

# Pecyn Dogfennau



Mark James LLM, DPA, DCA  
Prif Weithredwr,  
Chief Executive,  
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County Hall, Carmarthen. SA31 1JP

15EG MEDI, 2015.

## AT: AELOD Y BWRDD GWEITHREDOL DROS DIOGELU'R CYHOEDD A'R AMGYLCHEDD

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD PENDERFYNIADAU AELOD O'R BWRDD GWEITHREDOL DROS DIOGELU'R CYHOEDD A'R AMGYLCHEDD A GYNHELIR YN YSTAFELL 72A, NEUADD Y SIR, CAERFYRDDIN AM 10.00 A.M. AR DDYDD LLUN, 21AIN MEDI, 2015 ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

*Mark James*

**PRIF WEITHREDWR**



**AILGYLCHWCH OS GWELWCH YN DDA**

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# AGENDA

1. DATGANIADAU O FUDDIANNAU PERSONOL.
2. DIOGELWCH MEWN MEYSYDD CHWARAE. 1 - 6
3. CYNLLUN CYFLAWNI GWASANAETH - IECHYD YR AMGYLCHEDD A THRWYDDEDU. 7 - 50
4. DERBYN A LLOFNODI FEL COFNOD CYWIR COFNODION CYFARFOD PENDERFYNIADAU'R AELOD O'R BWRDD GWEITHREDOL DROS DIOGELU'R CYHOEDD A'R AMGYLCHEDD A GYNHALIWDYD AR YR 22AIN GORFFENNAF, 2014. 51 - 52

**CYFARFOD PENDERFYNIADAU'R AELOD O'R BWRDD  
GWEITHREDOL DROS DDIOGELU'R CYHOEDD A'R AMGYLCHEDD**

**Y DYDDIAD: 21<sup>ain</sup> Medi 2015**

<b>Yr Aelod o'r Bwrdd Gweithredol:</b>	<b>Y portffolio:</b>	
<b>Y Cynghorydd T. J. Jones</b>	Diogelu'r Cyhoedd a'r Amgylchedd	
<b>Diogelwch mewn Meysydd Chwarae</b>		
<b>Yr argymhellion / penderfyniadau allweddol sydd eu hangen:</b>		
Bod yr adroddiad yn cael ei dderbyn		
<b>Y rhesymau:</b>		
Ym mharagraff 31 o Adroddiadau Terfynol ymchwiliad yr Arglwydd Ustus Taylor i Drychineb Stadiwm Hillsborough argymhellodd y canlynol:		
<i>'Er mwyn helpu'r Awdurdod Lleol i gyflawni ei swyddogaethau, dylai sefydlu Grŵp Ymgynghorol sy'n cynnwys aelodau priodol o'i staff ei hun, cynrychiolwyr o'r heddlu, o'r gwasanaethau tân ac ambiwlans ac o'r awdurdod adeiladu. Dylai fod yn ofynnol i'r Grŵp Ymgynghorol lunio adroddiadau rheolaidd i'w hystyried gan yr Awdurdod Lleol' (cyfieithiad)</i>		
<b>Y Gyfarwyddiaeth Cymunedau</b>	<b>Swydd Pennaeth Tai a Diogelu'r Cyhoedd</b>	<b>Rhif ffôn:</b>
Enw Pennaeth y Gwasanaeth: <b>Robin Staines</b>		<b>01267 228960</b>
<b>Awdur yr Adroddiad:</b>	<b>Swydd</b>	<b>Cyfeiriad e-bost:</b>
<b>Sue Watts</b>	<b>Rheolwr lechyd yr Amgylchedd a Thrwyddedu</b>	<b><a href="mailto:RStaines@sirgar.gov.uk">RStaines@sirgar.gov.uk</a></b>
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**Declaration of Personal Interest (if any):**

None

**Dispensation Granted to Make Decision (if any):**

N/A

**DECISION MADE:**

Signed:

DATE: \_\_\_\_\_

EXECUTIVE BOARD MEMBER

**The following section will be completed by the Democratic Services Officer in attendance at the meeting**

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted <b>subject to the amendment(s) and reason(s) specified:</b>	
Reason(s) why the Officer's recommendation was <b>not adopted:</b>	

# EXECUTIVE SUMMARY

## EXECUTIVE BOARD MEMBER DECISION MEETING FOR ENVIRONMENTAL AND PUBLIC PROTECTION

**DATE: 21 September 2015**

### SPORTS GROUND SAFETY

#### Background

Following the disaster at the Ibrox Stadium in Glasgow in January 1971 and the subsequent public enquiry, the Safety of Sports Grounds Act 1975 introduced a system of safety certification of sports grounds by local authorities. The local authority is required to determine the safe capacity of the ground, to prescribe and enforce such terms and conditions as it considers necessary or expedient to secure the reasonable safety of spectators and to undertake a periodical inspection.

The Safety of Sports Grounds Act 1975 defines a sports ground as:

*'A place where sport or other competitive activities takes place in the open air, and where accommodation has been provided for spectators, consisting of artificial structures or of natural structures artificially modified for the purpose.'*

There are many other pieces of legislation which would be applicable to sports grounds depending on the type of ground and activity. Additionally, the Department for cultural, media and sport has produced a 'Guide to Safety at Sports Grounds' (also known as the 'Green Guide') which is an advisory document for use by competent persons. The management of such grounds has a primary responsibility for the safety of spectators and should therefore apply the recommendations in the Guide in order to achieve safe conditions.

In paragraph 31 of the Final Reports of his enquiry into the Hillsborough Stadium Disaster, the Lord Justice Taylor recommended that:

*'To assist the Local Authority in exercising its functions, it should set up an Advisory Group consisting of appropriate members of its own staff, representatives of the police, of the fire and ambulance services and of the building authority. The Advisory Group should consult representatives of the club on a regular basis. The Advisory Group's terms of reference. The Advisory Group's terms of reference should encompass all matters concerned with crowd safety and should require regular visits to the ground and attendance at matches.'*

*The Advisory Group should have a chairman from the local authority, and effective procedures. Its resolution should be recorded and it should be required to produce regular reports for consideration by the local authority'*

Carmarthenshire Safety Advisory Group has been established for a number of years, chaired currently by the Environmental Health and Licensing Manager. There is a terms of reference as recommended and regular meetings are held with the relevant clubs.

The Local Authority has a statutory obligation under:

- the Safety at Sports Grounds Act 1975 (as amended) to issue General and Special Safety Certificates for designated sports grounds (for those over 10,000 capacity). These include Parc y Scarlets and Ffos Las
- the Fire Safety and Places of Sport Act 1987 Part III to issue a safety certificate for Regulated Stands (where a covered stand provides covered accommodation for 500 or more). This includes Richmond Terrace, Carmarthen.

The Local Authority will signpost non designated sport grounds to the 'Green Guide' as a reference to Management requirements.

The following is an outline of the current work of the Safety Advisory Group:

### **Parc y Scarlets**

- A considerable amount of work has been carried out by the company to review the management and operation plans. As a result, the company have applied to review the Safety Certificate and the group have recently agreed all amendments. The next step is to advertise this review in the local press.
- Dates for programmed meetings and a desk top exercise are being set for the forthcoming year. There will also be during performance visits to the larger capacity games.

### **Ffos Las**

- The site currently has a safety certificate as its capacity can exceed 10,000. However, in light of the fact that there is new management, the certificate required reviewing. The new management structure is yet to be confirmed, however, the Manager is currently amending the exiting management and operational document as part of the safety certificate review. It is anticipated that this will be completed by the end of October.
- The management is also anticipating utilising the site for other events and the Safety Advisory Group are ensuring that any plans are discussed and agreed in advance of such events.
- Dates for programmed meetings are being set for the forth coming year. There will also be during performance visits to the larger capacity events.

## Richmond Terrace

- The Safety Advisory Group will be carrying out inspection and meeting in the New Year upon completion of the safety certification above.

DETAILED REPORT ATTACHED ?

NO

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Robin Staines** Head of **Housing and Public Protection**

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: **Robin Staines** Head of **Housing and Public Protection**

- 1. Scrutiny Committee**  
No consultation necessary
- 2. Local Member(s)**  
No consultation necessary
- 3. Community / Town Council**  
No consultation necessary
- 4. Relevant Partners**  
No consultation necessary
- 5. Staff Side Representatives and other Organisations**  
No consultation necessary

**Section 100D Local Government Act, 1972 – Access to Information**  
**List of Background Papers used in the preparation of this report:**

**THERE ARE NONE**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
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## CYFARFOD PENDERFYNIADAU'R AELOD O'R BWRDD GWEITHREDOL DROS DDIOGELU'R CYHOEDD A'R AMGYLCHEDD

**Y DYDDIAD: 21<sup>ain</sup> Medi 2015**

<b>Yr Aelod o'r Bwrdd Gweithredol:</b>	<b>Y portffolio:</b>
<b>Y Cynghorydd T. J. Jones</b>	Diogelu'r Cyhoedd a'r Amgylchedd

### Y pwnc

### Cynllun Cyflawni Gwasanaeth - lechyd yr Amgylchedd a Thrwyddedu

### Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

Cymeradwyo'r Cynllun Cyflawni Gwasanaeth ar gyfer 2015/16

### Y rhesymau:

1. Mae'n ofynnol i gynllun cyflawni y gwasanaeth bwyd gael ei gymeradwyo bob blwyddyn yn unol â chytundeb y Fframwaith Safonau Bwyd.
2. Mae'r cynllun cyflawni gwasanaeth yn sail i'r blaenoriaethau a'r gwaith a gynllunnir o ran lechyd yr Amgylchedd a Thrwyddedu ar gyfer 2015/16.

<b>Y Gyfarwyddiaeth Cymunedau</b> Enw Pennaeth y Gwasanaeth: <b>Robin Staines</b>	Swydd <b>Pennaeth Tai a Diogelu'r Cyhoedd</b>	<b>Rhif ffôn:</b> 01267 228960 <b>Cyfeiriad e-bost:</b> <a href="mailto:RStaines@sirgar.gov.uk">RStaines@sirgar.gov.uk</a>
Awdur yr Adroddiad: <b>Sue Watts</b>	Swydd <b>Rheolwr lechyd yr Amgylchedd a Thrwyddedu</b>	<b>Rhif ffôn:</b> 01267 228929 <b>Cyfeiriad e-bost:</b> <a href="mailto:sewatts@sirgar.gov.uk">sewatts@sirgar.gov.uk</a>

**Declaration of Personal Interest (if any):**

None

**Dispensation Granted to Make Decision (if any):**

N/A

**DECISION MADE:**

Signed:

DATE: \_\_\_\_\_

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# EXECUTIVE SUMMARY EXECUTIVE BOARD MEMBER DECISION MEETING FOR ENVIRONMENTAL AND PUBLIC PROTECTION

DATE: 21<sup>st</sup> September, 2015

## SERVICE DELIVERY PLAN 2015/16 – ENVIRONMENTAL HEALTH AND LICENSING

The Public Health Services Section is required by the Food Standards Agency and the Health and Safety Executive to produce an annual Service Delivery Plan. The format of the plan is prescribed in the relevant Framework Agreements.

The Plan provides an outline of the Council's service aims and objectives including links to the corporate objectives and plans. A brief description of the Council is included, defining its infrastructure, economy and organisation structure. The Plan also requires the scope and demands of the Public Health Services.

The Plan is divided into sections' which provide details of specific areas of each of the services and workplans for the coming year. This is an opportunity to highlight where there are weaknesses and strengths within the relevant Teams. There are specific areas that are highlighted as being at risk and those that the section is no longer able to provide because of the limited resources.

A breakdown of resources is provided, including staffing costs, administration, supplies and services, training etc. with comparisons between financial years. Details of the breakdown of the costs are included within the text.

The final section contains information and details of quality assessments and illustrates the various ways that the Section ensures consistency, efficiency and competency.

The Service Delivery Plan is subject to annual review.

DETAILED REPORT ATTACHED ?

YES



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## IMPLICATIONS

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Signed: **Robin Staines**

Head of **Housing and Public Protection**

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: **Robin Staines**

Head of **Housing and Public Protection**

1. **Scrutiny Committee** - No consultation necessary
2. **Local Member(s)** - No consultation necessary
3. **Community / Town Council** - No consultation necessary
4. **Relevant Partners** - No consultation necessary
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**Section 100D Local Government Act, 1972 – Access to Information**  
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# **ENVIRONMENTAL HEALTH AND LICENSING SERVICES**

## **SERVICE DELIVERY PLAN 2015/16**

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## 1.0 SUMMARY

- 1.1 The report outlines the roles and responsibility of the Public Health Services Section, together with the food standards and feedingstuffs work carried out by the Trading Standards Services Section. It illustrates the demands on the service and the challenges that must be addressed for 2014/15. The work is predominantly statutory.
- 1.2 Staff of the Public Protection Division work flexibly and as a result of no budgets available for paid overtime working, inspections and visits are undertaken out of core hours on a pre-planned basis, are worked on a 'goodwill' basis by Officers who receive time off in lieu for the hours worked. This does have an impact on the day to day operation of the Sections' and requires careful monitoring. There is no current 'on call' system, as there is no budget and any emergency response, relies upon the goodwill of Officers.
- 1.3 Year on year efficiencies of 6% in 2012/13, 4% in 2013/14, 6% in 2014/15 and a minimum of 12% over the following 3 years (2015/16 – 2017/18). As a result, there have been reduced resources and staffing levels, with a subsequent impact on service delivery. This is set against an increase in demand in some functional areas, such as the food hygiene rating act, wind turbine applications, introduction of additional legislation with no additional resources (such as scrap dealers, smoking in vehicles with children etc) and validation of fees/income for example. The main priority for the Service is the protection of public health, consumers and local businesses and animal health. Decisions on priorities of work are based on risks that may affect those groups.
- 1.4 Impacts that may influence the food hygiene inspection programme are the Team's response to major food incidents, food poisoning outbreaks, investigation of the illegal meat trade, food fraud, product recall Notices and water disconnections particularly to food businesses.
- 1.5 A large proportion of Pollution and Public Health Teams' work is reactive, such as noise control and the investigation of statutory nuisance. There are occasions when the demand may exceed the capacity of the Teams'. This is continually monitored and addressed where possible, by re-prioritising workloads and utilising qualified officers to ensure that there is flexibility within the teams to meet high pressures/demands.
- 1.6 Proactive work of the Pollution and Public Health Teams' is dominated by the development of windfarms and sustainable energy projects, the monitoring of air quality including the analysis and interpretation of the results and in engaging developers to ensure that public health is not compromised. Remediation of contaminated land is a statutory responsibility. The Contaminated Land Inspection Strategy will be reviewed to focus level of activity from enforcement, to working more closely with developers, thereby securing remediation through the planning and regeneration process.

- 1.7 There are a number of further changes to the legislation in licensing section including the Deregulation legislation which will have an impact in both the taxi and the premises licensing. This will require the review of our current policies and procedures and is likely to have an impact on license fees income.
- 1.8 There is a considerable amount of joint working with partners. An illustration of this is the regulation of large events and sports ground safety inspection. The Section leads multi agency groups, ie. the Safety Advisory Groups that deal with the issues, and they consist of representatives of the Police, Fire and Rescue Service, Ambulance Service and Local Health Board. As a result of this working, the Group has developed good working relationships with the applicants and licence holders. This year, the section is working on numerous larger events and safety at sports grounds
- 1.9 The Section work closely with other Authorities to ensure consistency of approach where possible.
- 1.10 The National Enforcement Priorities for Wales will continue to drive the regulation agenda and the Regulators Compliance Code has been introduced in Wales.
- 1.11 Particular impacts for 2015/6 include :-
  - (i) A review has been undertaken of all shellfish sampling conducted in the Three Rivers and Burry Inlet. Sampling of biotoxin and hygiene levels, are essential to determine both the health status of commercial shellfish beds and also the continual monitoring of their classified status. The potential opening of additional beds however will require further additional resource.
  - (ii) The Food Hygiene Rating (Wales) Act, 2013, has migrated the original voluntary food hygiene rating scheme into a mandatory one that affects most food businesses. It was introduced from November 2013 and requires the Council's Officers to inspect all relevant food businesses, in order to allocate a food hygiene score. Food businesses will be able to request a re-visit in order to re-score their businesses and a charge will be levied for that purpose. The legislation also provides a provision for enforcement where businesses do not display their correct score. As a result of the implementation of this legislation, workloads are continually being reviewed.
  - (iii) Introduction of new statutory responsibilities with no additional resources including introduction of no smoking in vehicles with children present, extending the monitoring/testing private drinking waters (including radon), etc.
  - (iv) Setting of discretionary fees to recover real costs. The validation of budget income year on year continues to be a problem, as the majority of fees and charges are prescribed and cannot be set by the Council.



In recent years, this has meant that the Public Protection Division has had to find an increased efficiency saving because of the validation process and a failure by successive Governments' to increase prescribed fees. Additionally, the changes in legislation and business types has resulted in a reduction in such fees over time. Licensing and Environmental Permitting income is currently overstated as a result.

- (v) Widely consulting on and producing both Licensing Act and Gambling Policies this year.

## **2.0 SERVICE AIMS AND OBJECTIVES**

### **2.1 Introduction**

The Plan is intended to inform residents and the business community about the arrangements Carmarthenshire County Council has in place with regard to the delivery of Environmental Health and Licensing Services.

Environmental Health and Licensing Services encompasses food safety, communicable disease, health and safety, licensing, pollution (including air, land and noise), nuisances (including noise, odour, smoke etc), pest control advice and dog warden services. The Local Authority has a statutory duty to carry out these functions.

The Plan relates to work undertaken by the Environmental Health and Licensing Services and Trading Standards Services Sections with regard to food standards and feeding stuffs from the 1<sup>st</sup> April 2015 until 31<sup>st</sup> March 2016. It details how the Teams are managed, organised and how they operate and includes an analysis of the current costs and challenges facing the service.

### **2.2 Service Aims and Objectives**

Environmental Health and Licensing Services is one of the main regulatory Sections of the Council. It aims to :-

- (i) promote, provide advice, information, guidance and education on all matters relevant to Public Health Services,
- (ii) carry out a range of programmed statutory inspections and other visits in accordance with relevant legislation, codes of practice and guidance, including re-inspections and re-sampling or other subsequent action as necessary, in accordance with the Council's Enforcement Policies,
- (iii) ensure that identified breaches of legislation are rectified,
- (iv) investigate complaints and notifications as appropriate, in line with procedures and corporate and procedural time limits, i.e. 1 day for urgent complaints and up to 10 working days for others.
- (v) liaise with the Food Standards Agency, Welsh Government, Department for Health, Public Health Wales, Public Analysts, Better Regulation Delivery Office, Natural Resources Wales, the Health and Safety Executive, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service, Hywel Dda Local Health Board, the Communicable Disease Surveillance Centre, Directors of Public Protection Wales, its Expert Panels and other local authority Task Groups, together with other appropriate bodies to achieve consistency in enforcement,

- (vi) work collaboratively with other local authorities and agencies where possible, to provide an effective and efficient service for customers,
- (vii) promote general health improvement in Carmarthenshire and support Health Challenge Carmarthenshire, and
- (viii) ensure that staff receive regular, appropriate training and are able to access up-to-date reference material at all times.

### **2.3 Links to Corporate Objectives and Plans**

The Carmarthenshire Partnership brings together key stakeholders to promote and guide social economic and environmental enhancements of the County. The Partnership has produced a Carmarthenshire Integrated Community Strategy (2011/2016) setting out the visions, priorities and goals to improve the Carmarthenshire area. The vision is for a Carmarthenshire that enables people to live healthy and fulfilled lives by working together to build strong, bilingual and sustainable communities. In order to achieve this, the strategy focuses on five key outcomes :-

- People in Carmarthenshire are healthier
- People in Carmarthenshire fulfil their learning potential
- People who live, work and visit Carmarthenshire are safe and feel safer
- Carmarthenshire's communities and environment are sustainable
- Carmarthenshire has a stronger and more prosperous economy

Progress will be reviewed every six months and all partners will be accountable for their outcomes and goals. The strategy is accessible to all with a young people's version and children's version available.

Environmental Health and Licensing Services links to these five strategies as follows :-

- providing the statutory regulatory framework for food and health and safety, public health, pollution control and licensing,
- enforcing no smoking in public places and regulating the use of sunbeds, tattooing practices, body piercing and skin treatments,
- investigating notifications of communicable disease, food poisoning and zoonoses (animal health infections),
- supporting and promoting Health Challenge Carmarthenshire,
- implementing the Food Hygiene Rating legislation,
- sampling food, including shellfish to monitor safety and quality,
- Investigating allegations of food fraud, such as illegal slaughter and the illegal movement of shellfish, and
- ensuring that the safety of the community is maintained, with respect to licensed premises, gambling, taxi and private hire vehicles, drivers and street or house to house collections.
- Licensing scrap metal dealer collectors and scrap metal yards

Trading Standards Services links to the five strategies as follows :-

- providing the statutory regulatory framework for metrology (weights and measures), consumer protection, product safety and animal health, and
- promoting a fair and equitable trading environment to encourage new businesses and the support of existing businesses in the County.

## **3.0 BACKGROUND**

### **3.1 Profile**

Carmarthenshire is the third largest County in Wales, covering some 2,365 sq. kilometres, which represents 11.5% of the total landmass of Wales.

With a resident population of 180,000, the County's rate of population growth is estimated to be 2.5% which is greater than the Welsh average of 1.9%. There are also 2,000,000 day visitors frequenting the County annually.

Carmarthenshire is a County of contrasts. The agricultural economy and landscape of rural Carmarthenshire, right through to the urban and industrial south-eastern area.

As a primarily rural County, the population density is low at 71 persons per sq. kilometre, compared with 140 persons per sq. kilometre for Wales as a whole. This scarcity of population is more apparent in rural Carmarthenshire than it is in the south and east of the County where 65% of the population reside on approximately 20% of the land area. The main urban centres of the County include Llanelli, Carmarthen and Ammanford.

Due to its central geographic location, Carmarthen typically serves the needs of the County's rural areas. Carmarthenshire has a rich natural and cultural environment, including sites designated at the international level to protect important biodiversity features, as well as striking landscapes and distinctive historic towns and villages.

The County also has the highest number of Welsh speakers in Wales, with 78,048 speakers according to the Office of National Statistics and 80% of Welsh speakers in the County speak Welsh on a daily basis.

### **3.2 Organisational Structure**

Appendix 1 outlines the Political Structure in Carmarthenshire County Council

Appendix 2 outlines the Corporate Strategic Management Structure

### **3.3 External Services**

The following provide specialist services :-

#### Food and Agricultural Analysts

Formal and informal feeding stuffs samples are examined by the Public Analyst at Minton Treharne & Davies , Unit 5, Llwyn yr Eos, Parc Menter, Crosshands.

#### Food Examiners

Informal samples and faecal testing for communicable disease investigation, is carried out in the Public Health Wales Laboratory in Carmarthen.

Both of the above are accredited.

### **3.4 Service Delivery**

The service is provided from three centres in the County, at Ammanford, Llanelli and Carmarthen, which are open from 08:50am to 05:10pm Mondays to Thursdays and 08:50 to 04:30pm on Fridays. Staff can work flexible hours between 07:00am and 07:00pm. As many complaints occur and businesses open only in evenings and weekends, Officers work flexibly where necessary and will work unsociable hours on a goodwill basis without paid overtime. However, the moratorium on paid overtime brings challenges to management of the service and the safety of Officers. Enforcement visits are carried out outside core hours on a pre-planned basis. Any emergency response is currently carried out on a goodwill basis.

### **3.5 Enforcement Policy**

The current documented Enforcement Policies are linked to the nationally agreed Enforcement Concordat. This is currently being reviewed to include the Regulators Compliance Code which was introduced in Wales last year.

### **3.6 Cultural and Ethnic Diversity**

Translated versions of several business leaflets are available and the Council has sourced translators which have been used to translate Notices and or letters when required, at a significant cost.

The Sections' also implement the Council's Welsh Language Policy and provide Welsh speaking Officers when dealing with service requests.

### **3.7 Education and Partnership Working**

The Teams work closely with Public Health Wales, Local Authorities, Hywel Dda Local Health Board, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service etc. This has been illustrated in many of the actions identified from the Integrated Community Strategy.

## 4.0 FOOD SAFETY AND WORKPLACE HEALTH AND SAFETY

### Food Safety and standards, Communicable Disease Control, safety and health

#### 4.1 Scope of the Service

The responsibility for enforcing food standards and feedingstuffs legislation, in addition to other responsibilities, lies with the Trading Standards Services Section who are based in offices in Carmarthen and Llanelli. The resources for Trading Standards Services for implementing food standards and 1.3 FTE.

The feeding stuffs responsibility is not found within this report as it is included in an All Wales Service Delivery Plan.

The Public Health (Environmental Health and Licensing) Services Section is based at Carmarthen, Llanelli and Ammanford and is responsible for enforcing food safety, amongst other wide ranging responsibilities. The table below indicates the breakdown of FTEs' on various functions identified above for Public Health Services.

<b>Public Health Services Officers Staffing Profile</b>	<b>FTE Food safety* 2014/15</b>	<b>FTE Food safety* 2015/16</b>	<b>FTE Health and Safety** 2014/15</b>	<b>FTE Health and Safety** 2015/16</b>
Head of Public Protection***				
Public Health Services Manager	0.2	0.2	0.05	0.05
Principal Officer	0.8	0.7	0.2	0.3
Senior officers	0.8	0.8	0.2	0.2
EHP'S	7.1	7.35	1.3	1.2
Technical Assistants (sampling)	0.2	0.2		
Animal Health Officers	0.05	0.05	0	0
<b>Total</b>	<b>9.15FTE</b>	<b>9.3FTE</b>	<b>1.75FTE</b>	<b>1.75FTE</b>

**Note :-** \* 'Food safety' includes inspection (including implementing the food hygiene rating scheme), advice, sampling, shellfish monitoring, infectious disease, health improvement,  
 \*\*'Health and Safety' includes inspection (and initiatives), advice, accident investigation, and general public health including the implementation of the smoking, skin treatments and sunbed legislation.  
 \*\*\* As part of efficiency savings, the team was re-aligned and the Division now shares the Head of Housing (now Head of Housing and Public Protection)

The figures above illustrate the current proportion of Officer resources. It may be necessary, however, to regularly review the workloads and demands on the

service and re-align the Section to ensure that the demands on the service are delivered according to priority

## 4.2 Demands on the Service and Food Premises Profile

Table 1 shows the number and type of premises in the County. There are 1,937 registered food businesses.

**Table 1**

Type of business	April 2014	April 2015
Primary Producer (registered)	10	13
Manufacturer/Packer	83	77
Importer/Exporter	0	0
Distributor/Transporter	9	6
Supermarket/Hypermarket	29	30
Small Retailer	312	295
Retailer/Other	128	125
Restaurants and other caterers	336	342
Hotel/Guest House	100	88
Pub/Club	322	306
Take Away	136	139
Caring Premises	139	145
School/College	139	133
Mobile Food Unit	77	69
Restaurant and Caterers – Other	157	169
<b>TOTAL</b>	<b>1977</b>	<b>1937</b>

At the time of writing the report, there are 22 EU Approved businesses in Carmarthenshire which produce a variety of meat, dairy, fish and egg products. Some of these businesses only manufacture on a small scale, but the majority prepare high risk foods with complex and specialised procedures. They supply food to businesses outside the County on a considerable scale.

Shellfish gathering continues to be a large industry in Carmarthenshire, which requires regular sampling, monitoring and enforcement. A sampling regime is essential to maintain / review bed classification and biotoxin monitoring, in order to permit commercial gathering. This can be a very lucrative business and multi agency monitoring is carried out regularly to prevent, where possible, incidents of food fraud.

In addition to EU Approved premises, the County is also the home to a number of large non-approved food manufacturers. These include :

- 3 Water Bottling Plants (2 Spring water and 1 Natural Mineral water) plus an additional Natural Mineral Water plant, currently being established, and
- 2 large Ice Cream manufacturers.



Due to the demographic nature of Carmarthenshire, there are approx 5,000 Primary Producers of food, predominantly falling under the category of dairy, beef or sheep farms. Of these, approximately 1,000 are considered to be high risk, as they operate multi-species businesses. In order to comply with the principles of 'better regulation', Animal Health Officers carry out basic inspections and any food safety related issues are reported back to Environmental Health Practitioners for further action if necessary.

The level of joint working with the Health and Safety Executive (HSE) has been considerably reduced as a result of limited HSE resources and the prioritisation of activities.

Increased partnership working with Public Health Wales particularly in communicable disease.

Various organisations and businesses use the County for large out-door events and thematic street markets. These need to be regulated and checked for hygiene, water supply, refrigeration and basic public health standards.

Officers also look for ethnic products of animal origin and products not of ethnic origin during their enforcement duties, particularly in wholesale premises and pound shops.

### 4.3 Service Delivery

#### 4.3.1 Food Safety Inspections and Education

Premises liable for food and feeding stuffs inspections are risk assessed and the risk assessment category dictates the frequency and level of inspection they receive.

The inspection programmes for 201/16 are found in tables below :-

Category	Planned Inspections 2015/16
A	16
B	48
C	595
D	166
E	194
Unrated	43
<b>Total Inspections</b>	<b>1054</b>
FHRS Revisits (estimated)	<b>45</b>
Estimated revisits	<b>50</b>
FSM projected visits	<b>15</b>
Outside programme	<b>81</b>

<b>Total visits</b>	<b>191</b>
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Inspections are grouped geographically where possible for reasons of economy and efficiency.

All food safety high risk premises receive a full inspection/audit in order to attain the targets set locally and in order to issue a food hygiene rating to the business (following an unannounced inspection). Low risk premises could be subject to an inspection or alternative intervention depending on;

- 1) Whether they are excluded from FHRS or
- 2) It is the first official control visit following a full programmed inspection which resulted in the premises being deemed broadly compliant

There is only one National PI for food safety for 2014/15 - the percentage of food establishments which are 'broadly compliant' with food law.

Deviation from the programmes outlined above, may occur in response to major food incidents e.g. food poisoning outbreaks, investigation of illegal meat trade; special projects referred from the Food Standards Agency; new legislation etc.

In order to determine whether a revisit is necessary, consideration will be afforded to:

- 1) The number and seriousness of the offences,
- 2) The willingness of the proprietor to comply,
- 3) Issues related to public health protection, and
- 4) Premises awarded a FHR score of 2 or less

**The Estimated Resources required to deliver this service is 5.55FTE**

#### 4.3.2 Food Standards

All premises that sell, supply or manufacture food are risk assessed in accordance with the LACORS Risk Rating Scheme. The scheme suggests that all high risk, together with 50% of medium risk and 20% of low risk businesses should be inspected annually. The low risk businesses should be subject to a questionnaire survey.

In accordance with the quality manual (TS/FSTD1), re-visits will only be carried out where there is a significant risk to health.

<b>Category</b>	<b>Planned Inspections 2014/15</b>	<b>Planned Inspections 2014/15</b>
A – High	175	150
B – Medium	600	800
Unrated + low	200	200
<b>Total</b>	<b>975</b>	<b>1150</b>

**The Estimated Resources required to deliver this service is 1.6FTE**

### 4.3.3 Primary Producers

The Environmental Health Practitioners (EHP's) work with Animal Health Officers in the Trading Standards Services Section to carry out inspections at farms and other premises identified as Primary Producers. The inspection process uses inspection forms which are based on the Code of Practice developed for use by Animal Health Officers and where issues are identified, they are passed to the Environmental Health Practitioners' for further action where necessary.

**The Estimated Resources required to deliver this service is 0.05FTE**

### 4.3.4 Safety and Health

The recent national guidance relating to enforcement and inspection of workplaces suggests that only high risk, ie. 'A' category premises, should be prioritised in the planned programme of inspections regime. In addition, local authorities are encouraged to participate in national and regional health and safety initiatives. The initiatives are set 'thematically' as a result of intelligence led data.

This year, the number of 'A' risk premises included in the programme of inspections is 4.

The section will be continue to inspect and review all the Sports Grounds certificates within the County.

The table below outlines the details of the programmed initiatives :-

<b>Regional or National</b>	<b>Type of initiative</b>	<b>Number of premises included</b>	<b>Notes</b>
Local	Maintaining a register of premises and persons offering skin treatments including piercing, tattooing, micropigmentation etc.  The businesses are monitored for compliance with conditions of the licence, linked to the adoption of the byelaws  Providing fact and information sheets	Intelligence led	The premises currently carrying out ear piercing, tattooing and acupuncture are licensed, however the treatments are becoming more extensive and currently we have approximately 80 premises who are carrying out treatments that would require a licence under this byelaw.  There are also a considerable number of treatments which are not included within the

	for both businesses and customers.		remit of the byelaws, but do pose a risk to public safety and health if not monitored.
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To date, due to pressures associated with the enforcement of food hygiene, no commitment has been pledged to the undertaking of any of the specified initiatives.

The introduction of the Regulations to extend the Smoke Free Premises legislation will require Local Authority Officers to enforce no smoking in vehicles where children are present (as from September 2015). This does provide an addition challenge to the section as there are no resources to support its implementation. It is the intention that initially, the section will support the introduction by means of general publicity and working with educational services to focus on concerns with parents in vehicles outside schools etc. Officers will also work with the Leisure section (and schools) to support smoke free playgrounds.

**The Estimated Resources required to deliver this service is 1.35FTE**

#### 4.3.5 Food Hygiene, Safety and Standards Service Requests

Service requests that are recorded on the data base systems, include food and premises complaints and legislation queries, etc. Notification from Dwr Cymru/Welsh Water of potential water disconnections has an impact on food safety and standards, together with workplace health and safety. Where businesses providing high risk foods are threatened by disconnection, the businesses are contacted or visited to ensure that the water supply remains constant during operation or if the disconnection proceeds, that the businesses does not trade until such time as the supply is reconnected.

Food Standards complaints and requests for service are handled in accordance with the Quality Manual and Food Law Code of Practice. There is a steady increase in the number of service requests year on year.

	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
<b>Service Requests</b>	491	507	574	538	667	741

**The Estimated Resources required to deliver this service is 1.5FTE**

#### 4.3.6 Home Authority Principle and Primary Authority

The Council does not act as a Primary Authority nor is it a Home Authority for any food business in the area. Carmarthenshire is however, classified as an originating authority for approximately 77 manufacturers, thus being the initial point of contact for any food complaints arising outside the authority in relation to such products.

#### 4.3.7 Advice to Businesses

Officers provide information during the inspection process. Information packs are available for new businesses and the website is currently under review. It is anticipated that information for consumers and traders will be available, with links to other sources of information from which advice can be obtained free of charge.

**The Estimated Resources required to deliver this service is included in the FTE for inspections (4.3)**

#### 4.3.8 Food Sampling

Food sampling programmes are developed annually in response to perceived local needs and problems. The hygiene sampling follows the Welsh Food Microbiological Forum Sampling Programme and this year it will focus on sampling local producers, manufacturers and retailers as part of these surveys. It is anticipated that the Section will procure 120 samples during the year.

Shellfish sampling is carried out on a rolling programme, to ensure the continual classification of beds for commercial gathering. The Section must have the capacity to retrieve 48 flesh samples and 18 water samples throughout the year. It is anticipated however that this will result in approximately 120 flesh samples and 48 water samples, but this number is likely to increase if bacteriological quality is poor, an incident occurs or applications are received for classification of additional beds.

The current food standards sampling programme is drawn up in conjunction with the South and West Wales Food Standards Liaison group. There are two coordinated sampling surveys undertaken each year. In addition to this, Officers devise their own sampling programmes based on local intelligence food complaints, FSS and local laboratory evidence.

**The Estimated Resources required to deliver this service is 0.25FTE**

#### 4.3.9 Food Standards Sampling Programme 2015-2016

There is a £29,000 sampling budget plus FSA regional bid. The Service will aim to target 50 high-risk premises, each to be sampled dependant on the nature of their product. **£2500 total**

Type of food	Sampling for	Month
Fruit & Veg — Informal samples Check with analyst quantity Fruit 31E	pesticides	June

<p><b>£143.50/sample</b> Veg 34G <b>£143.50/sample</b> Markets, corner shops, farm shops, 20 samples <b>£2870</b> (plus purchase cost)</p>		
<p><b>Meat</b> Informal sampling 1 sample Lamb Passanda Codes: 53b (meat - £54) 51b (nuts - £54) 1b (colours - £79) <b>£187/sample</b> Approx 30 premises approx <b>£150</b> <b>purchase cost</b> <b>£5650 Total</b></p>	speciation/colours/nuts	September
<p><b>Red Wine</b> Formal Samples 3 bottles of the same batch Code: 16c (£33) <b>£660</b> 20 samples <b>£300</b> <b>purchase cost</b> <b>£960 total</b></p>	excessive sulphites	October
<p><b>Minced meat</b> 44l (fat, species &amp; connective tissue) <b>£96.50/sample</b> Formal Check quantity with analyst 40 samples Consider cross contamination <b>£4000 total</b></p>		November
<p><b>Mince</b> (44l) <b>£96.50/sample</b> <b>Meat speciation</b> (44b) <b>£54.10/sample</b> 4 schools <b>£640</b> 2 hospitals <b>£320</b> <b>Total £1000</b></p>		November

<p><b>Alcohol -</b> 17a (strength) &amp; 17c (authenticity) <b>£150/sample</b> <b>(£12,000)</b> Formal 80 samples 7 pubs – 14 samples each – linked to routine pub visits Purchase approx £1300 One clear, one dark spirit in each premises <b>Total £12,500</b></p>	<p>Strength and authenticity</p>	<p>December</p>
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**The Estimated Resources required to deliver this service is 0.5FTE**

#### 4.3.10 Control and Investigation of Outbreaks and Food Related Infectious Disease

Carmarthenshire County Council is currently in the process of adopting a revised All Wales Plan for Handling Outbreaks for Food Poisoning together with partner organisations. It is anticipated that there will be an exercise to demonstrate and test the Plan on a multi disciplinary partnership basis. All cases of food poisoning or suspected food poisoning are investigated and contact is made in person, by telephone or by letter. The Council participates in all Wales Enhanced Surveillance Projects, currently for individual cases of Giardia.

All outbreaks are investigated on the same day as the notification is received.

All outbreaks to date have a viral origin.

The County also has a high prevalence of zoonotic disease, primarily TB in food animals. The Section has duty to ensure that any milk produced from affected dairy farms is pasteurised.

Notification Type	2009	2010	2011	2012	2013	2014
Campylobacter	176	194	267	182	193	319
Salmonella	28	20	12	7	18	18
E Coli	3	5	9	5	9	3
Cryptosporidium	28	21	15	24	18	29
Giardiasis	1	8	6	5	12	9
Other Food Poisoning	27	19	17	0		13

Clostridium	0	1	2	0	4	3
Listeria	0	1	1	0	0	1
Shigella	4	0	2	0		3
Legionnaire's Disease	3	0	1	8	4	0
Typhoid Fever	1	0	0	1	0	0
<b>TOTAL</b>	<b>271</b>	<b>269</b>	<b>332</b>	<b>232</b>	<b>258</b>	<b>398</b>

**The Estimated Resources required to deliver this service is 1.4FTE**

#### 4.3.11 Food Incidents

All Officers are notified of food incidents electronically. Action is taken in accordance with the hazard warning category and on the basis of additional advice given in the warning.

Allegations of food fraud will instigate investigations as necessary. Any intelligence received is reported to the Food Fraud Co-ordination Unit.

**The Estimated Resources required to deliver this service is absorbed in 4.5 (service requests)**

#### 4.3.12 Accident Investigations

Notifiable accidents which occur in workplaces regulated by the Council must be reported to the local authority or the Health and Safety Executive by the responsible person in charge of the premises. The Section has developed a procedure for dealing with those notifications and they are investigated in accordance with the revised LAC 22/13 circular. The number of workplace accidents reported and investigated has therefore reduced.

	<b>Nos of accidents reported</b>	<b>Nos of accidents investigated</b>
2007/8	110	94
2008/9	100	88
2009/10	117	66
2010/11	146	44
2011/12	126	27
2012/13	75	33
2013/14	61	24
2014/15	86	18

**The Estimated Resources required to deliver this service is 0.4FTE**



#### 4.3.13 Liaison

The Public Protection Division has in place arrangements to ensure that enforcement action is consistent with those of neighbouring local authorities and is represented on the Directors of Public Protection Wales Expert Panels and Task Groups dealing with Food Safety and Communicable Disease, Food and Agricultural Standards and Health and Safety issues.

The Service has good working relationships with the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) and Welsh Government's Fisheries Unit, together with Public Health Wales.

There is a good working relationship with the Health and Safety Executive and other local authorities. It also works closely with Dyfed Powys Police, the Mid and West Wales Fire and Rescue Service and the Welsh Ambulance Service particularly with regards to the Safety Advisory Groups for events and Sports Grounds.

**The Estimated Resources required to deliver this service is 0.5FTE**

#### 4.3.14 Food Safety and Standards Promotion

Catering premises that are considered to be 'broadly compliant' in hygiene terms and which would by definition, normally fall under the 3,4 or 5 score of the National Food Hygiene Rating Scheme are eligible for a Healthy Options Award. The Award, which has three tiers, ie. Bronze, Silver and Gold, recognises and encourages caterers and operators of food businesses to provide healthier options to customers. This plays an important role in delivering the 'Obesity Pathway', as part of the Public Health Agenda. The Section is currently working closely with Pembrokeshire County Council, Cyngor Sir Ceredigion and the Hywel Dda Local Health Board to explore funding which is sustainable, to enable the Award to be introduced on an area basis.

#### 4.3.15 Food Safety Week

The Section will be participating in Food Safety Week this year which will focus on the theme of 'Don't wash your raw chicken' which help consumers re-assess their existing food safety behaviours in their own home kitchens. Promotional material will be placed in the Customer Service Centres throughout the Council and in the foyer of a very busy supermarket at Crosshands.

#### 4.3.16 Christmas Safe Cooking and Safe BBQ Cooking Information

The Section provides information to the public and caterers regarding the safe storage and cooking of poultry in the run up to Christmas each year and by offering leaflets to butchers for display and to offer to customers.

#### 4.3.17 Health Challenge Carmarthenshire

The Section supports the Health Challenge Wales website, ensuring public health messages are cascaded to the public and that they have links to other sources of information, so that they are able to make informed choices about their health.

**The Estimated Resources required to deliver this service is 0.1FTE**

## SECTION 4

### 4.0 LICENSING

#### 4.1 Scope of the Service

The Licensing Team is based in Carmarthen and is responsible for providing advice, processing and enforcing authorisations issued under the Licensing and Gambling Acts, Hackney Carriages and Private Hire Vehicles, drivers and operators, Street and House to House Collections and Street Traders

The table below indicates the breakdown of FTEs' on various functions identified above for Licensing.

<b>Licensing FTE April 2015</b>	
Head of Public Protection*	
Public Health Services Manager	0.25
Principal Officer	1
Senior Officer	1
Licensing Officer	4
Licensing Assistant	2
<b>TOTAL</b>	<b>8.25</b>

\* As part of efficiency savings, the team was re-aligned and the Division now shares the Head of Housing (now Head of Housing and Public Protection)

#### 4.2 Demands on the Service

##### 4.2.1 Profile of Licences

Table 1 shows the number and type of Licenses as of April 2014 :-

<b>Type of Licence</b>	<b>No. April 2014</b>	<b>No. April 2015</b>
Licensing Act*	881 premises licences	878
	83 Club Premises Certificates	82
	2,236 Personal Licences	2221
	433 Temporary Event Notices (201/14)	414
Gambling Act*	26 Premises Licenses (ex permits)	25

	324 Non Commercial Lottery 43 Permits 249 Alcohol Licensed Premises Automatic entitlement Permits	313 Non Commercial Lottery 54 Permits 253 Alcohol Licensed Premises Automatic entitlement Permits
Taxi/private Hire Drivers**	560	569
Taxi/private Hire Vehicles**	432	472
Taxi/private Hire Operators**	36	39
Street traders***	14	37 during the year
House to House***	68	62 during the year
Street Collections***	135	94 during the year
<b>TOTAL</b>	<b>5,520</b>	<b>5,520</b>

\*prescribed fees

\*\*discretionary fees

\*\*\*no fees

In light of recent changes in the Licensing Act, the Council will have to undertake a review of its current Licensing Policy. Additionally, the Gambling Policy will also be reviewed this year

The legislation regarding alcohol and regulating entertainment is constantly evolving in order to deregulate. This is challenging for license holders and enforcement agencies to maintain.

The Public Health Services Manager leads a multi agency group, the Safety Advisory Group which assesses large events and it consists of representatives other partner agencies, eg. Police, Fire and Rescue Service, Ambulance Service and the Local Health Board, together with Officers of other Departments of the Council. As a result of this pattern of working, the Team has developed good working relationships with the partner agencies, as well as with applicants and licence holders. The introduction of the Deregulation Act as well as other changes to the Licensing Act has resulted in a relaxation of licensing requirements of regulated events at certain locations and events including Local Authority premises. As a result, to ensure safety, the licensing section work alongside Leisure Division of the Authority to establish a Safety Advisory Group as necessary.

The legislation used in the enforcement of licensed vehicles and drivers is currently being reviewed. The Deregulation Act is in the process of being

approved (at the time of writing the report) and it appears that this may affect the current process of licensing drivers. It is, as yet, unclear what effect this has on the section. Additionally, the Law Commission Report has been published and is awaiting Parliamentary approval. This report if approved will result in the repeal of much of the existing legislation and will provide a single legislative framework to regulate both taxi and private hire services.

The Section has established a Licensing Action Group which is made up of representatives from the Responsible Authorities which meet regularly to target/highlight problem/higher risk premises and agree joint actions to tackle issues.

There is concern about the impact of validation on the income stream of the Licensing budget. The vast majority of licensing fees and charges are prescribed and cannot be amended, except by Central or Regional Government. In addition to this, the implementation of the Deregulation Act has resulted in approximately 1,00 personal licences not requiring renewal. Year on year validation produces an additional efficiency saving that the Public Protection Division has to find. Fees and charges have become overstated and the income projections are in a position where they are not realised. For licenses that are not prescribed, the Expert Panel are providing a tool kit for consideration when Licensing sections throughout Wales consider setting fees for licenses taking into account the EU Services Directive and consideration of what can and cannot be charged for. It is fully accepted that the section will never be self financing, however, the toolkit enables Authorities to consider what they may be able to charge for and therefore justify the charge should they be challenged at a later date. These fees are in the process of being reviewed.

### **4.3 Service Delivery**

#### 4.3.1 Inspection, Education and Enforcement

Officers are responsible for processing licensing applications, offering advice to applicants as well as members of the public who are concerned about applications or activities and they also undertake compliance/enforcement exercises to ensure that relevant legislation and conditions where applicable, are complied with. Enforcement is conducted during normal working hours, however, there are occasions when it is more appropriate to conduct enforcement out of hours often with the Police or other agencies frequently during the busier periods in the night time economy.

Officers provide information during inspections, during telephone calls and also to personal applicants or complainants at the Carmarthen Customer Service Centre. The website is currently under review and it is anticipated that information to both consumer and traders will be available with links to other sources of information, from which advice can be obtained free of charge.

#### 4.3.2 Liaison

The Council ensures that enforcement action is consistent with those of neighbouring local authorities and is represented on the Directors of Public

Protection Wales Licensing Expert Panel and the Institute of Licensing Group. There is also a Liaison Group linking the four Counties' of Carmarthenshire, Pembrokeshire, Ceredigion and Powys, as well as the Dyfed Powys Police.

#### 4.3.3 Licensing Promotion

The section are working closely with the press office to promote safety for example unlicensed taxis, responsible drinking messages etc.

## SECTION 5

### 5.0 POLLUTION

#### 5.1 Scope of the Service

The Pollution and Public Health Teams are based in Ammanford and works County-wide, but the Officers do work from the Llanelli and Carmarthen offices, as and when required. The proactive responsibilities include monitoring and enforcing a wide range of regulatory controls dealing with noise, air quality and land issues. The reactive services include dealing with nuisances, such as odours, smoke, dust and light, as well as from poor conditions of properties resulting in concerns from neighbours, e.g. animal waste / waste accumulations. The responsibilities also includes monitoring drinking and bathing water quality, providing the dog warden function and an enforcement and advisory service for pest control.

The table below indicates the breakdown of FTEs' involved in Pollution work :-

<b>Pollution Team FTEs' April 2014</b>	
Head of Public Protection*	
Public Health Services Manager	0.50
Principal Officer	2.00
Environmental Health Practitioners*	5.75
Scientific Officers	2.00
Technical Officers	2.00
Technical Assistant/Dog Warden	3.80
<b>Total</b>	<b>16.05</b>

\* As part of efficiency savings, the team was re-aligned and the Division now shares the Head of Housing (now Head of Housing and Public Protection)

\*\* one EHP is currently employed as a contractor until re-alignment report.

#### 5.2 Demands on the Service

All functions are statutory. Officers handle high and often complex caseloads which can, at times, exert pressures on other service delivery areas and on the Team as a whole. The team deal with both reactive and proactive work. With regards to the proactive, this can be programmed over the year, however, the reactive can, at times, be a real challenge for the team with regards to demand and complexity.

The number of service requests for issues regarding noise, odours, smoke, neighbourly disputes etc have increased from 2013/14 to 2014/15 as shown in the table below: it is likely that this trend will continue to rise as customers expectations also increase:-

## Service Requests received

<b>Types of Service Requests</b>	<b>2013/14</b>	<b>2014/15</b>
Public Health	3,209	3,672
Dog Warden	1,055	969

### **5.3 Service Delivery**

#### 5.3.1 Noise

Responding to planning consultations, especially those involving wind turbines, forms a considerable proportion of the work of the Team. The noise assessment process is complex and extremely time consuming. Officers are also involved in several large scale wind farms, some have received planning, one very large site from the Infrastructure Planning Commission as it has energy generating capacity of national significance and others currently going through various stages of the planning process.

The team responded to 156 planning consultations during 2014/15 with a large proportion of those dealing with windfarms and individual turbines. In order to improve the efficiency of the planning process, the section has developed a comprehensive guide for applicants identifying what is required from Public Health Services in order to assess the application. Additionally, the Section has developed a guide for complaints about wind turbines that are in situ. Following a process review within the Development Management Team, there is now a greater emphasis being placed on pre-application engagement with developers. This places a greater burden on the Pollution and Public Health Teams in that additional liaison with developers must take place to ensure that all information is present and satisfactory prior to an application for Planning Consent being submitted. A code had been created to allow the additional work generated to be accounted for on the Divisions Data Management system.

**The Estimated Resources required to deliver this service is 1.2FTE**

The Team continues to deal with issues of Anti-Social Behaviour, and is actively involved with the Anti-social Behaviour and Criminal Damage Group. The Anti Social Behaviour, Crime and Policing Act has been introduced and may have an impact on the way in which the officers work.

The current Licensing legislation has had an impact on the work of the Team, especially as Environmental Health Practitioners have a role as a Responsible Authority in respect of Temporary Event Notices, in providing responses and assessments in relation to noise, public safety and nuisance. The team received 414 TEN consultations in 2014/15, and 76 consultations relating to Premise Licenses, 29 of which related to new applications.



Officers also provide expertise in relation to noise and public safety at Safety Advisory Groups for large scale events, and also respond to any issues arising from the Police's Weekly Incident List.

**The Estimated Resources required to deliver this service is 0.7FTE**

### 5.3.2 Air Quality

The Air Quality Management Area (AQMA) declared for Llandeilo in November 2011 continues to progress. Both the Forum and Action Planning Groups are actively involved in the preparation of an Action Plan, which was submitted to Welsh Government during 2014/15. This outlined measures to improve Air Quality in the AQMA.

It is intended that two further Air Quality Management Areas will be declared this year; one in Carmarthen and the other in Llanelli. This will result in a considerable amount of resources collating the data as further evidence and producing the comprehensive reports for consideration/consultation.

Local screening assessments of air quality will continue throughout the County, with detailed assessments undertaken in areas which are near or exceed the EU intervention level for NO<sub>2</sub> in the atmosphere

Every three years, the Council is required to submit a comprehensive Updating and Screening Assessment (USA) of Air Quality report to Welsh Government and the last report was submitted in May 2012. Progress reports have been completed year on year and another USA will be submitted in 2015.

**The Estimated Resources required to deliver this service is 0.8FTE**

### 5.3.3 Environmental Permitting

Legislation requires the Council to manage certain industrial processes that have the potential to pollute the atmosphere and they include petrol stations, dry cleaners, timber processing plants, cement batching and pet food manufacture, for example. There were 80 processes which hold Permits at the end of 2014-15, an increase on the previous year, some of which are very complicated and require a degree of specific knowledge and understanding of the operation to ensure that they are operating within conditions attached to the Permit. All Permit holders receive an inspection as determined by DEFRA's risk rating scheme and they are required to pay an annual fee, which is prescribed by Welsh Government. The validation of these fees during the budget process produces a considerable extra efficiency saving that the Public Protection Division has to find.

**The Estimated Resources required to deliver this service is 0.4FTE**

#### 5.3.4 Other Pollution

The Division has previously identified areas of land within Carmarthenshire that have potential for ground contamination to exist, mainly as a legacy of its industrial heritage. The legislation regulating contaminated land has not changed and there remains an explicit duty conferred on local authorities to inspect land with a view to determining whether or not it is classed as contaminated land. In March, 2012, Welsh Government withdrew grant funding for detailed intrusive site investigations and remediation and this has placed the service under extreme pressure and an uncertain future. The service cannot be provided unless it is fully funded and this has required a change in emphasis so that the Team works more proactively with landowners and developers during the planning and regeneration processes.

The section will be consulting on the Contaminated Land Inspection Strategy which has been reviewed during this year. It is intended that the strategy will reflect the current proactive approach.

As with other service areas, the option of charging for some areas of this work, e.g. property searches may be explored.

**The Estimated Resources required to deliver this service is 0.8FTE**

#### 5.4.5 Statutory Nuisance

The Team receives over 3,600 service requests last financial year (an increase of 400 from the previous year) and many of these requests relate to statutory nuisance. Where the investigation of a complaint reveals that action is required, the Officer will attempt to resolve the issue through advice or mediation, but where this is unsuccessful, a Notice will be served. Any works or actions necessary to abate or remedy the statutory nuisance will be monitored and if there is non-compliance, legal proceedings will be instituted or works undertaken in default. In cases of accumulations of waste on land, the Section will take action against landowners and occupiers to require its removal, if the person(s) responsible cannot be found. Works undertaken in default of any Notice will have an impact on budgets, as some costs for works may not be recoverable. The Teams' capacity will have to be reviewed throughout the year and an assessment made on the impact on resources.

Fly tipping cases are increasing on private land, and these cases require high amounts of time for investigation. This includes finding evidence, interviewing offenders etc.

Urgent complaints or conditions that present a threat to life, eg. carbon monoxide poisoning incidents will be actioned the same working day.

The Team continues to deal with issues of Anti-Social Behaviour, and is actively involved with the Anti-social Behaviour and Criminal Damage Group. The Anti Social Behaviour, Crime and Policing Act has been introduced and may have an impact on the way in which the officers work and volume of workloads.

The Team service complaints relating to noise from a wide range of sources, including those from a domestic, commercial and industrial setting. There is a year on year increase in service requests and 2015-16 is likely to follow that pattern. The Section has invested heavily in noise monitoring equipment and Officers are often required to work unsociable hours in order to witness and assess noise disturbances as part of the investigation process.

There is also a significant number of Housing stock related complaints being dealt with. The process of hand over of such complaints to the pollution team is currently being reviewed to ensure an efficient and consistent approach.

#### 5.4.6 Pests

The Team provides an enforcement and advisory service for pest control and deals with over 530 service requests annually. This work includes offering advice to treat for pest, prevention access/harbourage for pests and surveys of drainage to identify, where possible, areas of damage leading to points of access and remedial work required. The numbers reports and areas are monitored annually.

**The Estimated Resources required to deliver this service is 9.75FTE**

#### 5.3.7 Water quality

There are approximately 2,374 private drinking water supplies in the County, the majority supplying single domestic properties. Officers will only sample drinking water at these premises, if requested to do so by the owner or if Officers are investigating a public health issue.

Under the Private Water Supply (Wales) Regulations 2010, there are currently 46 large or commercial supplies. However, this may increase to 204 if the definition of a 'large supply' changes later this year and a further 35 small supplies may also require monitoring. There are 2,088 single domestic properties which can request sampling and the Team will continue to risk assess and sample a proportion of them throughout 2014, in accordance with the regulations.

In addition to the above, EU legislation requires Local Authorities to carry out sampling for private waters to include tests for presence of radon. There are areas in Carmarthenshire where radon is prevalent and therefore, this could result in a considerable amount of work and associated cost with testing.

The Team will work closely with Dwr Cymru to ensure that water supplies for large events are fit for purpose and present no public health risk.

**The Estimated Resources required to deliver this service is 0.5FTE**

### 5.3.8 Bathing Water

Officers of the Public Health Team sample bathing water at Burry Port beach, which is a non-designated bathing water, under EU legislation. Bathing water quality is sampled weekly between May and September of each year which is the bathing season. North Dock in Llanelli, will also be sampled monthly throughout the year, as it is used for recreational purposes. Natural Resources Wales has responsibility for the two EU designated bathing beaches at Pembrey and Pendine.

Officers also monitor for blue green algae in water which is accessible for members of public. Where there is evidence of contaminants, officers will work alongside owners/responsible persons to prevent, where possible, any public health issues.

**The Estimated Resources required to deliver this service is 0.5FTE**

### 5.3.9 Dog Warden

The Team's Dog Warden operates County-wide and covers the collection of stray dogs and provides a response to irresponsible dog ownership. Over 960 stray dogs were dealt with by the dog warden service last year with some being impounded and some being returned to their owners where known. In 2014, the service has continued to hold a number of free dog identity microchipping events in various parts of the County which proved to be very successful. It was initially stated that legislation requiring all dogs to be micro-chipped will be implemented in Wales later this year. However, this has been delayed until 2016. It is anticipated that non compliance will result in a fine up to £500. Should this be the case, it will result in more enforcement work for the dog warden.

In addition to this, the Anti Social Behaviour, Crime and Policing Act (section relating to dogs) should be implemented later this year. Part of that legislation is likely to have an impact on enforcing complaints about dogs behaving dangerously on private land. Should this be the case, there will be an increase in demand on the service and require more resources.

**The Estimated Resources required to deliver this service is 1.2FTE**

### 5.3.10 Scrap Dealers Registration

The Public Protection Division has been working closely with Dyfed Powys Police to register applicants upon application under the Scrap Dealers Act on identifying scrap dealers across the County, to help reduce the levels of metal crime. To date, 38 collectors have been licensed. In addition to this, there are currently 5 scrap yards, which includes motor salvage operators.

The requirement to register is currently being promoted through scrap yards and the press, and anyone caught trading without the necessary registration will be prosecuted.

#### 5.3.11 Advice to Businesses and Customers

Officers provide information during inspections, during telephone calls and also to personal complainants at the County's Customer Service Centres'. The website is currently under review and it is anticipated that information to both consumer and businesses will be available with links to other sources of information, from which advice can be obtained free of charge.

#### 5.3.12 Liaison

Enforcement action in relation to pollution control is consistent with those of neighbouring local authorities and Officers' represent the Council on the Directors of Public Protection Wales Expert Panels. These working relationships with DEFRA, Natural Resources Wales, Welsh Government, Public Health Wales, Dyfed Powys Police and other departments' of the Council will continue in 2015-16.

#### 5.3.13 Promotion

##### Noise awareness

Officers dealing with Noise Control will take part in the annual Noise Awareness Week through undertaking a social media campaign aimed at raising awareness of noise issues. It is intended that 2015-16 will involve a campaign working with colleagues in the Police and Licensing Section to raise awareness of noise issues / License conditions relating to Entertainment Venues. This will also involve working with License Holders

##### Responsible dog ownership.

The service will continue to hold a number of free dog identity microchipping events in various parts of the County to promote responsible dog ownership. In addition to this, the team will also extend the promotion to clearing up after their dog.

## SECTION 6

### 6.0 RESOURCES

#### 6.1 Budget and Staffing Allocation

The staffing level of the Public Health Services Section is described using Full Time Equivalents (FTEs') for the various responsibilities of the service and they have been highlighted in the previous sections of this report.

The budget for food and health and safety is outlined in Appendix 3.

Efficiency savings continue to have a considerable impact on the Service and staffing is being reduced as a consequence. The Section faces a very challenging time, as it constantly monitors, reviews and realigns as necessary functions, services and response times with its resource allocation and the requirement to implement current legislation.

The validation of budget income year on year continues to be a problem, as the majority of fees and charges are prescribed and cannot be set by the Council. In recent years, this has meant that the Public Protection Division has had to find an increased efficiency saving because of the validation process and a failure by successive Governments' to increase prescribed fees. The section is working with the Division as a whole to address the shortcomings, highlight the reasons and to attempt to explore other means of income generation.

The Division is exploring various areas for collaborative working with neighbouring Authorities. In addition, all Teams' will participate in Expert Panels and Working Groups to ensure consistency of approach, however, it is unlikely to result in any significant financial savings.

The Welsh Assembly is in the process of producing the Local Government Bill which will identify a revised footprint of Authorities in Wales. It is unclear at this stage whether the 'Williams Report' recommendation will form part of the basis, however, the West Wales and Powys Authorities will continue to work collaboratively where possible

The National Enforcement Priorities for Wales, as identified by the BDRO, are being delivered on a regional basis and there are three of relevance to Environmental Health and Licensing Services :-

- Ensuring the safety and quality of the food chain to minimize risk to human and animal health,
- Protecting individuals from harm and promoting health improvement, and
- Improving the local environment to positively influence quality of life and promote sustainability.

The Team will have to work hard and imaginatively in 2015 to minimise the impact of reducing resources to meet those objectives.

## **SECTION 7**

### **7.0 QUALITY ASSESSMENT**

#### **7.1 Consistency**

Senior Officers of the Team attend all Wales Expert Panels and local or regional Task Group meetings where local and national information is discussed and exchanged. This is brought back to the Teams and cascaded via Team meetings. Officers utilise standardised inspection forms and standard paragraphs to ensure consistency and reviews of documentation and procedures are developed or implemented through the Team meeting process. Regular monitoring is undertaken by Principal Environmental Health Practitioners at the fourth management tier level.

#### **7.2 Competency of Officers**

All Officers that carry out food safety and standards functions must fulfil the statutory qualification prescribed in the Food Law Code of Practice and they must also hold Registration Board Membership with the Chartered Institute of Environmental Health. Officers that carry out food inspections must also undertake a minimum of 10 hours (core) food related training annually, together with 20 hours Continuing Professional Development (CPD) annually. Officers carrying out noise assessments hold a post graduate qualification, the Institute of Acoustics Diploma in Acoustics and Noise Control. Over the last 4 years, the Department has supported /continues to support 5 officers (holding satisfactory degrees) in expanding their current knowledge and in developing new skills through the Masters in Environmental Health distance learning course, which will enable them to become Environmental Health Practitioners. To date, 3 of the officers have completed the qualification. This has resulted in the teams offering more flexibility to cover areas of higher demand. The budget allocation of £10,000 for staff training is shared between all Officers of the Public Protection Division and individual training needs are assessed during the 'Helping People to Perform' Process.

#### **7.3 Staff Development Plans**

The Section implements the Corporate Appraisal Process known as 'Helping People to Perform' and this will continue in 2015. The Appraisal Process defines a set of work objectives for each member of staff which is agreed between the Officer and his or her line manager. The principles of Investors in People will be applied throughout the Team in 2015.

#### **7.4 Enforcement**

All enforcement action is taken in accordance with the Enforcement Concordat, relevant Enforcement Policies and Procedures, together with the Food Law Code of Practice. The Enforcement Policy is currently being reviewed to take into account the Regulators Compliance Code.

## **SECTION 8**

### **8.0 REVIEW**

#### **8.1 Review**

The Service Delivery Plan will be reviewed on an annual basis alongside the Departmental Business Plan and quarterly Performance Indicators.

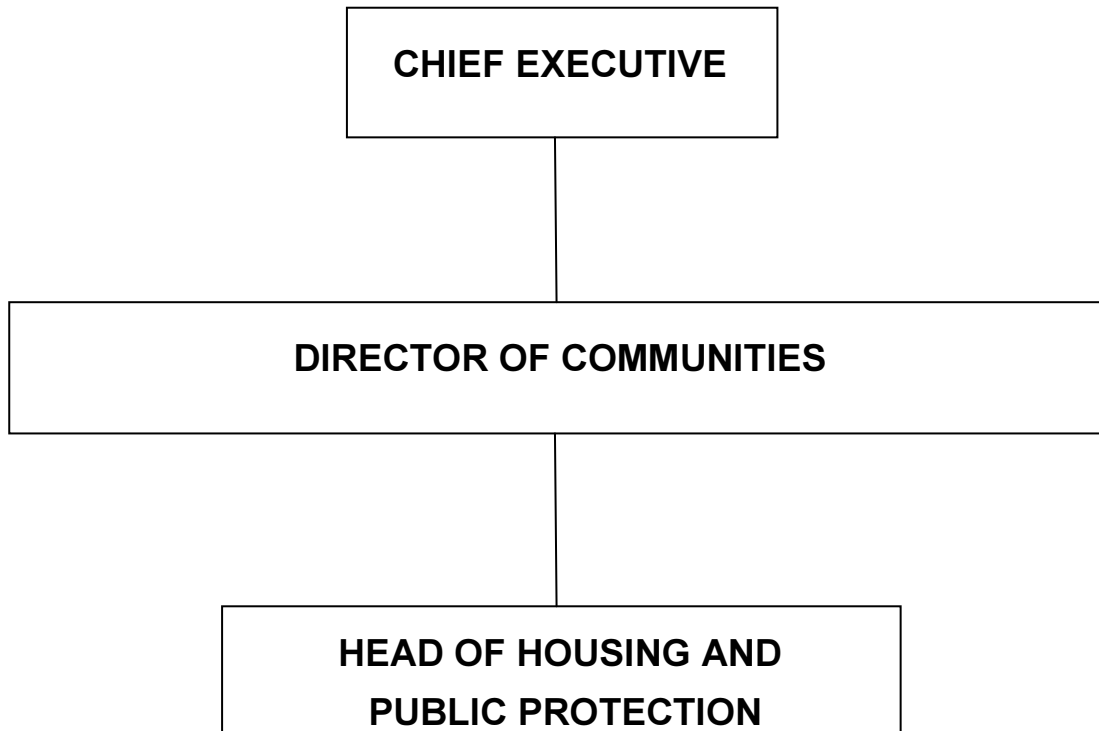
An annual report will be produced for the Environmental and Public Protection Scrutiny Committee at the end of the financial year, which will identify any variances in performance.



## POLITICAL DECISION-MAKING STRUCTURE



**STRATEGIC MANAGEMENT STRUCTURE**



## Appendix 3(i)

### Local Authority Expenditure

<i>The expenditure includes that for food safety, standards, feeding stuffs and health and safety</i>		
	3	2 Budget 2015/16 £
<b>EMPLOYEE COSTS</b> Include: basic pay, overtime, employer's superannuation, employer's national insurance SSP due, pay arrears, other allowances/payments, car allowances/payments, car allowances/mileage/leases/travel expenses and fares, subsistence, pension increases and other employee costs.	<b>574,792</b>	<b>575,986</b>
<b>Property costs</b>	<b>0</b>	<b>0</b>
<b>SUPPLIES AND SERVICES</b> Include: computer equipment (purchase/rental/ maintenance), furniture, equipment and other tools including protective clothing, publications, journals, newspapers and other supplies and services and contractors.	<b>10,697</b>	<b>11,579</b>
<b>SAMPLING COSTS</b> Include: purchases made for the purposes of sampling/testing	<b>2,409</b>	<b>3,615</b>
<b>TRANSPORT AND PLANT</b> Include: hire of external vehicles	<b>180</b>	<b>592</b>
<b>ADMINISTRATION</b> Include: printing and stationery, telephones, advertising (recruitment), postages/couriers, insurance, medical costs, petty outlays, hospitality and other administration costs	<b>1,987</b>	<b>2,887</b>
<b>TRAINING AND CONFERENCES</b> Include: training, conferences, membership fees/subscriptions and exam fees.	<b>1,025</b>	<b>4,259</b>
<b>PAYMENT TO OTHER BODIES</b> For example, public analyst, test unit, cross-boundary projects	<b>33,432</b>	<b>25,741</b>
<b>FINANCING CHARGES</b> Include: central support costs	<b>47,457</b>	<b>42,930</b>
<b>GROSS COSTS (total of all above costs)</b>	<b>671,979</b>	<b>667,589</b>
<b>INCOME</b>	<b>-18,001</b>	<b>-41,594</b>

### Appendix 3(ii)

The Division's budget for 2015/2016 is :-

	<b>Expenditure</b>	<b>Income</b>	<b>Net</b>
	<b>£</b>	<b>£</b>	<b>£</b>
Public Protection Management	<b>188,052</b>	<b>0</b>	<b>188,052</b>
Business Support Unit	<b>249,964</b>	<b>-7,435</b>	<b>242,529</b>
Public Health Services	<b>1,889,907</b>	<b>-453,743</b>	<b>1,436,164</b>
Trading Standards Services	<b>1,409,107</b>	<b>-252,302</b>	<b>1,156,805</b>
<b>Public Protection Total</b>	<b>3,737,030</b>	<b>-713,480</b>	<b>3,023,550</b>

## DECISION RECORD OF THE EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR ENVIRONMENTAL AND PUBLIC PROTECTION

**22<sup>ND</sup> JULY 2014**

Room 67, County Hall, Carmarthen

10.15 a.m. – 10.50 a.m.

EXECUTIVE BOARD MEMBER	PORTFOLIO
Councillor T.J. Jones	Environmental & Public Protection

The following officers were also in attendance:-

Mrs. S. Watts	Public Health Services Manager;
Mr. M.S. Davies	Democratic Services Officer.

### DECLARATIONS OF PERSONAL INTERESTS

1.	No declarations of personal interest were made at the meeting.
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The Executive Board Member, having considered the reports on the under-mentioned items, and taken into account the views of Local Members and interested parties, made the following decisions:-

Item No	Subject/Decision	Action By
2.	<p><b>DECISION RECORD</b></p> <p>RESOLVED that the Decision Record for the meeting of the Executive Board Member for Environmental and Public Protection held on the 23<sup>rd</sup> May, 2014 be signed as a correct record.</p>	Martin S. Davies DSO
3.	<p><b>SERVICE DELIVERY PLAN – PUBLIC HEALTH SERVICES</b></p> <p>The Executive Board Member considered the Service Delivery Plan for Public Health Services which provided the basis for the Public Health Services Section’s work in 2014/15.</p> <p>The Public Health Services Manager advised that the Public Health Services Section was required by the Food Standards Agency and the Health and Safety Executive to produce an annual Service Delivery Plan outlining the Authority’s service aims and objectives. The plan included links to the council’s corporate objectives and plans; provided a brief description of the Authority’s infrastructure, economy and organisational structure and in conjunction therewith highlighted the scope and demands of the service.</p> <p>RESOLVED that the Public Health Services Service Delivery Plan for 2014/15 be approved.</p>	Sue Watts - Public Health Services Manager



**DECISION RECORD OF THE EXECUTIVE BOARD MEMBER DECISIONS  
MEETING FOR ENVIRONMENTAL AND PUBLIC PROTECTION**

**22<sup>ND</sup> JULY 2014**

**SIGNED:** \_\_\_\_\_

**EXECUTIVE BOARD MEMBER FOR ENVIRONMENTAL & PUBLIC PROTECTION**

**DATE:** \_\_\_\_\_