



Environmental Health Services

1 April to 30 June 2019

QUARTERLY REPORT

Introduction

Welcome to this report for the activities of the services provided by Environmental Health for the first quarter of 2019/20 covering **1 April to 30 June 2019**.

The Environmental Health Service areas comprise a range of services that the council provides to the public, e.g. pollution control, food hygiene and health and safety, licensing and environmental management.

The purpose of this report is to provide information to members about the activities carried out within the service area during the first quarter of 2019/0, with statistics for previous quarters shown for comparison where available. The Environmental Health Service deals with a wide range of other activities, which are not included in this report. I do hope that you will find it useful and informative.

As previously, if members have any issues they wish to raise please do not hesitate to contact us.

Steven Merry

Environmental Services Manager
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Pollution Services

This quarter, the pollution team update will focus on some of the more unusual services provided by the team that may not be common knowledge to all.

Public health funerals

Under public health legislation local authorities have a duty to bury or cremate persons who have died in their area where there is no will and family either cannot be traced, or are unwilling or unable to make the necessary arrangements. In such circumstances officers of the pollution team will register the death, make arrangements for a funeral and attempt to recover monies for this purpose from the estate.

Officers will initially undertake a search of the deceased's premises in an attempt to identify a will or next of kin and obtain information relating to finances that may be used to cover, or offset costs should the council arrange the funeral.

If the property search reveals nothing, an estate research company are used who will search national and

international records in an attempt to identify next of kin. This service is provided to the council free of charge with costs being recovered if any next of kin identified decide to use their services to go through the probate system. At this point, the council would recover their fees.

If no next of kin are found and the residual estate is valued at over £500 then the council must refer cases to the Treasury Solicitor.

The estate can remain in abeyance if the Treasury Solicitor will not accept a case and the next of kin refuse to go through the probate system.

When someone dies it can be a very distressing time for those looking to arrange a funeral, especially if there are concerns about how the funeral is to be paid for. The council can only arrange the funeral of those who have died within the borough where suitable arrangements are not being made; we cannot assist families financially with arranging funerals of loved ones.

Funds may be available to relatives receiving certain benefits via the social fund. A funeral payment from the social fund currently covers burial or cremation fees and certain other



specified expenses. In addition, if a person's husband, wife or civil partner has died, they may be able to get a bereavement payment, a one-off, lump sum payment. Information on such payments can be gained from www.gov.uk. Unfortunately, the application process for such payments can be lengthy, which does not help a family member who wants to put a loved one to rest.

On average, the pollution team deal with two public health funerals per year. In the first quarter of 2019/20 the team has dealt with three cases already. It is likely that all fees will be recovered from the estates of all cases currently being administered; however, the estate processing system can be slow and so it cannot be guaranteed if the costs will be recovered this financial year. Most public health funerals cost around £1300; with officer costs, which may also be claimed from the estate, varying depending on the complexity of the case.

Caravan site licensing

Local authorities have a duty under the Caravan Sites and Control of Development Act 1960, to license all caravan sites with planning permission for that use. With the requirement that a license is only given where sites have planning permission, the Caravan Licensing regime does not cover itinerant encampments by travellers which are dealt with using other legislation by other agencies including Development Control and landowners.

Where it is appropriate to issue a site with a Caravan Site License, conditions are attached to



the licenses which are legally enforceable. These conditions reflect the Model Standards, which are issued periodically by the government and are designed to protect the health, safety and welfare of the site users. The conditions are mainly concerned with the provision of firefighting

equipment, foul drainage and rubbish collection. In addition, they concern providing potable water, gas and electrical supplies.

The caravan sites within the borough are all listed on a public register, which is currently located on our website. The caravan sites are visited on a regular basis, usually every year, when they are checked for compliance with the site conditions and planning conditions. If any site condition is not being complied with, the site owner/occupier is given an opportunity to remedy the situation; if non-compliance continues, then a notice would usually be served requiring compliance within a given time period. The time period will reflect the degree of concern the breach of the conditions raises with the inspecting officer. If the notice has not been complied with after the time period expires, the council may do the works in default, any costs arising from this will be charged to the owner/occupier of the site. In addition, the owner/occupier can be prosecuted at the magistrate's court for non-compliance with the legislation. Duly authorised officers of the council can enter any caravan site at any reasonable time. If such entry is refused a warrant can be obtained from the court to allow them access to the site and to undertake these works. In practice it is extremely rare for matters to go this far and generally there is a resolution at the initial visit stage of the procedure.

There are some caravan sites which are exempted from this regime. The main category for exemption is the exempted organisations such as the Caravan Club, the Camping and Caravan

Site Club, The Showmen's Guild etc. These are organisations, which have demonstrated to the government that they can self-regulate to run a site to a satisfactory standard. Checks are made on these exempted sites by government inspectors and any not in compliance can lose their exempted status. There are also exemptions for temporary agricultural workers (i.e. living in a caravan whilst the lambing season is underway), forestry workers and when used in connection with renovations to a domestic dwelling that require the occupants to move out during the works.

There are more than 20 licensed caravan sites within the borough, some are permanent residential, some holiday sites, some are permanent travellers sites and others are on smallholdings where an agricultural business is undertaken.

The largest site is in Hinckley and has provision for 50 caravans, whilst others have just one caravan. Some holiday sites cater for customers to bring their own caravan and others provide a caravan, which can be rented from the site owner/occupier.

The licensing regime has been in operation now for nearly 60 years and generally works very well with only the minimum of supervision required by the team at the currently licensed sites.

The travellers count

Local authorities are required twice a year to count the travellers within their district. This happens in January and July on a date determined by the government. The count is of both authorised and unauthorised sites (i.e. roadside encampments etc.) and the number of caravans is all that is counted. This is usually conducted by an officer during the designated day and the information collected is then downloaded to a government website. The government uses this information to help formulate its strategy to provide an adequate number of traveller sites across the country.

COMMUNITY DIRECTION - ENVIRONMENTAL HEALTH (Commercial)

Commercial Services

The Commercial Services of Environmental Health produce an Enforcement Service Delivery Plan each year. This year's plan was put before the Executive Briefing on 10 June 2019. The plan details the work performed during the previous year, reviews the performance against targets set in last year's plan and details the work proposed for the current year.

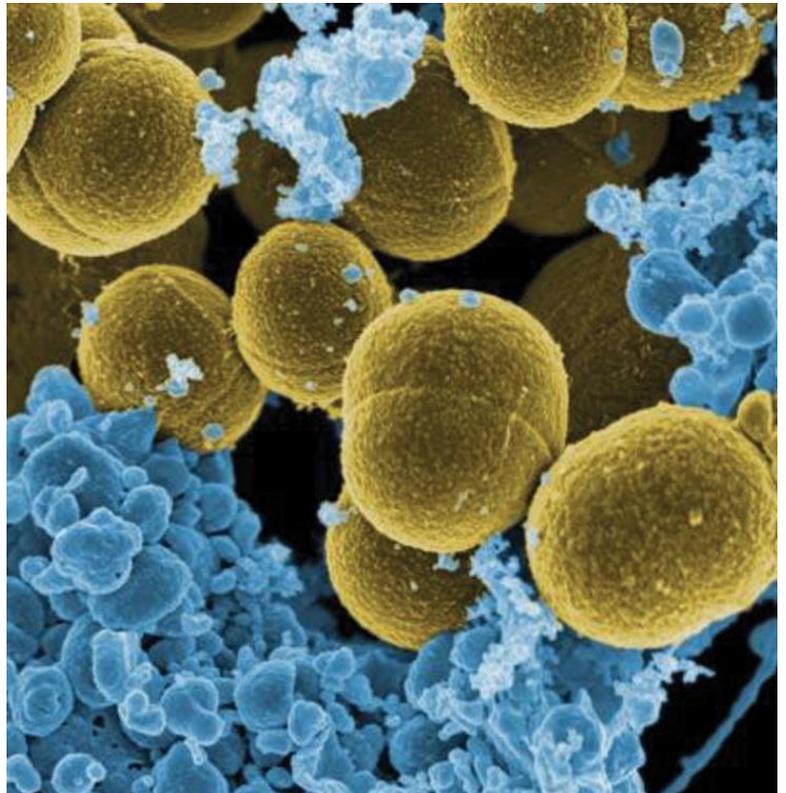
During 2018 /19 the following were achieved by the service:

- 655 interventions were carried out during the year, representing 98.7% of the target of 663 for the year.

- Involvement in two national food safety incidents relating to a meat fraud issue being led by the Food Standards Agency and the recall, storage and disposal of salmonella contaminated liquid egg.
- Successfully concluded the prosecution in crown court of a local golf club following a fatal accident to the course manager.
- Completed health and safety campaigns on cellar safety, unstable loading at distribution and warehousing operations and on the introduction of a countywide model to aid event organisers to provide safe events and aid emergency services to plan their resources more efficiently.
- Continued to make progress in examining the potential to use new technology in the field with ambition to have implemented in 2019/20.

The service targets for 2019/20 for food safety interventions will be 375 inspections and 57 self-assessment questionnaires for low risk premises, representing 100% of premises due an intervention receiving one.

For health and safety the service will continue to adhere to guidance issued by central government to perform fewer proactive inspections on businesses but to target activity to campaigns at specific high risk activities and businesses. The service therefore in 2019/20 will carry out 108 interventions consisting of advisory visits or questionnaires to unrated and new businesses and run campaigns on the handling of beverage gases in independent public houses, highlighting manual handling risks to employees and fire hazards in the care sector and raise awareness of the risks associated with the operation of inflatable amusement devices.



So far in 2019/20, the team has achieved the following:

Food Hygiene Inspections

	April to June 2019*
Inspections	69
Alternative Interventions	1
Re-visits	14
Total	84

Health & Safety Inspections

	April to June 2019*
Inspections	0
Alternative Intervention	14
Advisory Visits	22
Re-visits	2
Total	38

(* preliminary figure, requires verification)

The figures reveal a steady start towards achieving the targets.

Listeria

Members may recall in late May and the beginning of June, national investigations into several patients in NHS hospitals across the country becoming infected with a food poisoning organism called Listeria through consuming prepacked sandwiches.

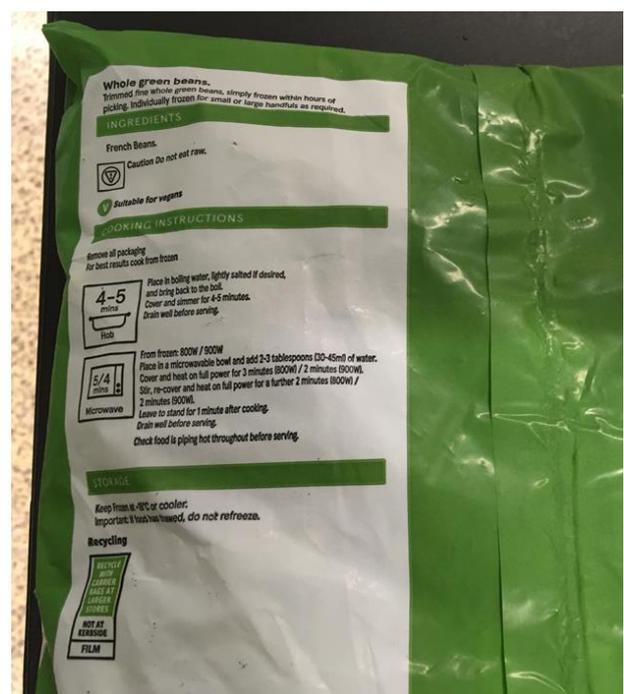
Listeriosis is a rare infection with typically an average of 166 annual cases in England and Wales (based on annual case numbers from 2008 to 2018), with an average of 46 deaths (2010 to 2016) most individuals for which would also have serious underlying health conditions. Pregnant women are also at higher risk, however for most people it goes unnoticed or there are mild symptoms of gastroenteritis that usually last a short time without the need for treatment. Unusually, the time between exposure to the organism and the development of the illness can be up to 70 days and readily killed when foods are cooked.

Listeria can be on many types of food but it's mainly a problem with:

- unpasteurised milk
- dairy products made from unpasteurised milk
- soft cheeses, like camembert and brie
- chilled ready-to-eat foods, like prepacked sandwiches, pâté and deli meats

Whilst not associated with the national NHS prepacked sandwich outbreak, early May saw the service become involved in a Listeria case in an elderly lady with serious underlying health conditions from the Watford area who subsequently died.

The service routinely carries out unannounced food sampling in food businesses across the borough, enabling us to verify food hygiene standards in businesses in addition to the inspections carried out and contribute to national surveillance of food safety standards. Public



Health England contacted the service in early May stating that they had linked the patient in Watford, through genome sequencing (similar to DNA profiling but applied to bacteria), to an unsatisfactory sample of frozen prepacked green beans we had procured from a national supermarket chain in January 2019. Under these circumstances the service is required to formally notify the Food Standards Agency of the event for an assessment of risk and further actions necessary to protect public health, for instance the national recall of the product.

Further investigations by the service established that the product was no longer on sale throughout the country as the supermarket had discontinued selling the product. The product was also considered not one that would be eaten raw and was labelled 'Caution: do not eat raw'. Consequently the Food Standards Agency judged that a product recall was not necessary but further investigations were to be taken up with the packer.

The case demonstrates the importance of our sampling programme and how that interfaces with systems nationally on the safety of our food products.

Borough's Fairtrade retailer of the year



Petite Chouette cafe bar on Regent Street in Hinckley has been announced as the Hinckley and Bosworth Fairtrade retailer of the year. The award is presented by the Hinckley and Bosworth Fairtrade Forum, a group of local volunteers who, with the support of the Borough Council, work to promote Fairtrade items in the area.

Members of the forum voted Petite Chouette as the winner for its use of Fairtrade ingredients in the drinks and cakes it sells and their passion shown for using ethically sourced ingredients.

The Fairtrade Forum uses the award to support local independent retailers who believe in using ethically sourced ingredients and to promote the concept of fair trade with the public to encourage them to buy items with the Fairtrade mark in order that more of the money they pay goes to the original farmer, grower or miner in the developing world.

Corporate health and safety and welfare

Health and safety

During the quarter a trial took place using a new model to conduct risk assessments.

The new model is based on a legislative template which details all legislation a service is required to meet under health and safety legislation rather than being activity led. The trial was conducted on the council's waste services and the template appeared useful. Once evaluated fully on another service area the template may be used across all service areas in the future.

Several training courses were facilitated by the service in the quarter including two first aid courses for volunteer walk leaders. Following the course a thank you letter was received in which the walk leaders described how the participants were nervous beforehand but our officer put them at their ease. The leaders thought the course was excellent and now feel a lot more confident handling any first aid situations if they arise, adding that the session has made a big difference to their walk programme.

Emergency planning

In April, Hinckley & Bosworth staff participated in a Home Office funded exercise themed at supporting communities to recover from a terrorism event. The event was staged over three timeframes following an incident involving a sporting venue on match day. Participants were asked to work with partners and discuss a co-ordinated recovery response over one day, one week, one month and beyond. Guest speakers also recounted their experiences in dealing with terrorist incidents overseas, the Leicester City Football Club helicopter crash and the Kegworth air disaster which commemorated its 30th anniversary this year. Feedback and learning is now being incorporated back into our plans and arrangements as, should a large scale incident happen in the borough, partners will be looking to Hinckley & Bosworth Borough Council to lead any recovery activity which would involve a number of service areas.

Our Control Room staff and Building Control Officers have received briefings on our major incident arrangements from our Resilience Officer, which proved timely given the severe weather to hit our area in June. During the bad weather, the council worked with partners and volunteers to monitor the situation closely and whilst local roads flooded we received no reports of any properties being affected. Feedback from attendees at the briefings indicated that they feel better prepared/supported if they are ever on the shift to receive a call for support and they have a greater understanding on the role of the Resilience Partnership duty officer.

Our Resilience Officer has visited both Witherley and Sheepy Parish Councils who



have agreed to work with her and complete a Community Response Plan and create an Emergency Store. This is part of improving our Community Resilience which is described as “Communities and individuals harnessing local resources and expertise to help themselves in an emergency, in a way that complements the response of the emergency services.” By taking part in a short workshop to complete a community plan, communities can also take advantage of a grant up to £600 to create emergency stores for kit tailored to the communities’ identified risks. Our Resilience Officer is happy to come and speak to any parish councils/community groups who are interested in hearing more about this scheme.

During the quarter, the Business Continuity Institute’s awareness week from 13 to 17 May was promoted through social media, encouraging local businesses to take part in a variety of activities around the theme “Investing in Resilience”. Businesses could sign up to a variety of webinars looking into developing businesses’ continuity plans whether they were small, medium or large in size.

Licensing

Council defends taxi licensing decision

The Principal Licensing Officer and the council’s solicitor attended Leicester Magistrate’s Court for a taxi appeal hearing on 7 June 2019.

This was as a result of an investigation earlier this year where the Principal Licensing Officer used delegated powers to revoke a hackney carriage vehicle licence. The vehicle was being used to ply for hire without holding a valid MOT certificate.

The licence holder appealed the council’s decision and the case was brought before the Magistrates. The appellant provided a convoluted account of how he thought that the MOT subject of the proceedings was valid until March 2019 and commented on how the council should be reminding drivers of the need for the MOT and that he had not received any information from the council.

On cross examination by the council’s solicitor the appellant confirmed that he was aware that the MOT expired in September 2018 and that he did not obtain any other MOT. He also confirmed that he was the licence holder and was thus responsible for the vehicle licence requirements. He denied receiving a reminder letter but accepted that it was his responsibility to ensure that the vehicle held a valid MOT in terms of compliance.

The Principal Licensing Officer was able to clarify that he had spoken to the appellant in March 2018 about the need for the MOT and that reminder letters were sent out to all 200 licence holders.

The requirement for the licence holders to be responsible for their road fund tax, insurance and having a valid MOT for the entire duration of the licence period was highlighted and also the public safety basis on which the decision to revoke the vehicle licence had been made.

On conclusion of the case, the bench declared: “The appeal is dismissed. There was no MOT. It is the appellant’s responsibility to provide this. We accept that the council sent the reminder letter. The appellant was aware and he did not obtain the MOT.”

Local licensing service delivery

The licensing service issued 226 licences, permits and notices this quarter.

Alcohol, Entertainment & Gambling	April 2019 to June 2019
Pro-active compliance checks	50
Rural Inspections	18
Service Requests	2
Gambling Premises	1
Licensing Hearings	3

Hackney Carriage & Private Hire Licensing	April 2019 to June 2019
Service Requests	3
Licensing Hearings	0