<td>Focus Area 3 - Working towards a healthy Gravesham</td>
</tr>
<tr>
<td></td>
<td>Focus Area 16 - Ensuring a strong customer focus and delivering quality frontline services.</td>
</tr>
</tbody>
</table>

| Crime and Disorder | Ensuring the neighbourhood is peaceful, clean and quiet with clean air, streets free from dog fouling and stray dogs etc. all help to improve the wellbeing and perceptions of our residents and visitors to the borough. |
### Details of complaints received by Gravesham Borough Council’s Environmental Protection Team

<table>
<thead>
<tr>
<th>Service Request Category</th>
<th>Number of complaints 2012/13</th>
<th>Number of complaints 2013/14</th>
<th>Number of complaints 2014/15</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accumulations</td>
<td>125</td>
<td>123</td>
<td>132</td>
<td>EP Team investigate complaints regarding accumulations NOT associated with food premises and animals</td>
</tr>
<tr>
<td>Vermin and Pests</td>
<td>196</td>
<td>118</td>
<td>136</td>
<td>Complaints of rats, mice, insects etc.</td>
</tr>
<tr>
<td>Noise</td>
<td>574</td>
<td>545</td>
<td>506</td>
<td>Includes amplified music from domestic/ licensed premises and barking dogs</td>
</tr>
<tr>
<td>Animal control</td>
<td>836 (dog fouling = 228)</td>
<td>678 (dog fouling = 148)</td>
<td>617 (dog fouling = 145)</td>
<td>Includes stray dogs, fouling, animal licensing enquiries, animal accumulations, foxes and dangerous dogs</td>
</tr>
<tr>
<td>Pollution</td>
<td>201</td>
<td>217</td>
<td>216</td>
<td>Includes bonfires, odour, smoke, grit and dust, light, smoke control, drainage etc.</td>
</tr>
<tr>
<td>Other</td>
<td>218</td>
<td>265</td>
<td>235</td>
<td>Includes travellers, Freedom of Information requests, air quality enquiries, contaminated land, liquor licensing, planning enquiries, environmental permitting and other general enquiries</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2150</td>
<td>1946</td>
<td>1842</td>
<td></td>
</tr>
</tbody>
</table>
### Appendix 3

**Formal Notices served by Environmental Protection Team 2014/15**

<table>
<thead>
<tr>
<th>Notice</th>
<th>Number served 2012/13</th>
<th>Number served 2013/14</th>
<th>Number served 2014/15</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Protection Act 1990 section 80</td>
<td>17 in relation to 6 premises</td>
<td>11 in relation to 5 premises</td>
<td>25 in relation to 10 premises. 1 seizure of noise equipment also carried out.</td>
<td>Statutory nuisance e.g. noise</td>
</tr>
<tr>
<td>Prevention of Damage by Pests Act 1949 section 4</td>
<td>21 in relation to 4 premises</td>
<td>21 in relation to 7 premises</td>
<td>18 in relation to 3 premises</td>
<td>Control of rats and mice</td>
</tr>
<tr>
<td>Environmental Permitting (England and Wales) Regulations 2010</td>
<td>2</td>
<td>6</td>
<td>1</td>
<td>Requirement to provide information relating to pollution permits</td>
</tr>
<tr>
<td>Public Health Act 1936 section 83</td>
<td>10 in relation to 8 premises</td>
<td>1</td>
<td>9 in relation to 3 premises</td>
<td>Filthy / Verminous premises</td>
</tr>
<tr>
<td>Control of Pollution Act 1974 sec 61</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>Prior consent for construction works</td>
</tr>
<tr>
<td>Local Government Miscellaneous Provisions Act 1982 sec 16</td>
<td>none</td>
<td>1</td>
<td>2</td>
<td>Requirement to provide information relating to nuisance issues</td>
</tr>
<tr>
<td>Criminal Justice and Public Order Act 1994</td>
<td>none</td>
<td>5 in relation to 3 encampments</td>
<td>7 in relation to 3 encampments</td>
<td>Requirement to remove illegal encampments</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>52</td>
<td>47</td>
<td>66</td>
<td></td>
</tr>
</tbody>
</table>
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