

Name of Committee:	Shared Regulatory Services Joint Committee
Date of Meeting:	26/02/2019
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Overview and Update on Shared Regulatory Services
Purpose of Report:	This report provides an update on the work undertaken by the Shared Regulatory Service (SRS).
Report Owner:	Miles Punter - Director of Environment and Housing Services
Responsible Officer:	Dave Holland - Head of Shared Regulatory Services
Elected Member and Officer Consultation:	No Elected Members have been consulted. The following officers have been consulted ; Assistant Director, Cardiff Council, Head of Legal and Regulatory services, Bridgend County Borough Council
Policy Framework:	This is a matter delegated to the Joint Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> The report apprises the Committee of the work of the service and the progress toward completing the SRS Business Plans. 	

1. Recommendation

- 1.1 The Committee is asked to consider, note and agree the contents of the report

2. Reasons for Recommendation

- 2.1 The report apprises the Committee of the work of the service and the progress toward completing the SRS Business Plans.

3. Background

- 3.1** SRS Business Plans are developed in consultation with stakeholders; they inform and direct the work of the service, and contribute toward the corporate priorities of each partner Council. The service has five key aims, namely:
- Improving Health and Wellbeing
 - Safeguarding the Vulnerable
 - Protecting the Local Environment
 - Supporting the Local Economy
 - Maximising the use of our resources
- 3.2** This report contains information outlining how the service is working to achieve better outcomes for the residents and businesses within the region through a series of different actions and work programmes. The report provides an overview of activities undertaken in the period December 2018 to February 2019.

4. Key Issues for Consideration

Human Resources

- 4.1** Throughout 2018, filling vacancies has continued to be challenging and the SRS has struggled to recruit suitable individuals into certain areas of the service. However, the Service's programme of "growing our own" officers, particularly in the food discipline, has seen a number of individuals achieve higher accreditation levels to allow them to undertake a wider range of inspections and in some instances a promotion to a higher grade post.
- 4.2** The Committee is also advised that two Team Managers have been seconded to support partners in developing public health improvements. The first, JB, is seconded to Cardiff to assist in Cardiff's air quality programme; the second DSJ is seconded to the Welsh Government to assist in delivering aspects of the Public Health (Wales) Act. Arrangements have been put in place to cover these secondments.
- 4.3** Sickness absence levels at the end of Quarter 3 were 6.26 days per FTE person. This is likely to result an increase on the previous year where absence rates were recorded as 6.89 per FTE person for the entire year. There are no discernible trends in either the short or long term absence figures and there are some mitigating factors with a number of staff undergoing planned medical interventions. This increase, while disappointing, still compares favourably when viewed in a wider context through comparison against the average sickness rates across the partner Councils.

Financial Position Quarter 1

- 4.4** The financial monitoring report for the period 1st April 2018 to 30th December 2018 is attached at Appendix 1. It has been prepared from the consolidated figures gathered from each Authority for this period. The service is currently projecting a £95k underspend against a gross revenue budget of £8.504m.

Performance Monitoring

- 4.5** Joint Committee members are provided with data on activity levels to help reassure local members at each council that SRS activity continues to tackle issues across the region. Performance data for quarter 3 of 2018/19 is set out at Appendix 2 and is reported to each Council in line with the legacy performance management regimes and existing service plans. A presentation on the current performance will be provided at the Joint Committee meeting.

Service Updates

Golf Course Safety Project

- 4.6** Following two work-related deaths at golf clubs in South East Wales, and incidents associated with golf buggy misuse, a number of Local Authorities in the South East Wales region elected to undertake a local level health and safety intervention to assess health and safety compliance, and management arrangements, at their golf clubs.
- 4.7** The collation of local intelligence, and accident investigation information, influenced the focus of the project so that a more targeted approach was adopted.
- 4.8** Topic Areas for Inclusion in the Initiative included:-
- General health and safety management
 - Green Keeper safety
 - Use and maintenance of machinery and equipment
 - Contractor safety
- 4.9** A regional project plan and inspection form was devised, and Officer training arranged, to enhance Officer competence and promote consistency in approach.
- 4.10** A total of 24 golf clubs [Bridgend (6); Cardiff (7); Vale of Glamorgan (11)] located in Shared Regulatory Services (SRS) received an initial inspection between October–December 2016; with each duty holder receiving a formal warning letter to confirm contraventions that needed to be addressed to improve current levels of compliance.

Agenda Item: 4

- 4.11** The key issues noted in 2016 were:
- Poor delegation of health and safety responsibilities and clarity of health and safety roles
 - Inadequate arrangements for golf buggy maintenance
 - Insufficient health and safety training to key personnel responsible for health and safety matters
 - Failure to adequately address the risks to green keepers whilst working on slopes and near/in water courses.
 - Lack of procedures for the selection, scrutiny and monitoring of third party contractors.
 - Control measures for lone working on the greens were not proportionate to the risk.
- 4.12** To assess improvements in compliance levels, unannounced revisits were made to golf clubs between April-June 2017. Officers identified that whilst new policies and procedures were being devised; existing procedures reviewed; and training being arranged to enhance employee core competencies, the majority of clubs had not had the opportunity to fully implement their new health and safety management arrangements. As a result no enhanced enforcement action was taken by Officers at this time.
- 4.13** To identify if golf clubs were achieving a more sustained level of compliance with health and safety legislation, Officers carried out a series of unannounced verification visits to all golf clubs between July-October 2018. Whilst the majority of clubs were found to have made significant improvements to their health and safety management systems, with many electing to engage with a more specialist health and safety consultancy for the golfing sector, a few clubs were identified as being consistent poor performers. As a result, 10 Improvement Notices were served.
- 4.14** The verification visits also enabled Officers to identify common areas of weakness amongst the golf club duty holders. SRS provided support to golf club owners and managers by holding a free, 1 day business forum which was supported by the Health and Safety Executive (HSE); Public Health Wales (PHW); Institute of Occupational Health and Safety (IOSH); and relevant sectors of private industry.
- 4.15** The full project report can be found in Appendix 3 for further information.

Furnished Lets Survey

4.16 Over the last few years there has been growing concern regarding the safety of domestic appliances and electrical goods. In response to these concerns between April 2018 and December 2108 Trading Standards and Private Sector Housing carried out a survey to assess the level of compliance within the domestic rental sector of the property market. The project focussed on obligations of landlords to provide compliant goods as part of tenancies.

4.17 Six main areas were focussed on which included :

- Upholstered furniture
- Electrical items
- Gas appliances
- Window blinds
- Wood burners
- Energy Performance Certificates EPC

4.18 The results of the survey are as follows:

Item Inspected	Number inspected	Incorrect/ Non compliant
Upholstered chair	42	9
Upholstered sofa	78	10
Mattress/ bed base	192	6
Microwave	35	0
Vacuum	17	0
Washing machine	33	0
Tumble dryer	12	0
Hob/cooker	38	2
Fridge	52	0
Freezer	21	0
Kettle/ Toaster	56	0
Blind Cords	114	68

4.19 Given the transient nature of the rental property market some landlords have not have received any specific Trading Standards advice or guidance previously and the primary aim of the project was to educate and advise although consideration was given to formal action should significant non compliances be discovered. All breaches were dealt with initially by advisory letter. No formal action was required because of this survey. The results of the survey have been presented to Rent Smart Wales and it is expected that there will be further

Agenda Item: 4

interest from Landlords not included in the survey particularly in relation to the safety of blind cords.

Weights and Measures Survey

- 4.20** In December 2018, officers from Trading Standards carried out a survey of a cross section of pubs and clubs across SRS to determine the level of compliance against consumer protection, trade mark and weights and measures legislation.
- 4.21** During each visit, three drinks were ordered including a measure of whisky, gin, rum or vodka, a cocktail that was described as containing a branded spirit and a small glass of wine. The spirits were dip tested using authenticity indicators provided by the brand holder and the cocktails were observed being served to check the ingredients were as described.
- 4.22** Full bar inspections were also carried out to check measuring equipment was compliant with the legislation. A total of 35 premises were visited on the 5th December 2019. Four premises were found to have non compliant measuring equipment and 40 unstamped capacity serving measures were seized. All the non compliant premises were given a written warning and the products signed over for destruction. All premises when asked for a small glass of wine were able to offer a 125ml glass. Further inspections are planned later this year.

New ways of working

Embedding an intelligence led approach in the delivery of Regulatory Services

- 4.23** In response to the reducing budget base officers have been examining new ways of working by introducing an intelligence-led approach to compliance rather than relying on an inspection driven approach. Making this shift allows service demand to be managed through a tactical tasking process to ensure the effective targeting of resources that better focusses activity on those individuals causing the greatest harm to consumers and reputable traders.
- 4.24** Based on the Police National Intelligence Model, the National Trading Standards Intelligence Operating Model (IOM) is the first framework available to mainstream this approach into regulatory services. The IOM was developed with the aims of
- *Being a flexible tool to assist in the frontline delivery of Trading Standards*
 - *Being used by all local authority Trading Standards Services regardless of size and resources*
 - *Helping to co-ordinate enforcement locally, regionally and nationally to avoid any potential enforcement gaps*
 - *Enabling informed decisions to be made in order to deal with the highest risks and the greatest threats*

Agenda Item: 4

- *Helping to identify current and emerging issues or problems*
 - *Enabling effective allocation of resources*
- 4.25** As part of a realignment of resources flowing from last year's budget savings work and a successful business case for enhanced funding for the Wales Illegal Money Lending Unit, the Service has been able to create two specialist Intelligence posts. Recruitment into these posts - an Intelligence Analyst and an Intelligence Support Officer - has been completed, and as a result intelligence handling and analysis is now being embedded into the Service to drive this new way of working.
- 4.26** Following the IOM and an agreed set of criteria for the prioritisation of demands, intelligence packages are prepared from various sources. This includes complaint data from the Citizens Advice Consumer Service, open source information from the internet, public records and media reports, and closed source information from within the local authorities and that shared by partners.
- 4.27** Working initially across the Trading Standards, Major Investigations, Safeguarding and Wales Illegal Money Lending Unit sectors of the Service, our Intelligence capacity will enable more efficient tasking of professional officers on priority areas of work, and enhance the investigations that result. In time, the intention is to roll out this intelligence led approach to other areas of work within the Shared Service, and the Joint Committee will be provided with an update in due course.

Animal Health and Welfare

- 4.28** Arrangements are underway to update the Animal Health and Welfare Regulatory Framework for Wales. The Framework is a partnership agreement aimed at helping local authorities in Wales carry out their statutory duties under animal health and welfare legislation in a consistent and coordinated approach that considers both national and local priorities.
- 4.29** It is widely recognised that the current Framework, which emerged out of the aftermath of Foot and Mouth Disease in 2001, has become outdated and fails to support local authorities. The updated version aims to reflect the altered financial, policy, regulatory, political and economic position within which local authorities, Government and businesses now work.
- 4.30** Specifically, the updated Framework aims to support local authority animal health and welfare services by being:-
- Responsive and accountable to local communities;
 - Focusing on high risk activities and making the best use of available resources;
 - Highlighting why national consistency is important for businesses and the public;

Agenda Item: 4

- Outlining minimum national standards to protect against animal disease;
 - Highlighting how to deliver controls in a way that supports European and international trade agreements;
 - Promoting collaborative working with other local authorities, delivery partners and industry
- 4.31** The draft Animal Health and Welfare Regulatory Framework for Wales is attached at Appendix 4; local authorities are asked to adopt the agreement from April 2019. The Committee is asked to note the Head of Service will use delegated powers to incorporate the new framework into the SRS operating protocols.
- 4.32** The Equine Identification (Wales) Regulations 2019 came into force on 12th February 2019. They replace the earlier 2009 regulations and prohibit the keeping of a horse unless it has been properly identified through an identification issuing body.
- 4.33** Foals must be micro-chipped by a veterinary surgeon within six months of birth, or by 31 December in the year of birth, whichever is the later; and by 12th February 2021, retrospective micro-chipping will be required for those older horses which under previous regulations were only required to be passported.
- 4.34** When a horse is sold or transferred, the new owner must be given the relevant identification details for the horse at the time of transfer. Within 30 days of the transfer, the new owner must provide the identification issuing body with their contact details and the issuing body then has just 24 hours to notify the central database of the changes.
- 4.35** Enforcing authorities can prosecute for failure to comply with the regulations or alternatively can choose to deal with offences by means of the imposition of civil sanctions. An authority can issue a compliance notice requiring the offender to take the necessary steps to stop the non-compliance and prevent it recurring. In the event of a compliance notice not being acted upon, then the authority may issue a penalty notice requiring the offender to pay up to £200 plus costs.
- 4.36** Receipts arising from the issuing of penalty notices under the regulations may be retained by the enforcing authority to the extent that this represents its reasonable costs of enforcement, administration and legal advice. Any surplus over and above this must be paid into the Welsh Consolidated Fund.
Members will be updated on progress in using the new Regulations at a future Joint Committee meeting.

Enforcement activity

- 4.37** Details of recent cases investigated by the SRS that have resulted in prosecution are set out in Appendix 5 to this report.

5. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 5.1** The Well-being of Future Generations Act requires the SRS to underpin decision making by contributing to the seven well-being goals of the Act, following the five ways of working, and consequently undertaking actions that will have a positive impact on people living in the future as well as those living today
- 5.2** The fundamental purpose of the SRS (here defined as trading standards, environmental health and licensing) is to protect residents, consumers, businesses and communities. The broad range of responsibilities can make it difficult to demonstrate succinctly their impact and value in terms of the well being; the SRS Business Plans provide members with greater detail and articulate how those statutory responsibilities, and subsequent activities, contribute toward wellbeing across the region. This update report reflects some of the activities undertaken in recent months to promote the sustainable development principle.

6. Resources and Legal Considerations

Financial

- 6.1** The Participants' contribution towards the Shared Regulatory Service is recharged on a quarterly basis, based upon the approved budgets for 2018/19. Accounting for the full year is reported to the Committee at the Annual General Meeting.

Employment

- 6.2** There are no immediate employment implications associated with this report

Legal (Including Equalities)

- 6.3** There are no immediate legal implications associated with this report.

7. Background Papers

The Shared Regulatory Services Business Plan 2018/19

Appendix 1 Quarter 3 Financial report

Appendix 2 Quarter 3 Performance data

Agenda Item: 4

Appendix 3 Golf Course report

Appendix 4 Draft Animal Health Framework

Appendix 5 Enforcement activity report

Name of Committee:	Shared Regulatory Services Joint Committee
Date of Meeting:	26/02/2019
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Revenue Monitoring for the Period 1st April to 31st December 2018 for the Shared Regulatory Services
Purpose of Report:	To provide the Partner Authorities with details of financial performance of the Shared Regulatory Service
Report Owner:	Director of Environment and Housing Services
Responsible Officer:	Miles Punter
Elected Member and Officer Consultation:	Director of Environment and Housing Services Head of Service for Shared Regulatory Services
Policy Framework:	Click here to enter text.
<p>Executive Summary:</p> <ul style="list-style-type: none"> • The Shared Regulatory Service (SRS) is a collaboration between Bridgend County Borough Council, the County Council of the City and County of Cardiff and the Vale of Glamorgan County Borough Council that commenced on the 1st May 2015, and is charged with the provision of Regulatory Services across the Authorities. • The SRS is currently anticipating an overall underspend of £95k against the gross revenue budget of £8.504m. • This report advises on the financial position of the Service, and the resulting impact this has to each of the Partner Authorities, in respect of the revenue monitoring for the period 1st April to 31st December 2018. 	

Agenda Item:

1. Recommendation

- 1.1 That the position with regard to the 2018/19 revenue budget is noted.

2. Reasons for Recommendations

- 2.1 That the members are aware of the position with regard to the 2018/19 monitoring relevant to the Board and relevant Scrutiny Committee.

3. Background

- 3.1 On the 19th December 2017, the Shared Regulatory Service (SRS) Committee approved the SRS Gross Revenue Budget for 2018/19.

4. Key Issues for Consideration

- 4.1 The Gross Revenue Budget and projected outturn for 2018/19 are shown in the tables below, with the position in respect of each of the partners detailed to include both Core and Authority Specific expenditure positions. The service is currently anticipating an overall underspend of £95k against the gross revenue budget of £8.504m, as illustrated in the following table:

	Gross	Projected	Outturn
	Budget	Outturn	Variance
Authority	£'000's	£'000's	£'000's
Bridgend	1,774	1,710	64
Cardiff	4,978	4,995	(17)
Vale	1,752	1,704	48
Total Gross Expenditure	8,504	8,409	95

- 4.2 However, it should be noted that the Service continues to re-position itself in readiness to meet the agreed savings target of future years. As a result, it is anticipated that the position will continue to improve as the year progresses and the savings strategy is implemented, embracing opportunities as they avail themselves.
- 4.3 An unanticipated consequence of the consultation on the budget savings has been the departure of officers who were not at risk, to take up employment elsewhere. Recruitment is underway, but it is likely that the in year underspend may continue to increase while these posts remain vacant.
- 4.4 A full breakdown of the projected gross outturn position is shown in Appendix A.

Implementation

4.5 Provision was made in the 2016/17 accounts for items that were yet to be realised within the accounts. Funding for the remaining two items has been carried forward into 2018/19. These include:

- £46k to cover the anticipated cost of setting up the SRS as a separate employer within the Cardiff & Vale Pension Fund as agreed by the Joint Committee on the 20th December 2016.
- £10k in respect of partially completed additional IT consultancy work.

Core Services

4.6 The approved gross Core Services budget for 2018/19 is £6.261m, and is projected to achieve an overall underspend of £155k. The Core Service budget is allocated in line with the population split across the participating authorities, as detailed in the following table:

<u>Authority</u>	%	Gross	Projected	Outturn
		Budget	Outturn	Variance
		£'000's	£'000's	£'000's
Bridgend	22.39%	1,401	1,366	35
Cardiff	57.51%	3,601	3,514	87
Vale	20.10%	1,259	1,226	33
Total Core		6,261	6,106	155

4.7 Employee costs are currently anticipated to achieve a £38k underspend which may in part be the result of an above average percentage of maternities currently active within the service. The Vale's average instances of maternity leave stands at 0.64%, whereas, the SRS is 2.15% higher at 2.79%. Additionally, there are a number of recently vacated posts that are actively contributing to achieving the future year's savings target. There also continues to be on-going issues in attracting suitable cover within particular disciplines that do not form part of the savings initiative.

4.8 Where appropriate it is anticipated that agency cover will be accessed to manage resource issues within the service. Also included are the costs of two staff supporting the Public Space Protection Order initiative, the costs of which will be recharged directly back to the two instructing Authorities. Plus two team leaders from within Core who are currently on secondments out of the service, with their substantive posts being populated by team members acting up into the management roles.

Agenda Item:

- 4.9** Transport costs are expected to achieve a £12k overspend as a result of an anticipated spend in excess of budget on vehicle repairs and fuel. Some of these costs will be met by grant funding.
- 4.10** Supplies and Services are predicting an overspend of £35k, which includes an overspend of £22k on legal costs, £8k overspend on printing costs plus an overspend of £3k on the delivery of services which relates directly to Works in Default which will be entirely recharged back to Cardiff. The legal fees are offset by income received in accordance with a Monetary Order which was imposed as a result of a Trading Standards case heard at Crown Court. There is also a £2k overspend on internal recharges.
- 4.11** £164k over recovery of income is anticipated, which is made up of £94k of recharged staff costs from the Public Space Protection Orders projects at both Cardiff and the Vale Councils, a recharge to Cardiff in respect of the secondment of a team leader to their Clean Air Feasibility Study, plus the recovery of costs from Welsh Government in respect of the Special Procedures Project which is to be incorporated into the Public Health (Wales) 2017 Act. The Vale's Public Open Space Protection Order was completed October 2018, with the remaining project in Cardiff scheduled to be completed at the end of January 2019. Compensation of £47k has been received in respect of the Monetary Order, which offsets the legal and investigation costs of the case. Also expected to be received are £23k of Primary Authority income plus income from other paid for services.
- 4.12** The 2018/19 Welsh Government Rentsmart Grants of £66k have been built into the SRS budget. The Service will recoup 100% of the costs incurred from the grants from both Welsh Government, and also from the partner Authorities included in the pilot scheme where the grant now forms part of the Flexible Funding Grant received by the participating Authorities.

Authority Specific Services

- 4.13** The approved gross budget of £2.243m in respect of Authority Specific Services is projected to overspend by £60k as detailed in the table below:

	Gross Budget	Projected Outturn	Outturn Variance
Authority	£'000's	£'000's	£'000's
Bridgend	373	344	29
Cardiff	1,377	1,481	(104)
Vale	493	478	15
Total Authority Specific Services	2,243	2,303	(60)

Agenda Item:

- 4.14** The £29k underspend at Bridgend is the result of a £5k underspend within the Licensing Section which is made up of smaller variances across the headings. There is also an anticipated £24k underspend within the Kennelling and Vets Section where activity is below budget. This is consistent with service take up in previous years, and the national trend in the reduction of dogs being presented as being homeless.
- 4.15** The £104k anticipated overspend at Cardiff predominantly relates to a projected £150k overspend within the Licensing Section. Where there are £64k of unbudgeted Employee costs, which will be offset through License Fee income received directly by Cardiff.
- 4.16** There is an estimated overspend of £86k within Supplies & Services which includes unbudgeted Printing, Office Supplies, Disclosure & Barring Service (DBS) costs plus unbudgeted Taxi Plate costs. It is understood that this position will be fully met by offsetting Licensing Income. The 3 years Hackney Carriage and Private Hire Driver Licences are due to be renewed from late 2018 onwards, which will affect the level of DBS expenditure incurred in the year. However, there will also be an offsetting uplift in the DBS income received in the year as this cost is met directly by the customer.
- 4.17** HMO Plasnewydd and Cathays are projecting a combined underspend of £13k.
- 4.18** Student Liaison is anticipated to achieve an underspend of £36k. The post has been vacant for a number of months whilst revised funding mechanisms have been investigated by Cardiff Council. The position has now been resolved, and it is expected that the vacancy will be filled in the near future.
- 4.19** The £7k anticipated overspend within Night Time Noise relates directly to activity levels in excess of budget.
- 4.20** The £4k underspend at Cardiff Port Health is the result of small underspend across the headings.
- 4.21** The projected underspend of £15k in the Vale of Glamorgan is the result of a £10k underspend within Kennelling and Vets which is due to a lower than budgeted uptake in the service, and is consistent with the reducing pressures mirrored at Bridgend . Plus a £6k underspend within Pest Control which is made up of smaller variances across the headings.
- 4.22** The Additional Licensing Scheme which is located within the Castleland Ward in Barry has now expired, and will not be renewed, thus resulting in a £4k underspend.
- 4.23** There is a £4k overspend within Burials where the cost of Public Health Funerals exceeds the available budget. However, this may in part be met by income recovered from the estate of the deceased.

Agenda Item:

- 4.24 Licensing is projecting a small overspend of £1k.

Net Position

- 4.25 In accordance with the Joint Working Arrangement (JWA), income budgets remain the responsibility of each Participant Authority and are shown in this report for completeness.
- 4.26 The following table illustrates an anticipated overspend of £118k at year end against a net budget of £6.146m, having taken into consideration the projected income to be received by the Participant Authorities.

Authority	Gross	Projected	Outturn
	Budget	Outturn	Variance
	£'000's	£'000's	£'000's
Bridgend	1,328	1,318	10
Cardiff	3,410	3,586	(176)
Vale	1,408	1,360	48
Total Net Expenditure	6,146	6,264	(118)

- 4.27 A full summary of the projected net outturn position is illustrated in Appendix B.
- 4.28 Income projections have been provided by both Bridgend and Vale of Glamorgan Councils. Income received by the date of the report may include income relating to annual fees and charges, or where multiple year licenses have been purchased by the date of this report. Adjustments were administered by the legacy Authorities at both 2016/17 and 2017/18 year ends, within income in respect of both Taxi and HMO received in year but relating to future periods being adjusted for at year end.
- 4.29 The net position for Bridgend is an overall underspend of £10k against a net budget of £1.328m, which is the result of expected income being £54k below target overall. Licensing income is anticipated to achieve a shortfall against target of £69k, which may in part be due to an in year income budget increase. This is then offset by Core income which is anticipated to over recover by £15k.
- 4.30 The net position for Cardiff is an anticipated overspend of £176k, against a net budget of £3.410m. Income projections overall are projection to achieve an overall shortfall of £159k. This may in part be due to the historic pattern of income receipts falling off from the second year onwards of the 5 year HMO licence period. HMO Plasnewydd will finish its current cycle in October 2019, with HMO Cathays finishing in December 2021. 2016/17 was the first year that an adjustment in respect of income received in advance had been administered to the account, with no consideration within the accounts made for periods prior

Agenda Item:

to 2016/17. At this time it is anticipated that there will be a combined £98k under recovery of income on this element of the budget.

- 4.31** The Licensing Section is anticipated to achieve a shortfall in income of £59k against a budget of £959k, which is marginally higher than the performance achieved in 2017/18.
- 4.32** It is anticipated that Core income will be £48k below the annual target of £251k.
- 4.33** The under recovery of income will be partially offset by the £46k of unbudgeted income from the Student Liaison scheme, where the costs will be shared between the Council and the local Universities.
- 4.34** Cardiff Port Health Authority is funded by precepts, and is therefore, anticipated to meet target.
- 4.35** The Vale of Glamorgan is reporting an underspend of £48k, against a net budget of £1.408m. Income is anticipated to meet target with no known variances at this time.

5. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 5.1** Validation of the manner in which the SRS contributes to the Well-Being objectives will be provided for within the Overview and Update Report submitted by the Service.

6. Resources and Legal Considerations

Financial

- 6.1** As detailed in the body of this report.

Employment

- 6.2** There are no employment implications.

Legal (Including Equalities)

- 6.3** There are no legal implications.

Agenda Item:

7. Background Papers

7.1 None.

	Bridgend 2018/19			Cardiff 2018/19			Vale 2018/19			Total Gross Expenditure 2018/19		
	Budget	Outturn	Variance	Budget	Outturn	Variance	Budget	Outturn	Variance	Budget	Outturn	Variance
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
<u>Authority Specific</u>												
Bridgend Licensing	326	321	5							326	321	5
Kennelling & Vets fees (Bridgend)	47	23	24							47	23	24
Cardiff Licensing				666	816	(150)				666	816	(150)
HMO Cathays				192	187	5				192	187	5
HMO Plasnewydd				258	250	8				258	250	8
Student Liason				62	26	36				62	26	36
Night Time Noise				60	67	(7)				60	67	(7)
Cardiff Port Health				139	135	4				139	135	4
Vale Licensing							363	364	(1)	363	364	(1)
Burials (Vale)							2	6	(4)	2	6	(4)
Additional Licensing (Vale)							8	4	4	8	4	4
Pest Control Service (Vale)							100	94	6	100	94	6
Vets & Kennelling Fees (Vale)							20	10	10	20	10	10
Sub total	373	344	29	1,377	1,481	(104)	493	478	15	2,243	2,303	(60)
<u>Core Services</u>												
Animal Services	92	90	2	237	230	7	83	81	2	412	401	11
Environmental	67	47	20	173	121	52	60	42	18	300	210	90
Food	348	337	11	894	866	28	313	303	10	1,555	1,506	49
Housing	173	170	3	444	442	2	155	152	3	772	764	8
Health & Safety + Communicable Disease	145	144	1	372	369	3	130	129	1	647	642	5
Pollution	186	203	(17)	478	522	(44)	167	182	(15)	831	907	(76)
Trading Standards	390	375	15	1,003	964	39	351	337	14	1,744	1,676	68
Sub total	1,401	1,366	35	3,601	3,514	87	1,259	1,226	33	6,261	6,106	155
Gross Expenditure Budget	1,774	1,710	64	4,978	4,995	(17)	1,752	1,704	48	8,504	8,409	95

	2018/19 Expenditure Budget £000's	2018/19 Income Budget £000's	2018/19 Net Budget £000's	Dec-18 Profiled Net Budget £000's	Dec-18 Actual Expenditure £000's	Dec-18 Actual Income £000's	Dec-18 Net Position £000's	Net Variance To Date £000's	Projected £000's	Projected YE Variance Favour/(Adverse) £000's
	A	B	C = A - B	D	E	F	G = E - F	H = D - G	I	J = C - I
<u>Bridgend</u>										
Core	1,401	(48)	1,353	1,015	948	(46)	902	113	1,303	50
Authority Specific										
Licensing	326	(398)	(72)	(54)	219	(266)	(47)	(7)	(8)	(64)
Kenneling & Vets	47	0	47	35	13	0	13	22	23	24
	1,774	(446)	1,328	996	1,180	(312)	868	128	1,318	10
<u>Cardiff</u>										
Core	3,601	(251)	3,350	2,513	2,438	(159)	2,279	234	3,310	40
Authority Specific										
Cardiff Licensing	666	(959)	(293)	(220)	595	(597)	(2)	(218)	(83)	(210)
HMO Cathays	191	(55)	136	102	124	(168)	(44)	146	114	22
HMO Plasnewydd	258	(177)	81	62	179	(80)	99	(37)	189	(108)
Student Liason	62	0	62	47	20	0	20	27	(20)	82
Night Time Noise	61	0	61	45	47	0	47	(2)	67	(6)
Cardiff Port Health	139	(126)	13	9	100	(84)	16	(7)	9	4
	4,978	(1,568)	3,410	2,558	3,503	(1,088)	2,415	143	3,586	(176)
<u>Vale of Glamorgan</u>										
Core	1,259	(14)	1,245	934	851	(14)	837	97	1,212	33
Authority Specific										
Vale Licensing	363	(290)	73	55	252	(220)	32	23	74	(1)
Burials	2	0	2	1	2	(2)	0	1	6	(4)
Additional Licensing (Vale)	8	0	8	6	3	0	3	3	4	4
Pest Control Service (Vale)	100	(40)	60	45	64	(32)	32	13	54	6
Vets & Kennelling Fees (Vale)	20	0	20	15	3	0	3	12	10	10
	1,752	(344)	1,408	1,056	1,175	(268)	907	149	1,360	48
Grand Total	8,504	(2,358)	6,146	4,610	5,858	(1,668)	4,190	420	6,264	(118)

	Target achieved or exceeded		Well below target but expected to improve
	Target not achieved but on target for end of year		Well below target - Urgent improvement required
	Target not achieved - Corrective action required		

Team	Authority	Ref	Title	Q3 Actual	RAG Status3	Q3 Comment	Annual target
Food - Combined total	Bridgend	SRS/FH/001 (PPN/001ii)	The number of high-risk inspections of Category A and B businesses that were carried out during the year.	61			
Food - Combined total	Bridgend	SRS/FH/001 (PPN/001ii)	The number of inspections due on high-risk food businesses (Category A and B) during the year.	77			
Food - Combined total	Bridgend	SRS/FH/001 (PPN/001ii)	The percentage of high risk businesses (Category A and B) that were liable to a programmed inspection that were inspected, for food hygiene.	79.22%	Green	As this is a cumulative measure, it is expected to achieve at least 75% of the annual inspection programme at the end of Qtr 3 which on this occasion has been exceeded	100%
Food - Combined total							
Food - Combined total	Cardiff	SRS/FH/001 (PPN/001ii)	The number of high-risk inspections of Category A and B businesses that were carried out during the year.	180			
Food - Combined total	Cardiff	SRS/FH/001 (PPN/001ii)	The number of inspections due on high-risk food businesses (Category A and B) during the year.	235			
Food - Combined total	Cardiff	SRS/FH/001 (PPN/001ii)	The percentage of high risk businesses (Category A and B) that were liable to a programmed inspection that were inspected, for food hygiene.	76.60%	Green	As this is a cumulative measure, it is expected to achieve at least 75% of the annual inspection programme at the end of Qtr 3 which on this occasion has been exceeded	100%
Food - Combined total							
Food - Combined total	Vale of Glam	SRS/FH/001 (PPN/001ii)	The number of high-risk inspections of Category A and B businesses that were carried out during the year.	60			
Food - Combined total	Vale of Glam	SRS/FH/001 (PPN/001ii)	The number of inspections due on high-risk food businesses (Category A and B) during the year.	79			
Food - Combined total	Vale of Glam	SRS/FH/001 (PPN/001ii)	The percentage of high risk businesses (Category A and B) that were liable to a programmed inspection that were inspected, for food hygiene.	75.95%	Green	As this is a cumulative measure, it is expected to achieve at least 75% of the annual inspection programme at the end of Qtr 3 which on this occasion has been exceeded	100%
Food - Combined total							
Food - Combined total	SRS	SRS/FH/001 (PPN/001ii)	The number of high-risk inspections of Category A and B businesses that were carried out during the year.	301			
Food - Combined total	SRS	SRS/FH/001 (PPN/001ii)	The number of inspections due on high-risk food businesses (Category A and B) during the year.	391			
Food - Combined total	SRS	SRS/FH/001 (PPN/001ii)	The percentage of high risk businesses (Category A and B) that were liable to a programmed inspection that were inspected, for food hygiene.	76.98%	Green	As this is a cumulative measure, it is expected to achieve at least 75% of the annual inspection programme at the end of Qtr 3 which on this occasion has been exceeded	100%

Team	Authority	Ref	Title	Q3 Actual	RAG Status3	Q3 Comment	Annual target
Food - Combined total	Bridgend	SRS/FH/002 (PPN/001ii)	The number of high-risk inspections of Category C businesses that were carried out during the year.	216			
Food - Combined total	Bridgend	SRS/FH/002 (PPN/001ii)	The number of inspections due on high-risk food businesses (Category C) during the year.	389			
Food - Combined total	Bridgend	SRS/FH/002 (PPN/001ii)	The percentage of high risk businesses (Category C) that were liable to a programmed inspection that were inspected, for food hygiene.	55.53%	Red	As this is a cumulative measure, it is expected to achieve at least 67.5% of the annual inspection programme at the end of Qtr 3 however this has not been achieved. This is largely due to a number vacancies within the Food team which resulted in priority being given to premises with a category A or B risk rating. Recruitment to these vacant posts is currently underway	90%
Food - Combined total	Cardiff	SRS/FH/002 (PPN/001ii)	The number of high-risk inspections of Category C businesses that were carried out during the year.	445			
Food - Combined total	Cardiff	SRS/FH/002 (PPN/001ii)	The number of inspections due on high-risk food businesses (Category C) during the year.	846			
Food - Combined total	Cardiff	SRS/FH/002 (PPN/001ii)	The percentage of high risk businesses (Category C) that were liable to a programmed inspection that were inspected, for food hygiene.	52.60%	Red	As this is a cumulative measure, it is expected to achieve at least 67.5% of the annual inspection programme at the end of Qtr 3 however this has not been achieved. This is largely due to a number vacancies within the Food team which resulted in priority being given to premises with a category A or B risk rating. Recruitment to these vacant posts is currently underway	90%
Food - Combined total	Vale of Glam	SRS/FH/002 (PPN/001ii)	The number of high-risk inspections of Category C businesses that were carried out during the year.	190			
Food - Combined total	Vale of Glam	SRS/FH/002 (PPN/001ii)	The number of inspections due on high-risk food businesses (Category C) during the year.	302			
Food - Combined total	Vale of Glam	SRS/FH/002 (PPN/001ii)	The percentage of high risk businesses (Category C) that were liable to a programmed inspection that were inspected, for food hygiene.	62.91%	Amber	As this is a cumulative measure, it is expected to achieve at least 67.5% of the annual inspection programme at the end of Qtr 3 however this has not been achieved. This is largely due to a number vacancies within the Food team which resulted in priority being given to premises with a category A or B risk rating. Recruitment to these vacant posts is currently underway	90%
Food - Combined total	SRS	SRS/FH/002 (PPN/001ii)	The number of high-risk inspections of Category C businesses that were carried out during the year.	851			
Food - Combined total	SRS	SRS/FH/002 (PPN/001ii)	The number of inspections due on high-risk food businesses (Category C) during the year.	1537			
Food - Combined total	SRS	SRS/FH/002 (PPN/001ii)	The percentage of high risk businesses (Category C) that were liable to a programmed inspection that were inspected, for food hygiene.	55.37%	Red	As this is a cumulative measure, it is expected to achieve at least 67.5% of the annual inspection programme at the end of Qtr 3 however this has not been achieved. This is largely due to a number vacancies within the Food team which resulted in priority being given to premises with a category A or B risk rating. Recruitment to these vacant posts is currently underway	90%

Team	Authority	Ref	Title	Q3 Actual	RAG Status3	Q3 Comment	Annual target
Food - Combined total	Bridgend	SRS/FH/003 (PN/008ii)	The number of new businesses identified which were subject to a risk assessment visit by or returned a self-assessment questionnaire to Food Hygiene during the year.	95			
Food - Combined total	Bridgend	SRS/FH/003 (PN/008ii)	The total number of new businesses identified by food hygiene.	105			
Food - Combined total	Bridgend	SRS/FH/003 (PN/008ii)	The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year, for food hygiene.	90.48%	Green	Target exceeded.	90%
Food - Combined total	Cardiff	SRS/FH/003 (PN/008ii)	The number of new businesses identified which were subject to a risk assessment visit by or returned a self-assessment questionnaire to Food Hygiene during the year.	349			
Food - Combined total	Cardiff	SRS/FH/003 (PN/008ii)	The total number of new businesses identified by food hygiene.	429			
Food - Combined total	Cardiff	SRS/FH/003 (PN/008ii)	The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year, for food hygiene.	81.35%	Amber	Cardiff experiences high volumes of new businesses and despite not meeting target a significant number of these businesses have been visited. The shortfall this quarter is largely due to a number vacancies within the Food team. Recruitment into these vacant posts is currently underway.	90%
Food - Combined total	Vale of Glam	SRS/FH/003 (PN/008ii)	The number of new businesses identified which were subject to a risk assessment visit by or returned a self-assessment questionnaire to Food Hygiene during the year.	106			
Food - Combined total	Vale of Glam	SRS/FH/003 (PN/008ii)	The total number of new businesses identified by food hygiene.	115			
Food - Combined total	Vale of Glam	SRS/FH/003 (PN/008ii)	The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year, for food hygiene.	92.17%	Green	Target exceeded.	90%
Food - Combined total	SRS	SRS/FH/003 (PN/008ii)	The number of new businesses identified which were subject to a risk assessment visit by or returned a self-assessment questionnaire to Food Hygiene during the year.	550			
Food - Combined total	SRS	SRS/FH/003 (PN/008ii)	The total number of new businesses identified by food hygiene.	649			
Food - Combined total	SRS	SRS/FH/003 (PN/008ii)	The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year, for food hygiene.	84.75%	Amber	Cardiff experiences high volumes of new businesses and despite not meeting target a significant number of these businesses have been visited. The shortfall this quarter is largely due to a number vacancies within the Food team. Recruitment into these vacant posts is currently underway.	90%

Team	Authority	Ref	Title	Q3 Actual	RAG Status3	Q3 Comment	Annual target
Food	Bridgend	PAM/023 (formerly PPN/009)	The number of food establishments within the local authority deemed to be 'Broadly Compliant' during the year as at 31 March.	1259			
Food	Bridgend	PAM/023 (formerly PPN/009)	The total number of food establishments as at 31 March.	1297			
Food	Bridgend	PAM/023 (formerly PPN/009)	The percentage of food establishments which are 'broadly compliant' with food hygiene standards	97.07%	Green	Target has been exceeded. Results are showing gradual improvement each Qtr.	93%
		PAM/023 (formerly PPN/009)					
Food	Cardiff	PAM/023 (formerly PPN/009)	The number of food establishments within the local authority deemed to be 'Broadly Compliant' during the year as at 31 March.	3131			
Food	Cardiff	PAM/023 (formerly PPN/009)	The total number of food establishments as at 31 March.	3319			
Food	Cardiff	PAM/023 (formerly PPN/009)	The percentage of food establishments which are 'broadly compliant' with food hygiene standards	94.34%	Green	Target has been exceeded. Results are showing gradual improvement each Qtr.	93%
Food	Vale of Glam	PAM/023 (formerly PPN/009)	The number of food establishments within the local authority deemed to be 'Broadly Compliant' during the year as at 31 March.	1175			
Food	Vale of Glam	PAM/023 (formerly PPN/009)	The total number of food establishments as at 31 March.	1225			
Food	Vale of Glam	PAM/023 (formerly PPN/009)	The percentage of food establishments which are 'broadly compliant' with food hygiene standards	95.92%	Green	Target has been exceeded. Results are showing gradual improvement each Qtr.	93%
Food							
Food	SRS	PAM/023 (formerly PPN/009)	The number of food establishments within the local authority deemed to be 'Broadly Compliant' during the year as at 31 March.	5565			
Food	SRS	PAM/023 (formerly PPN/009)	The total number of food establishments as at 31 March.	5841			
Food	SRS	PAM/023 (formerly PPN/009)	The percentage of food establishments which are 'broadly compliant' with food hygiene standards	95.27%	Green	Target has been exceeded. Results are showing gradual improvement each Qtr.	93%

Team	Authority	Ref	Title	Q3 Actual	RAG Status3	Q3 Comment	Annual target
Trading Standards - Combined total	Bridgend	SRS/TS/001 (PPN/001i)	The number of high-risk businesses that were inspected during the year by trading standards.	3			
Trading Standards - Combined total	Bridgend	SRS/TS/001 (PPN/001i)	The number of high-risk businesses that were selected for inspection at the beginning of the year by trading standards.	8			
Trading Standards - Combined total	Bridgend	SRS/TS/001 (PPN/001i)	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	37.50%	Green	As this is a cumulative measure, it is expected to achieve at least 75% of the annual inspection programme at the end of Qtr 3 however all programmed inspections were completed with the remaining inspections due in Qtr 4.	100%
		SRS/TS/001 (PPN/001i)					
Trading Standards - Combined total	Cardiff	SRS/TS/001 (PPN/001i)	The number of high-risk businesses that were inspected during the year by trading standards.	26			
Trading Standards - Combined total	Cardiff	SRS/TS/001 (PPN/001i)	The number of high-risk businesses that were selected for inspection at the beginning of the year by trading standards.	47			
Trading Standards - Combined total	Cardiff	SRS/TS/001 (PPN/001i)	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	55.32%	Red	As this is a cumulative measure, it is expected to achieve at least 75% of the annual inspection programme at the end of Qtr 3 which has been not been achieved. This represents 6 programmed inspections outstanding. One of these premises has been inspected, and another is subject to enforcement action. The remaining 4 outstanding premises will be visited in Q4	100%
Trading Standards - Combined total	Vale of Glam	SRS/TS/001 (PPN/001i)	The number of high-risk businesses that were inspected during the year by trading standards.	1			
Trading Standards - Combined total	Vale of Glam	SRS/TS/001 (PPN/001i)	The number of high-risk businesses that were selected for inspection at the beginning of the year by trading standards.	2			
Trading Standards - Combined total	Vale of Glam	SRS/TS/001 (PPN/001i)	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	50.00%	Red	As this is a cumulative measure, it is expected to achieve at least 75% of the annual inspection programme at the end of Qtr 3 which has been not been achieved. This represents one visit outstanding at the end of Qtr 3. The outstanding inspection relates to animal health and animal feed.	100%
Trading Standards - SRS Combined total		SRS/TS/001 (PPN/001i)	The number of high-risk businesses that were inspected during the year by trading standards.	30			
Trading Standards - SRS Combined total		SRS/TS/001 (PPN/001i)	The number of high-risk businesses that were selected for inspection at the beginning of the year by trading standards.	57			
Trading Standards - SRS Combined total		SRS/TS/001 (PPN/001i)	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	52.63%	Red	As this is a cumulative measure, it is expected to achieve at least 75% of the annual inspection programme at the end of Qtr 3 which has been not been achieved. This represents 7 inspections outstanding at the end of Qtr 3. One of these inspections was carried out in early Qtr 4, while another is subject to enforcement action. A further inspection relates to animal health and animal feed. The remaining outstanding visits will be carried out in Qtr 4.	100%

Team	Authority	Ref	Title	Q3 Actual	RAG Status3	Q3 Comment	Annual target
Trading Standards - Combined total	Bridgend	SRS/TS/003 (PPN/008i)	The number of new businesses identified which were subject to a risk assessment visit by or returned a self-assessment questionnaire to trading standards during the year.	139			
Trading Standards - Combined total	Bridgend	SRS/TS/003 (PPN/008i)	The total number of new businesses identified by trading standards.	161			
Trading Standards - Combined total	Bridgend	SRS/TS/003 (PPN/008i)	The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year, for trading standards.	86.34%	Green	Target exceeded.	80%
Trading Standards - Combined total	Cardiff	SRS/TS/003 (PPN/008i)	The number of new businesses identified which were subject to a risk assessment visit by or returned a self-assessment questionnaire to trading standards during the year.	529			
Trading Standards - Combined total	Cardiff	SRS/TS/003 (PPN/008i)	The total number of new businesses identified by trading standards.	668			
Trading Standards - Combined total	Cardiff	SRS/TS/003 (PPN/008i)	The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year, for trading standards.	79.19%	Amber	A number of visits remain outstanding at the end of Qtr 3, but these will be completed during Qtr 4.	80%
Trading Standards - Combined total	Vale of Glam	SRS/TS/003 (PPN/008i)	The number of new businesses identified which were subject to a risk assessment visit by or returned a self-assessment questionnaire to trading standards during the year.	143			
Trading Standards - Combined total	Vale of Glam	SRS/TS/003 (PPN/008i)	The total number of new businesses identified by trading standards.	168			
Trading Standards - Combined total	Vale of Glam	SRS/TS/003 (PPN/008i)	The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year, for trading standards.	85.12%	Green	Target exceeded.	80%
Trading Standards - SRS Combined total		SRS/TS/003 (PPN/008i)	The number of new businesses identified which were subject to a risk assessment visit by or returned a self-assessment questionnaire to trading standards during the year.	811			
Trading Standards - SRS Combined total		SRS/TS/003 (PPN/008i)	The total number of new businesses identified by trading standards.	997			
Trading Standards - SRS Combined total		SRS/TS/003 (PPN/008i)	The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year, for trading standards.	81.34%	Green	Target exceeded.	80%

Team	Authority	Ref	Title	Qtr 3 Actual2	RAG Status3	Qt3 Comment	Annual Target
Pollution	Bridgend	SRS/LC/008	No. of domestic noise and air complaints responded to within 3 working days	190			
Pollution	Bridgend	SRS/LC/008	No. of domestic noise and air complaints received.	196			
Pollution	Bridgend	SRS/LC/008	Percentage of domestic noise and air complaints responded to within 3 working days.	96.94%	Green	Target exceeded.	90%
Pollution	Cardiff	SRS/LC/008	No. of domestic noise and air complaints responded to within 3 working days	630			
Pollution	Cardiff	SRS/LC/008	No. of domestic noise and air complaints received.	674			
Pollution	Cardiff	SRS/LC/008	Percentage of domestic noise and air complaints responded to within 3 working days.	93.47%	Green	Target exceeded.	90%
Pollution	Vale of Glam	SRS/LC/008	No. of domestic noise and air complaints responded to within 3 working days	72			
Pollution	Vale of Glam	SRS/LC/008	No. of domestic noise and air complaints received.	93			
Pollution	Vale of Glam	SRS/LC/008	Percentage of domestic noise and air complaints responded to within 3 working days.	77.42%	Red	A number of staff changes have occurred during the quarter which has resulted in several posts becoming vacant which has impacted on performance this quarter. Recruitment to these posts is currently underway.	90%
Pollution	SRS	SRS/LC/008	No. of domestic noise and air complaints responded to within 3 working days	892			
Pollution	SRS	SRS/LC/008	No. of domestic noise and air complaints received.	963			
Pollution	SRS	SRS/LC/008	Percentage of domestic noise and air complaints responded to within 3 working days.	92.63%	Green	Target exceeded.	90%

Team	Authority	Ref	Title	Qtr 3 Actual2	RAG Status3	Qt3 Comment	Annual Target
Pollution	Bridgend	SRS/LC/009	No. of commercial and industrial noise and air complaints responded to within one working day.	47			
Pollution	Bridgend	SRS/LC/009	No. of commercial and industrial noise and air complaints received.	53			
Pollution	Bridgend	SRS/LC/009	Percentage of commercial and industrial noise and air complaints responded to within one working day.	88.68%	Green	Target exceeded.	75%
Pollution	Cardiff	SRS/LC/009	No. of commercial and industrial noise and air complaints responded to within one working day.	91			
Pollution	Cardiff	SRS/LC/009	No. of commercial and industrial noise and air complaints received.	125			
Pollution	Cardiff	SRS/LC/009	Percentage of commercial and industrial noise and air complaints responded to within one working day.	72.80%	Amber	A number of staff changes have occurred during the quarter which has resulted in several posts becoming vacant which has impacted on performance this quarter. Recruitment to these posts is currently underway.	75%
Pollution	Vale of Glam	SRS/LC/009	No. of commercial and industrial noise and air complaints responded to within one working day.	27			
Pollution	Vale of Glam	SRS/LC/009	No. of commercial and industrial noise and air complaints received.	45			
Pollution	Vale of Glam	SRS/LC/009	Percentage of commercial and industrial noise and air complaints responded to within one working day.	60.00%	Red	A number of staff changes have occurred during the quarter which has resulted in several posts becoming vacant which has impacted on performance this quarter. Recruitment to these posts is currently underway.	75%
Pollution	SRS	SRS/LC/009	No. of commercial and industrial noise and air complaints responded to within one working day.	165			
Pollution	SRS	SRS/LC/009	No. of commercial and industrial noise and air complaints received.	223			
Pollution	SRS	SRS/LC/009	Percentage of commercial and industrial noise and air complaints responded to within one working day.	73.99%	Amber	A number of staff changes have occurred during the quarter which has resulted in several posts becoming vacant which has impacted on performance this quarter. Recruitment to these posts is currently underway.	75%

Team	Authority	Ref	Title	Qtr 3 Actual2	RAG Status3	Qt3 Comment	Annual Target
Pollution	Bridgend	SRS/LC/010	No of alarm complaints responded to within one day.	3			
Pollution	Bridgend	SRS/LC/010	No. of alarm complaints received.	3			
Pollution	Bridgend	SRS/LC/010	Percentage of alarm complaints responded to within one day.	100.00%	Green	Target exceeded.	90%
Pollution	Cardiff	SRS/LC/010	No of alarm complaints responded to within one day.	27			
Pollution	Cardiff	SRS/LC/010	No. of alarm complaints received.	28			
Pollution	Cardiff	SRS/LC/010	Percentage of alarm complaints responded to within one day.	96.43%	Green	Target exceeded.	90%
Pollution	Vale of Glam	SRS/LC/010	No of alarm complaints responded to within one day.	1			
Pollution	Vale of Glam	SRS/LC/010	No. of alarm complaints received.	2			
Pollution	Vale of Glam	SRS/LC/010	Percentage of alarm complaints responded to within one day.	50.00%	Red	The result for quarter 3 represents only one alarm call that was not responded to within one day. A number of staff changes have occurred during the quarter which has resulted in several posts becoming vacant which has impacted on performance this quarter. Recruitment to these posts is currently underway.	90%
Pollution	SRS	SRS/LC/010	No of alarm complaints responded to within one day.	31			
Pollution	SRS	SRS/LC/010	No. of alarm complaints received.	33			
Pollution	SRS	SRS/LC/010	Percentage of alarm complaints responded to within one day.	93.94%	Green	Target exceeded.	90%

Team	Authority	Ref	Title	Qtr 3 Actual2	RAG Status3	Qt3 Comment	Annual Target
Licensing	Bridgend	SRS/LC/004	Number of applications determined within 2 months	34			
Licensing	Bridgend	SRS/LC/004	Number of applications received	34			
Licensing	Bridgend	SRS/LC/004	% of licensed premises applications received and determined within 2 months.	100.00%	Green	Target achieved.	100%
Licensing	Cardiff	SRS/LC/004	Number of applications determined within 2 months	174			
Licensing	Cardiff	SRS/LC/004	Number of applications received	174			
Licensing	Cardiff	SRS/LC/004	% of licensed premises applications received and determined within 2 months.	100.00%	Green	Target achieved.	100%
Licensing	Vale of Glam	SRS/LC/004	Number of applications determined within 2 months	20			
Licensing	Vale of Glam	SRS/LC/004	Number of applications received	20			
Licensing	Vale of Glam	SRS/LC/004	% of licensed premises applications received and determined within 2 months.	100.00%	Green	Target achieved.	100%
Licensing	SRS	SRS/LC/004	Number of applications determined within 2 months	228			
Licensing	SRS	SRS/LC/004	Number of applications received	228			
Licensing	SRS	SRS/LC/004	% of licensed premises applications received and determined within 2 months.	100.00%	Green	Target achieved.	100%

Team	Authority	Ref	Title	Qtr 3 Actual2	RAG Status3	Qt3 Comment	Annual Target
Licensing	Bridgend	SRS/LC/005	Number of applications determined within 2 months	20			
Licensing	Bridgend	SRS/LC/005	Number of applications received	20			
Licensing	Bridgend	SRS/LC/005	% of licensed personal applications received and determined within 2 months.	100.00%	Green	Target achieved.	100%
Licensing	Cardiff	SRS/LC/005	Number of applications determined within 2 months	123			
Licensing	Cardiff	SRS/LC/005	Number of applications received	123			
Licensing	Cardiff	SRS/LC/005	% of licensed personal applications received and determined within 2 months.	100.00%	Green	Target achieved.	100%
Licensing	Vale of Glam	SRS/LC/005	Number of applications determined within 2 months	25			
Licensing	Vale of Glam	SRS/LC/005	Number of applications received	25			
Licensing	Vale of Glam	SRS/LC/005	% of licensed personal applications received and determined within 2 months.	100.00%	Green	Target achieved.	100%
Licensing	SRS	SRS/LC/005	Number of applications determined within 2 months	168			
Licensing	SRS	SRS/LC/005	Number of applications received	168			
Licensing	SRS	SRS/LC/005	% of licensed personal applications received and determined within 2 months.	100.00%	Green	Target achieved.	100%

Team	Authority	Ref	Title	Qtr 3 Actual2	RAG Status3	Qt3 Comment	Annual Target
Licensing	Bridgend	SRS/LC/006	Number of applications determined within 2 months	0			
Licensing	Bridgend	SRS/LC/006	Number of applications received	0			
Licensing	Bridgend	SRS/LC/006	% of Gambling Premises applications received and determined within 2 months.	0.00%	Green	No applications received.	100%
Licensing	Cardiff	SRS/LC/006	Number of applications determined within 2 months	1			
Licensing	Cardiff	SRS/LC/006	Number of applications received	1			
Licensing	Cardiff	SRS/LC/006	% of Gambling Premises applications received and determined within 2 months.	100.00%	Green	Target achieved.	100%
Licensing	Vale of Glam	SRS/LC/006	Number of applications determined within 2 months	0			
Licensing	Vale of Glam	SRS/LC/006	Number of applications received	0			
Licensing	Vale of Glam	SRS/LC/006	% of Gambling Premises applications received and determined within 2 months.	0.00%	Green	No applications received.	100%
Licensing	SRS	SRS/LC/006	Number of applications determined within 2 months	1			
Licensing	SRS	SRS/LC/006	Number of applications received	1			
Licensing	SRS	SRS/LC/006	% of Gambling Premises applications received and determined within 2 months.	100.00%	Green	Target achieved.	100%

The Management of Health and Safety in Golf Clubs 2016-2018

Assessment of health and safety compliance at golf clubs in Bridgend, Cardiff & Vale of Glamorgan between October 2016 and November 2018.



Executive Summary

Following two work-related deaths at golf clubs in South East Wales, and a number of incidents associated with golf buggy misuse, a number of Local Authorities in the South East Wales region elected to undertake a local level health and safety intervention to assess health and safety compliance, and management arrangements, at their golf clubs. The collation of local intelligence, and accident investigation information, influenced the focus of the project so that a more targeted approach was adopted.

Key Topic Areas for Inclusion in the Initiative:

<ul style="list-style-type: none">• General health and safety management	<ul style="list-style-type: none">• Green Keeper safety
<ul style="list-style-type: none">• Use and maintenance of machinery and equipment	<ul style="list-style-type: none">• Contractor safety

A regional project plan and inspection form was devised, and Officer training arranged, to enhance Officer competence and promote consistency in approach.

A total of 24 golf clubs [*Bridgend (6); Cardiff (7); Vale of Glamorgan (11)*] located in Shared Regulatory Services (SRS) received an initial inspection between October–December 2016; with each duty holder receiving a formal warning letter to confirm contraventions that needed to be addressed to improve current levels of compliance.

Key issues noted following initial inspection:

Poor delegation of health and safety responsibilities and clarity of health and safety roles	Inadequate arrangements for golf buggy maintenance
Insufficient health and safety training to key personnel responsible for health and safety matters	Failure to adequately address the risks to green keepers whilst working on slopes and near/in water courses.
Lack of procedures for the selection, scrutiny and monitoring of third party contractors.	Control measures for lone working on the greens were not proportionate to the risk.

To assess improvements in compliance levels, unannounced revisits were made to golf clubs between April-June 2017. Officers identified that whilst new policies and procedures were being devised; existing procedures reviewed; and training being arranged to enhance employee core competencies, the majority of clubs had not had the opportunity to fully implement their new health and safety management arrangements. As a result no enhanced enforcement action was taken by Officers at this time.

To identify if golf clubs were achieving a more sustained level of compliance with health and safety legislation, Officers carried out a series of unannounced verification visits to all golf clubs between July-October 2018. Whilst the majority of clubs were found to have made significant improvements to their health and safety management systems, with many electing to engage with a more specialist health and safety consultancy for the golfing sector, a few clubs were identified as being consistent poor performers. As a result, a total of 10 Improvement Notices were served following this phase of the project intervention.

The verification visits also enabled Officers to identify common areas of weakness amongst the golf club duty holders. SRS provided support to golf club owners and managers by holding a free, 1 day business forum which was supported by the Health and Safety Executive (HSE); Public Health Wales (PHW); Institute of Occupational Health and Safety (IOSH); and relevant sectors of private industry.

Background

In 2015, a 20 year old groundsman died from drowning after a weed-spraying buggy carrying a 700 litre water tank, driven by his father, lost traction as it traversed a steep embankment; trapping the groundsman beneath it as it slipped into a pond.

In 2016, a 29 year old man died from drowning after getting into difficulty whilst diving for stray golf balls in a golf course lake. A subsequent investigation established that the contractor was using unsuitable and ill-fitting equipment; had no diving qualifications and had no previous experience.

Following these 2 work-related deaths at golf clubs in South East Wales, and a number of other incidents associated with golf buggy misuse, some Local Authorities in the South East Wales region committed to undertake a proactive, local level health and safety intervention to assess health and safety compliance at their golf clubs as part of their 2016/2017 business plan. At this time golf clubs were not considered to be a high risk sector on the HSE national code, or listed as a national priority for Local Authority inspection. However, the collation of local intelligence, and accident investigation information, provided the necessary evidence base for the regional intervention to proceed.

To adopt a more targeted approach, the following key areas were identified for inclusion in the golf course health and safety initiative.

<ul style="list-style-type: none">• General health and safety management	<ul style="list-style-type: none">• Green Keeper safety
<ul style="list-style-type: none">• Use and maintenance of machinery and equipment	<ul style="list-style-type: none">• Contractor safety

Aims of the golf course health and safety intervention

External aims for golf clubs:

- Signpost employers to health, safety and wellbeing business support.
- Encourage networking and peer support between clubs.
- Promote collective ownership of health, safety and wellbeing within organisations.
- Improve business resilience when changes to key personnel and committee members occur.
- Reduce the cost to businesses from injury and ill health.

Internal aims for regulators:

- For the regional intervention to be a pilot study for a potential all-Wales project.
- To encourage a more open dialogue with golf club managers and green keepers to identify opportunities and support internal development and change.
- To identify gaps in knowledge and areas of weakness in existing health and safety management systems.
- To secure improvements in compliance with current health and safety legislation.

- To arrange and facilitate a free 1 day business forum for golf club owners, managers and green keepers to focus on themes identified during earlier site visits (*Vale Employers Engagement Project*).

Managing the health, safety and wellbeing of workers improves organisational performance and reduces the cost of ill health and absence. Health and safety interventions which aim to support local business achieve a higher degree of compliance with health and safety legislation are in line with the SRS corporate priorities of 'Improving health and wellbeing' and 'Supporting the local community', together with the overall service aim of 'To work with others to protect people's health and safety by ensuring risk in the changing workplace are managed properly.

Such interventions are additionally in line with the 6 strategic themes included in the HSE strategy 'Helping Great Britain Work Well'.



- **Acting together** – Promoting broader ownership of health and safety in Great Britain;
- **Tackling ill health** – Highlighting and tackling the costs of work-related ill health and preventing ill health by making workplaces good workplaces by looking after health and wellbeing of all staff;
- **Managing risk well** – Simplifying risk management and helping business grow;
- **Supporting small employers** – Giving SMEs simple advice so that they know what they have to do;
- **Keeping pace with change** – Anticipating and tackling new health and safety challenges;
- **Sharing our success** – Promoting the benefits of Great Britain's world class health and safety system.

Method

From 1st April 2016 all 24 golf clubs throughout SRS [*Bridgend (6); Cardiff (7); Vale of Glamorgan (11)*] were sent a letter informing them of the work-related fatalities at the Newport-based golf courses concerning contractors working in, or near to, water courses. The correspondence outlined the culpabilities of persons responsible for appointing and managing contractors on their sites, and required duty holders to review and amend all assessments and procedures relating to work activities in, and around, water courses.

From 1st October 2016 all 24 golf clubs throughout SRS were sent a letter confirming that they would receive a proactive intervention visit within the forthcoming 3 months, and confirmed the key themes to be included in the inspection. The type of golf courses to be visited ranged from private clubs, link clubs, parkland courses, driving ranges and resort clubs; some of which had hosted international golfing events. Whilst most courses were 18 hole courses, some clubs operated a 9 hole course only, whilst a couple of sites had two 18 hole courses.

To enhance competency, and promote consistency in approach, an Officer training day was held at the Celtic Manor Resort in October 2016 for all persons involved with the project intervention.

To promote consistency in approach for this intervention, the following documentation was prepared by a project task and finish group, including Officers from South East Wales Local Authorities.

- Project proforma – to be completed by Officers during visits.
- Project plan - to confirm the aim, scope and methodology of the project.
- Project feedback form - to evaluate the effectiveness of the intervention.

Initial proactive intervention visits to golf clubs throughout SRS commenced from 31st October 2016. This comprised of an announced visit to ensure that Officers could engage with key personnel (*such as the Manager; Head Green Keeper; Head of Greens Committee*) and undertake a safety management review of existing health and safety arrangements, policies and procedures, and gain an appreciation of site-specific risks and how they were currently being controlled. Officers subsequently visited their allocated golf clubs at a later date, on an unannounced basis, to observe green keeping staff undertaking their daily duties and validate if documented procedures fully reflected how activities were being undertaken in practice.

Between April-June 2017 Officers revisited a large proportion of golf clubs to identify how duty holders were improving health and safety management arrangements and addressing legal contraventions previously brought to their attention.

To identify if duty holders were achieving a more sustained level of compliance with health and safety legislation, Officers carried out a series of unannounced verification visits to all 24 golf clubs between July-October 2018. The verification visits also enabled Officers to identify common areas of continued weakness amongst golf club duty holders which would inform what topic areas would be included in the golf course safety health and safety business form to be held later in the year.

On 7th November 2018 Officers from SRS arranged and facilitated a free, 1 day health and safety business forum (*Vale Employers Engagement Project*) at the Copthorne Hotel for golf course owners, managers and green keeping staff. The event was supported by HSE, Public Health Wales, IOSH, local authorities and representatives from industry. The day consisted of keynote speakers, exhibitors and a number of interactive, 30 minute workshops on a variety of health and safety topics. The aim of the event was to develop delegate competence, and confidence, and equip them with the necessary skills to improve both business resilience, and an improved level of sustained compliance with health and safety requirements, at their respective golf clubs.

Results

The documentation used by Officers during project visits was found to be fit for purpose, and the method used to engage with the golf courses was found to be appropriate.

Due to the variety in golf clubs visited (*number of holes; type of course*), Officer visit times ranged from 2 to 5 hours per visit.

A total of 24 golf clubs throughout SRS were included in this project intervention:

- Bridgend (6);
- Cardiff (7); and
- Vale of Glamorgan (11).

Of the 24 golf clubs included in this intervention, 13 (54%) were run by committees whilst 11 (46%) were limited companies.

Initial Project Visit

No Improvement Notices or Prohibition Notices under the Health and Safety at Work etc. Act 1974 were served following the completion of all initial project visits. All golf course duty holders received a formal written warning outlining the contraventions noted at the time of the visit and actions required to improve compliance with current health and safety standards. Recommendations were additionally included and clearly defined from the legal contraventions. All duty holders were requested to submit action plans by a pre-determined date to demonstrate their commitment to improving standards and to enable revisits to be undertaken in a timely manner.

Key areas of non-compliance observed during initial project visits:

- **19 out of 24 (79%)** golf courses had failed to adequately address the risks associated with green keeping staff working on slopes and in/near water courses. Despite all golf courses using tractors and self propelled machinery on slopes, uneven ground, near ditches and bunkers it was found that golf courses had not carried out a site-specific, hole-by-hole assessment taking account of specific hazards such as steep inclines, machinery traction/incline limits/weight distribution and weather conditions.

KEY ISSUE: Potential for machinery overturning and drowning.

- **14 out of 24 (58%)** golf courses had not undertaken a suitable and sufficient risk assessment of green keeping staff and contractors undertaking lone working duties; despite lone working being a regular activity within the golf industry, especially during weekends.

KEY ISSUE: Failure to implement proportionate control measures to manage the risks associated with lone working.

- **13 out of 24 (54%)** golf courses failed to have any procedure in place to manage contractors working on site for activities such as tree work; maintenance and pesticide spraying.
- Golf courses with a procedure available for third party contractors were often failing to implement all necessary control measures to select, scrutinise and monitor contractors whilst on site.

KEY ISSUE: Poor management of external contractors responsible for undertaking high risk work-activities.

- **11 out of 24 (46%)** golf courses visited had inadequate health and safety policies that failed to clarify the management hierarchy within the golf club and the delegation of key health and safety roles and responsibilities throughout the organisation. This was particularly prevalent in committee run golf clubs where committee members changed every 2 years.

KEY ISSUE: A lack of defined health and safety roles and responsibilities throughout the hierarchy of golf clubs resulting in a lack of accountability and ownership of health and safety management arrangements.

- **9 out of 24 (37%)** golf courses had not provided sufficient information, instruction or training to key personnel to enable those persons to discharge their statutory health and safety functions to an acceptable standard. Consequently these clubs were either found to have no control measures in place for specific risks, or had generic safe systems of work that were not directly applicable to work activities at that club,

KEY ISSUE: Lack of knowledge and understanding of health and safety legislation amongst those persons responsible for its implementation.

- **8 out of 24 (33%)** golf courses were unable to demonstrate proactive maintenance of golf buggies and utility vehicles to ensure they were maintained in an efficient state, efficient working order and good repair. Repairs were only being carried out on a reactive basis when buggies became visually damaged or inoperative.

KEY ISSUE: A lack of pre-planned maintenance for vehicles used on golf courses.

Revisits

Officers carried out unannounced revisits to golf courses between April–June 2017 for the purpose of monitoring improvements in health and safety compliance. Whilst Officers identified that existing policies, procedures and risk assessments were being reviewed and developed, many duty holders had yet had an opportunity to fully implement these changes and determine their suitability.

Just under half of all golf clubs revisited had amended traffic routes to facilitate the segregation of vehicles and pedestrians on the golf courses; implemented a more proactive maintenance regime for golf buggies and had introduced a more robust system for checking the suitability of persons wishing to hire the golf buggies.

All golf clubs revisited were in the process of devising a site-specific, hole-by-hole assessment of the course to identify high risk areas and ‘no go’ areas for ride-on equipment.

All golf clubs revisited were able to produce current copies of thorough examinations for lifting equipment and pressure systems.

Verification Visits

Between July and October 2018 Officers carried out unannounced verification visits to all 24 golf clubs in SRS to identify if a more sustained level of compliance with health and safety legislation was being achieved. An amended visit proforma was devised to ensure that all Officers engaged in these visits were adopting a consistent approach.

The verification visits also enabled Officers to identify common areas of weakness amongst the golf club duty holders to inform what topic areas should be included in the Vale Employers Engagement (‘VEEP’) business forum to be held on 7th November 2018.

The verification visits identified the following key findings:

- **13 (54%)** golf clubs continued to be committee run and **11 (46%)** golf clubs continued to be limited companies.
- **6 out of 13 (46%)** committee run golf clubs had experienced changes to key personnel (*Manager; Head Green Keeper; Greens Committee Chair; Club Captain*) since the initial inspection visit, compared to **2 out of 11 (18%)** of golf clubs operated by limited companies.
- **6 out 13 (46%)** committee run golf clubs were found to have poor, or out-of-date, arrangements for the delegation of health and safety responsibilities throughout the organisation, with newly appointed members not having an adequate level of information, instruction or training to fulfil their role effectively.

- **1 out of 11 (9%)** golf clubs operated by a limited company were found to have poor, or out-of-date, arrangements for the delegation of health and safety responsibilities throughout the organisation, with newly appointed employees not having an adequate level of information, instruction or training to fulfil their role effectively.
- Lone working arrangements were found to have greatly improved in all golf clubs, with all duty holders now having adequate arrangements in place.
- **4 out of 13 (31%)** committee run golf clubs failed to have current thorough examination certificates for lifting equipment and pressures systems.
- **5 out of 11 (45%)** golf clubs operated by a limited company failed to have current thorough examination certificates for lifting equipment and pressures systems.
- **8 out of 13 (62%)** committee run golf clubs had failed to measure inclines on the golf course to identify 'no go' areas for ride-on equipment, or had failed to update the hole-by-hole course planner following changes to the course.
- **3 out of 11 (27%)** golf clubs operated by a limited company had failed to measure inclines on the golf course to identify 'no go' areas for ride-on equipment, or had failed to update the hole-by-hole course planner following changes to the course.
- **3 out of 13 (23%)** committee run golf clubs continued to have inadequate control measures in place for the use of golf buggies on the course, primarily due to poor implementation of documented policies.
- **2 out of 11 (18%)** golf clubs operated by a limited company continued to have inadequate control measures in place for the use of golf buggies on the course, primarily due to poor implementation of documented policies.
- **6 out of 13 (46%)** committee run golf clubs continued to have inadequate control measures in place to ensure the health and safety of contractors working on site.
- **6 out of 11 (55%)** golf clubs operated by a limited company continued to have inadequate control measures in place to ensure the health and safety of contractors working on site.
- Common areas of weakness amongst duty holders and green keeping staff were identified to be: hand arm vibration (HAVS); noise at work; tree management and the control of exposure to biological hazards (*e.g. Weil's disease; Legionella; E. coli*).

Although the verification visits identified that improvements had been made by the majority of golf clubs included in this project intervention, some duty holders were identified as continued poor performers which necessitated Officers to escalate their enforcement action. A total of 10 Improvement Notices were served on 2 golf clubs for the following contraventions:

- Inadequate provision of lighting in the green keeping facilities.
- Inadequate health and safety policy and health and safety arrangements.

- Failure to appoint a suitably competent person to undertaken health and safety responsibilities.
- Failure to have up-to-date thorough examinations for lifting equipment.
- Failure to have written schemes of examination for pressure system equipment.

All Improvement Notices were subsequently complied with when Officers revisited the clubs. No Prohibition Notices were served following Officer verification visits.

Vale Employers Engagement Project ('VEEP')



The Vale Employers Engagement Project ('VEEP') comprised of a 1 day business forum which was held to support Golf Course Managers and Green Keepers throughout Bridgend, Cardiff and Vale of Glamorgan comply with relevant health and safety legislation. The forum, which took place at the Copthorne Hotel in Cardiff on 7th November 2018, was organised by the Communicable Disease, Health & Safety Team of SRS and was supported by HSE; Public Health Wales; external stakeholders and representatives from the golfing fraternity.

'VEEP' was the culmination of the 3-phase health and safety intervention undertaken at all SRS golf courses between October 2016 and November 2018, and targeted key topic areas which Golf Course Managers and Green Keepers were less confident with. These included:

- Tree management
- Noise at work
- Hand arm vibration (HAVS)
- Control of Substances Hazardous to Health (COSHH)
- Legionella management
- Management of contractors
- Managing health and safety (*delegation of roles; training of key personnel*)
- Occupational health
- Healthy working Wales (*smoking, alcohol and drug use in the workplace*)

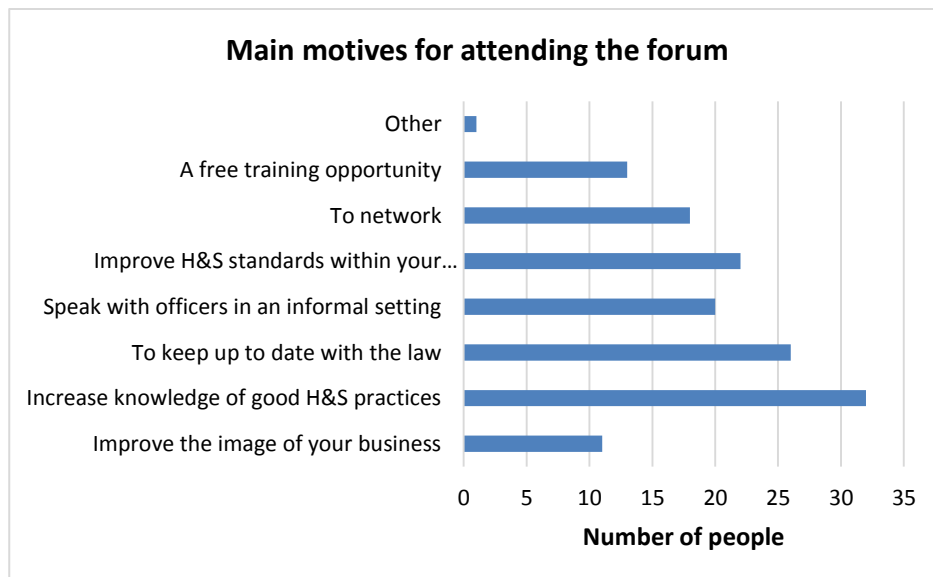
A total of 95 delegates attended the ‘VEEP’ business forum, which included representatives from golf courses across SRS and some neighbouring local authority areas; EHOs from neighbouring local authorities and external stakeholders. All delegates were able to attend a maximum of 6 pre-selected workshops throughout the day which were run by professional keynote speakers (including: HSE; Public Health Wales; Vector Air & Water; South Wales Safety Consultancy; MHP Arboriculture; Capital People). Exhibitors from Bridgend College; IOSH; Insight Health Screening; Insync Corporate Health; Thomas Carroll and XACT also supported the event.

Insync Corporate Health offered free blood pressure and cholesterol checks throughout the day and were able to provide specific advice and support to 35 delegates.

‘VEEP’ Business Forum – 7th November 2018 - Evaluation

Every delegate was issued with an evaluation form at the close of the business forum; however, a number of golf courses elected to submit collective feedback instead of completing the form individually. A total of 44 evaluation forms were completed and returned by delegates, some of which included missing fields of information or multiple responses to questions.

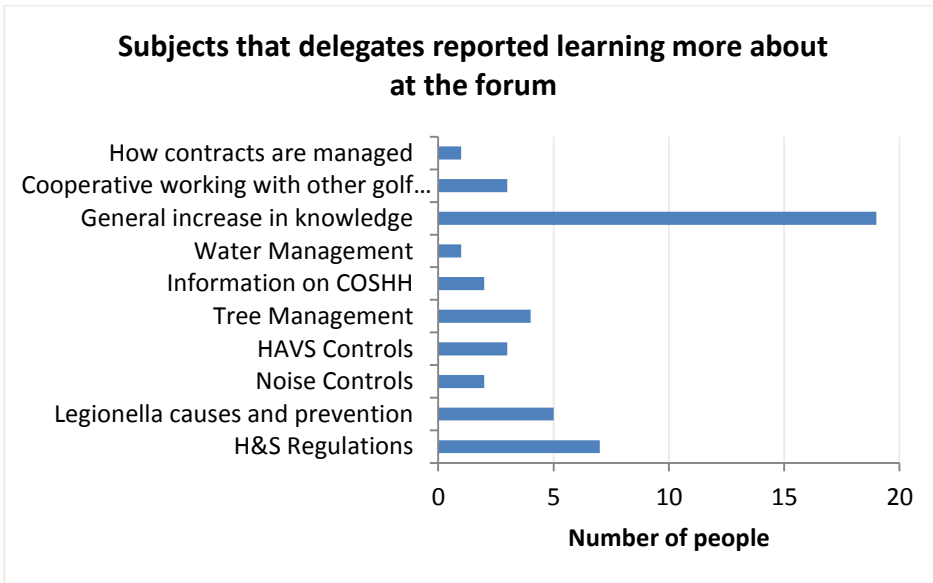
Of the 44 evaluation forms returned, delegates confirmed that the main motives for attending the business forum were to increase knowledge of good health and safety practices; to keep up to date with the law; and to improve health and safety standards within the club they were working at.



Graph 1 illustrates the reasons for delegates attending the forum

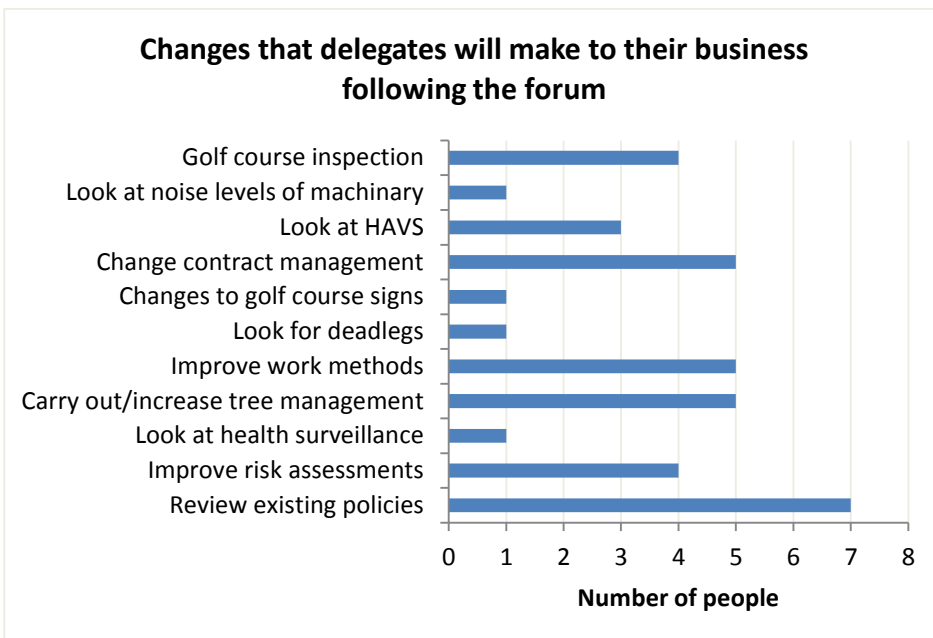
All delegates reported that they had learnt something from attending the ‘VEEP’ forum, with 19/44 (43%) forms reporting an overall increase in health and safety knowledge. Delegates found the workshop sessions on tree management; noise at work; hand arm vibration and Legionella management to be particularly helpful and expressed an interest in attending more detailed training on these topic areas.

All delegates completing an evaluation form expressed an interest in attending further health and safety training workshops in the future.



Graph 2 illustrates what delegates reported learning from attending the forum

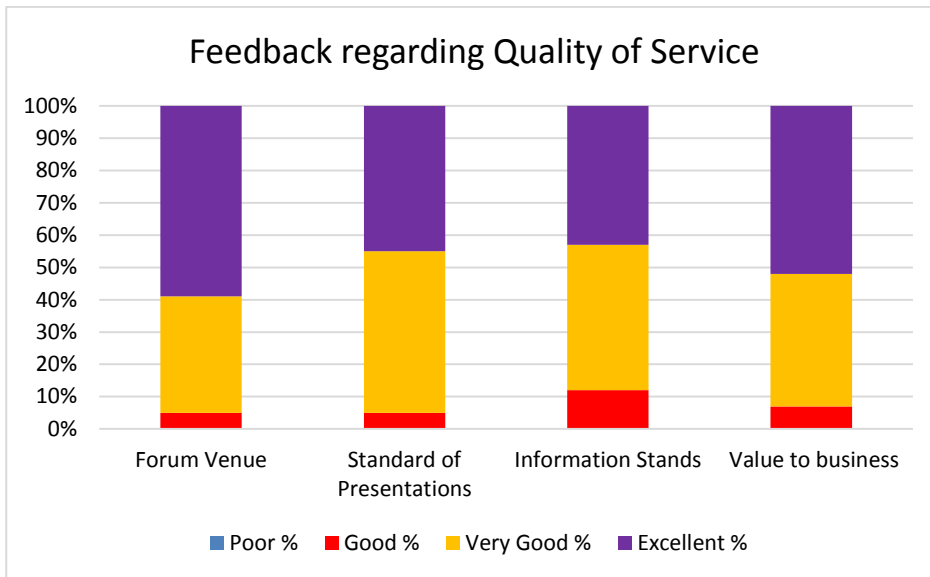
Of the 36 delegates who returned an evaluation form and responded to this question, 34 attendees (94%) reported that, as a consequence of attending the 'VEEP' business forum, they would be making changes to current health and safety arrangements at their business. Examples of what changes delegates intended to make are detailed in Graph 3 below.



Graph 3 illustrates what changes delegates planned to make after attending the forum

No negative comments were received from delegates on the evaluation forms returned to SRS about the quality of the 'VEEP' forum.

- 95% of responders reported that the venue was either excellent or very good.
- 95% of responders reported that the standard of presentations in the workshops was either excellent or very good.
- 88% of responders found the information available on the exhibition stands to be either excellent or very good.
- 93% of responders found the 'VEEP' business forum to be of excellent or very good value to their business.



Graph 4 illustrates delegate opinion about the quality of the forum

Comments included on the evaluation forms included:

“Found the course very good and learnt loads of helpful tips.”

“Excellent day, professional presenters.”

“Great event, good speakers with great knowledge.”

“Excellent run forums, very well managed with good time keeping throughout”

“Excellent course – thank you”

“Fab event”

“Very informative day”

Conclusion

The aims of this phased project intervention were to assess health and safety compliance levels in all golf clubs throughout SRS; secure improvements in health and safety compliance; and to support duty holders develop more robust management systems to achieve a more sustained level of compliance. These aims were in line with:

- HSE's 'Helping Great Britain Work Well' strategy;
- SRS's corporate priorities of 'Improving Health and Wellbeing' and 'Supporting the Local Economy'; and
- SRS's overall service aim of 'To work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly'.

The project intervention was generally well received by duty holders and engagement with club managers and green keeping staff was mostly positive. The 'VEEP' business forum was well attended, very well received and subject to very positive feedback from delegates.

The verification phase of the project identified that, in general, golf clubs were showing a greater commitment to health and safety matters than previously observed. Health and safety was now a standing agenda item at committee/management meetings, and the majority of clubs had arranged dedicated budgets for health and safety matters (*including PPE; training; replacement equipment*). A number of golf clubs had engaged the services of more sector-specific health and safety specialists, such as XACT, instead of using generalist consultants that could provide limited advice about golf-specific hazards and risks.

The project visits, engagement with the Golf Union of Wales, and 'VEEP' business forum also had a positive impact on the level of networking between local golf clubs. There were positive signs that golf clubs were behaving less like silos and were more prepared to share experiences and knowledge with their counterparts in neighbouring golf clubs. Managers and Head Green Keepers reported that the project visits had reinvigorated their focus on health and safety and provided a fresh impetus to review, and improve, site-specific procedures.

The project did identify that the majority of smaller golf clubs struggled to devote sufficient time and resources to develop, and review, health and safety management systems. As a consequence they were often slower to effect significant change. Frequent changes to key personnel, including green keeping staff and committee members, was found to negatively impact business resilience and the ability of a club to achieve a more sustained level of compliance with health and safety requirements. A number of committee run golf clubs were seeking to overcome this problem by re-allocating health and safety responsibilities to employees in more permanent positions so that a greater level of continuity could be achieved.

In conclusion, this phased health and safety project intervention successfully achieved its aims. The initial project visits enabled Officers to successfully undertake an initial assessment of each club's health and safety management arrangements; the revisits and verification visits enabled Officers to determine the level of improvements made by each club and take appropriate enforcement action to secure compliance with legislative requirements; and the 'VEEP' business forum enabled SRS to support its local golf clubs by facilitating engagement with experts in priority topic areas and encouraging the development of self-supporting networks.



South Wales Branch
Cangen De Cymru

Coleg Penybont
Bridgend College



thomascarroll
GROUP PLC



Newport
CITY COUNCIL
CYNGOR DINAS
Casnewydd



Health & Safety
Executive



InSync
Corporate Healthcare



VECTOR
AIR & WATER
COMPLIANCE EXCELLENCE

ARBORICULTURAL
CONSULTANTS

mhp



SOUTH WALES
SAFETY CONSULTANCY
Health • Safety • Fire • Environmental



CELTIC MANOR
HOTELS, RESORTS, CONFERENCES

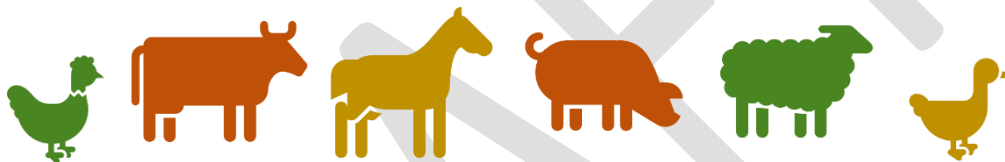


barod



DRAFT Animal Health and Welfare Regulatory Framework for Wales

Local authorities working with communities to safeguard the Welsh farming industry, help prevent animal disease, protect public health and promote the welfare of animals



	Contents	Page
1.	Executive summary	3
2.	Managing the Animal Health and Welfare Regulatory Framework for Wales	5
2.1	The scope of the Animal Health and Welfare Regulatory Framework for Wales	5
2.2	Outcomes of the Animal Health and Welfare Regulatory Framework for Wales	6
2.3	The importance of collaboration	6
2.4	Roles under the Animal Health and Welfare Regulatory Framework for Wales	7
2.4.1	Responsibilities of Local authorities	7
2.4.2	Responsibilities of the Animal Health and Plant Agency (APHA)	9
2.4.3	Responsibilities of the Welsh Animal Health and Welfare Panel	9
2.4.4	Responsibilities of the Welsh Government	10
2.5	Governance of the Animal Health and Welfare Regulatory Framework for Wales	11
2.6	Queries about the Animal Health and Welfare Regulatory Framework for Wales	11
3.	Principles to support the delivery of animal health and welfare controls by local authorities	12
3.1	Local Priorities	12
3.1.1	Responding to complaints and public concern	13
3.1.2	Responding to complaints about animal welfare on farms	13
3.1.3	Identification of high risk activities and businesses and prioritisation of interventions	15
3.1.4	Working with livestock markets	16
3.2	Regional collaboration	17
3.3	Sharing intelligence	18
3.3.1	Understanding the NTS Intelligence Operating Model (IOM)	19
3.3.2	Local and regional intelligence officers	19
3.3.3	Trading Standards intelligence databases	19
3.3.4	Using the IOM to share and gather intelligence about animal health and welfare	20
3.4	Understanding national requirements	21
3.4.1	National expectations	21
3.4.2	National data returns and reporting	22
3.4.3	Meeting the international / EU requirements	23
3.4.4	Sharing national priorities to support service delivery	23

1. Executive summary

All local authorities in Wales have a statutory duty to work with communities to help them comply with laws that are aimed at preventing the spread of animal disease and protecting the welfare of animals. This Framework provides a set of practical principles that will help local authorities deliver these duties in a way that is –

- **Responsive and accountable to local communities;**
- **Focused on high risk activities to make best use of limited resources;**
- Recognises why **national consistency** is important for businesses, the public and to protect against animal disease;
- Delivers controls in a way that supports **European and international trade agreements;**
- **Promotes collaborative working** with other local authorities, delivery partners and industry.

A thriving farming industry makes an invaluable contribution to the Welsh identity and our communities by shaping the landscape around us and providing a major contribution to the local economy through the food it produces, farm shops and markets, tourism and the many other local businesses that help to keep farms operating. On a national scale, 18% of the workforce in Wales are employed in the food and drink supply chain and the industry as an annual turnover of £19.1 billion each year¹.

However, there are stark examples of what can happen to our countryside and economy when this picture goes wrong. It only takes a moment to recall the vivid images of animals burning on pyres during the 2001 Foot and Mouth Disease outbreak or of desolate countryside closed to the public. That single outbreak cost the UK economy over £8 billion.

Every single day farmers must follow laws to prevent this situation occurring again and protect against the spread of diseases such as bovine TB and Avian Influenza. Rules are in place to ensure that the by-products of the farming industry do not threaten the health of animals, the human food chain or our countryside. There are laws in place to prevent illegal imports that could introduce rabies and to protect the welfare of animals transported within the UK.

Local authorities help farmers and businesses comply with these laws and they are also responsible for taking action when laws are breached, supporting businesses to ensure they can once again thrive.

Sometimes the issues are not quite so innocent. Organised criminals are found in any industry where there is money to be made and farming is no exception. Cases can span across Wales, the UK and internationally, ranging from trade in illegally imported puppies

¹ https://businesswales.gov.wales/foodanddrink/sites/foodanddrink/files/Food%20-%20Research%20-%20Economic%20Appraisal%20%233%20-%20%20EXEC%20REPORT%202017%20ENG%20-%20FINAL_2.pdf

to food fraud, and may involve complex issues such as slavery and exploitation of the most vulnerable in society.

It is therefore imperative that local authorities deliver an effective Animal Health and Welfare service and the principles within this Framework will help ensure that local services -

- Support the **local and Welsh economy**;
- Help the **UK meet EU and international obligations** to trade freely;
- Prevent and **control the spread of animal diseases**;
- Protect the **welfare of animals**;
- **Keep the food we eat safe** and protect consumers from fraud;
- Help to **identify criminal activity**;
- Protect **public health**;
- Allow **farming communities to flourish** without red tape.

The Animal Health and Welfare Framework has been developed by the Animal Plant and Health Agency (APHA) working in partnership with local authority officers from the Welsh Animal Health and Welfare Panel (WAHWP) supported by the Association of Chief Trading Standards Officers (ACTSO) and the Welsh Government. A parallel Framework has been produced for England and will be implemented from April 2019 onwards.

2. Managing the Animal Health and Welfare Regulatory Framework for Wales

This section supports **the management of the Animal Health and Welfare Framework within Local authorities and at a national level**. It aims to –

- Confirm the **scope of the Framework**;
- Provide **support for managers by listing the responsibilities for local authorities** under the Framework, including links to guidance where it is available;
- Promote the importance of **collaboration and partnership** work;
- Detail **roles and responsibilities** for all partners to promote a common understanding of what is expected;
- Outline **governance** arrangements for the Framework.

2.1 The scope of the Animal Health and Welfare Regulatory Framework for Wales

The Animal Health and Welfare Framework has been produced to help local authorities in Wales deliver their **statutory duties** in relation to the health and welfare of farmed animals². These responsibilities are put in place by legislation made under the [Animal Health 1981 \(as amended\)](#) and various implementing Regulations for EU legislation made under the [European Communities Act](#).

The Framework **does not cover** additional animal health, welfare and animal establishment priorities and projects that are identified and funded through the Animal Health and Welfare Partnership³ between the Welsh Heads of Trading Standards (WHoTS) and the Welsh Government.

The legislation made under the Animal Health Act and relevant EU Regulations cover health and welfare matters that are traditionally associated with farmed animals, such as movement and identification, TB and animal diseases, animal by-products and restrictions during a disease outbreak. However, it also covers areas such poultry, horse identification, rabies controls on imported animals and the welfare of animals during commercial transportation or sale. These laws also relate to a hobby farmer or small holdings just as much as they do to a commercial farm.

While the scope of the Framework is focused on duties under the Animal Health Act and European Communities Act, it remains vital that local authorities continue to consider how these responsibilities link to other areas of their work to deliver the most effective and efficient service for local businesses and communities. This will include other regulatory and licensing functions, but also links to strategic priorities such as the economy, public health and protecting vulnerable members of society from crime and exploitation.

² The Framework does not cover the animal establishment licensing or companion animal responsibilities that are also carried out by Local authorities in Wales.

³ Each year the Animal Health and Welfare Partnership in Wales work together to identify national priorities that may not be covered by statutory duties or responsibilities under this Framework. Annual projects and associated funding for local authorities are agreed to respond to these priorities and outcomes monitored under contract arrangements.

2.2 Outcomes of the Animal Health and Welfare Framework for Wales

The Framework aims to build on existing working practices and relationships to improve the delivery of animal health and welfare controls in Wales. It recognises the need to move away from national prescription and give local authorities the freedom to make the best use of limited resources by focusing on high risk activities, use of intelligence and maximising the benefits from partnership work. Specifically, the Framework aims to –

- Give local authorities the **freedom to respond to local priorities**;
- **Focus limited resources at high risk activities** and **reduce burdens for responsible businesses**;
- **Increase the transparency** of animal health and welfare services for local communities and the farming industry;
- Provide a set of common principles that can be embedded in every local animal health and welfare service to create a **consistent national approach**;
- Ensure the enforcement of animal health and welfare law within Wales can **meet the expectations of international trading arrangements**;
- **Increase the use of information and intelligence sharing**;
- **Improve partnership work** between local authorities and APHA.

2.3 The importance of collaboration

The Animal Health and Welfare Framework has been developed in partnership by local authorities, through the Welsh Heads of Trading Standards Services (WHoTS), Welsh Local Government Association (WLGA) and the Welsh Animal Health and Welfare Panel, the Welsh Government and the Animal Plant and Health Agency (APHA). A parallel Framework has been developed for local authorities in England.

As with all areas of regulation, it is vital that delivery partners work effectively together under the Animal Health and Welfare Framework to –

- **Minimise burdens on businesses**;
- **Maximise resources**;
- **Share information and intelligence to ensure all delivery is risk based**;
- **Develop a common understanding of the regional and local priorities that inform service delivery**;
- **Create an effective relationship between Local authorities and APHA by increasing mutual awareness and promoting communication.**



A clear understanding of the roles of all partners is essential to support effective collaboration under this Framework.

2.4 Roles under the Animal Health and Welfare Regulatory Framework for Wales

2.4.1 Responsibilities of Local authorities

Under the Animal Health and Welfare Regulatory Framework, local authorities are asked to:

	Action	Supporting guidance
1.	Undertake annual service planning based on the principles in the Animal Health and Welfare Framework.	See section 3 of the Framework.
2.	Develop a risk based, consistent and easily accessible process for handling of complaints relating to animal health matters on farm.	See section 3.1.1 of the Framework and guidance and examples on the KHub .
3.	Provide transparency about how the local authority responds to animal welfare complaints, including collaborative arrangements with other partners and charities.	See section 3.1.2 of the Framework.
4.	Identify high risk businesses and activities on an annual basis.	See section 3.1.3 of the Framework and <i>Local authority profile example</i> .
5.	Produce an annual programme of interventions for all high risk businesses and activities based on the risk presented by the activities carried out, intelligence, history of compliance and available resources.	See section 3.1.3 and section 3.1.5 of the Framework.
6.	Undertake an annual audit of each livestock market and collection centre in partnership with APHA to review documentation and procedures. Produce an annual programme of interventions based on the outcomes of the audit. This programme should remain flexible through the year to respond to emerging risks.	See section 3.1.4 of the Framework and <i>pending guidance for Local authorities working with markets and collection centres</i> .
7.	Actively engage in regional animal health and welfare groups, attending meetings where possible and contributing to regional discussions about the implementation of the Framework. Ensure membership of the KHub.	See section 3.2 of the Framework. KHub can be located at www.khub.net
8.	Work closely with other local authorities to share knowledge and expertise, including opportunities for shared training, joint inspections, and opportunities for contracting and peer to peer reviews.	
9.	Proactively exchange and use information and intelligence to inform the delivery of animal health and welfare controls, using national intelligence databases where appropriate.	See section 3.3 of the Framework and <i>pending ACTSO guidance</i> .

10.	Regional groups are expected to discuss and agree how each local authority will be involved in the recording, accessing and analysis of intelligence relating to animal health and welfare with the aim of making a staged improvement in the level and quality of intelligence recorded and the influence this has on service planning across the region.	See section 3.3 of the Framework and online training facility ⁴ .
11.	Each regional group to review the level of intelligence being recorded and use the intelligence to identify any potential threats on at least an annual basis. Steps should be taken to resolve any concerns about the level or type of intelligence being recorded and a response formulated to any criminal activity that has been identified.	See section 3.3 of the Framework and pending ACTSO guidance.
12.	All local authorities should actively engage in the sharing of environmental, political, legislative or organisational changes at regional meetings that may influence service planning and activities.	See section 3.3 of the Framework and pending ACTSO guidance.
13.	Ensure that services consider the requirements laid down in the Regulators Code where appropriate.	See Regulators Code
14.	Complete statutory data returns in a timely manner.	See section 3.4.2 and online single data list .
15.	All services should consider how they meet EU standards for the delivery of Official Controls and any future standards that support trade agreements.	See section 3.4.3 and quick guide to EU expectations under OFFC .
16.	Each Local authority must have an up to date animal disease contingency plan in place, which is shared internally and with partners. Contact details are to be revised as changes happen. The plan should be updated within two years of any changes to the national template.	See animal disease contingency plan template .
17.	Local authorities should ensure that contact details on the Local authority Master Contact List are updated in a timely fashion. This information is used by APHA to communicate details of possible animal disease outbreaks, make referrals and share intelligence.	Local authority Master Contact List is on the KHub .
18.	Officers involved in the delivery of animal health and welfare should be trained and qualified in line with local standards and authorisation processes. Local processes should ensure officers are competent and confident in the delivery of effective animal health and welfare controls. Staff should be supported by personal development	

⁴ Online NTS IOM eLearning training is available. Please contact donna.sidwell@actso.org.uk

	processes and training.	
19.	Use the Framework to promote the delivery of animal health and welfare controls to managers and local politicians.	A short adaptable brief is available on the KHub.

2.4.2 Responsibilities of the Animal Plant and Health Agency (APHA)

Under the Animal Health and Welfare Regulatory Framework for Wales, APHA will:

1.	Proactively engage in regional local authority communication, ensuring a lead is assigned to each local authority region and appropriate attendance at all regional meetings.
2.	Work with local authority regional groups to lead annual discussions about the implementation of the Framework, contribute to the identification of high risk activities / businesses, share national and regional priorities and influence the development of service plans for the forthcoming delivery year.
3.	Ensure liaison takes place with the relevant local authority to carry out joint annual licensing visits at livestock markets and collection centres, providing input and support for an appropriate programme of interventions.
4.	Provide support for local authority enforcement work, including sharing of information / data / intelligence and providing veterinary input and opinion to support investigations.
5.	Work with each regional group to develop agreed ways of sharing information about inspections, suspect disease cases and areas of concern.
6.	Ensure that regional and local APHA leads that work with local authorities have an awareness of the Local Authority Master Contact List and KHub to support their communication with local authorities.
7.	Ensure relevant regional and local APHA staff are aware of the communication required with local authorities and ACTSO during a suspect and confirmed animal disease situation.
8.	Attend and contribute to meetings of the Welsh Animal Health and Welfare Panel (Welsh Panel) and the National Animal Health and Welfare Panel (NAHWP).
9.	Identify opportunities for additional funding for local authorities for specific projects based on national priorities, intelligence or emerging risks.

2.4.3 Responsibilities of the Welsh Animal Health and Welfare Panel (Welsh Panel)

Under the Animal Health and Welfare Regulatory Framework for Wales, the Welsh Panel will:

1.	Provide the national forum for discussion of animal health and welfare matters relating to local authorities. This will be facilitated by clearly identified representation from each local authority region within Wales.
2.	Act as a steering group for the Framework within Wales, which will require the Animal Health and Welfare Framework to appear as a routine agenda item to explore implementation progress and queries.
3.	Lead annual reviews of the Framework to understand how well it is supporting

	delivery and liaise with APHA if updates are required.
4.	Provide a regular forum for local authorities to raise queries about animal health and welfare matters and for policy makers, delivery partners and industry to engage with local authority officers.
5.	Support the exchange of information and data about local authority activities in consideration of local authority resources and the priorities of the Local Government sector.
6.	Continue to promote the use of intelligence to identify criminal activity relating to animal health and welfare.
7.	Actively seek the input from local managers and professional bodies in matters that impact on local authority resources or strategic priorities. This will include the involvement of WHoTS and the WLGA.

2.4.4 Responsibilities of the Welsh Government

Under the Animal Health and Welfare Regulatory Framework, the Welsh Government will:

1.	Actively engage with the Welsh Animal Health and Welfare Panel to explore policy developments, changes in national priorities and share guidance relating to animal health and welfare in a timely manner. Attendance at the Panel is discretionary depending on items to be discussed.
2.	Engage with WHoTS and the WLGA on policy that relates to managing a service, may impact on resources/finances and/or links to local government strategic priorities.
3.	Ensure all information and data provided by local authorities is used to inform policy and provide feedback on how this has been used where possible.
4.	Ensure relevant staff are aware of the communication required with local authorities during a suspect and confirmed animal disease, particularly in relation to changes in the disease situation, policy changes and national priorities.
5.	Ensure that APHA have the necessary information to discuss regional and national priorities with local authorities.
6.	Promote the Animal Health and Welfare Regulatory Framework and role of local authorities on farm within the Welsh Government and with relevant external partners.
7.	Recognise the importance of local authorities retaining the ability to respond to local priorities and community needs when designing national animal health and welfare policy.

2.5 Governance of the Animal Health and Welfare Regulatory Framework for Wales

The Animal Health and Welfare Regulatory Framework has been produced in partnership and it is important that the ongoing management of the Framework is undertaken in a similar manner. The Welsh Panel will provide the main forum for ongoing maintenance and review of the Animal Health and Welfare Regulatory Framework, as all partners are represented on the Panel and it will prevent creating additional burdens by using an

existing meeting and communication structure. Any proposed changes to the Framework in Wales will be shared in advance with the NAHWP and efforts made to ensure that consistency is maintained with the approach in England. Governance of the Framework will therefore be carried out by –

Ongoing	Local authority regional groups and Welsh Panel representatives will ensure that the Framework is included on the agenda for all regional and Welsh Panel meetings to monitor implementation and resolve queries.
Ongoing	The Framework will be included on every Welsh Panel meeting agenda to provide the opportunity for local authorities to discuss implementation, queries and issues.
Annual	After each financial year the Welsh Panel will request feedback about implementation of the Framework from regional representatives, APHA and the Welsh Government. This will be documented in the minutes of the Panel and shared with the NAWHP for further views and consideration of changes to the Framework in Wales and / or England.
As required	Partners will be able to request a wholesale review of the Framework should the policy, political, financial, delivery or legal context make this necessary.

2.6 Queries about the Animal Health and Welfare Regulatory Framework

If local authorities have day to day queries about the Framework, these should be discussed regionally in the first instance at [Wales Animal Health Panel KHub](#) or posted on the [Local Government Animal Health and Welfare KHub](#). If queries cannot be resolved at this level then they should be shared with the WHO-TS.

Queries about the Framework from other individuals or organisations other than local authorities should be directed to APHA in the first instance by email to RegulatoryHub@apha.gsi.gov.uk

3. Principles to support the delivery of animal health and welfare controls by local authorities

This section details the principles that Local authorities should use when carrying out **annual service planning and day to day delivery** of their statutory duties relating to the health and welfare of farmed animals. It aims to –

- Help Local authorities to deliver their statutory duties in a way that is flexible to **local priorities** and the unique needs of farming communities;
- Encourage Local authorities to develop easily **accessible policies about how local services respond to complaints about animal health and welfare based on risk**;
- **Support the identification of high risk businesses** and focus available resources at these;
- Promote **regional collaboration** to share **intelligence** and mutual support between Local authorities and wider delivery partners;
- **Ensure clarity about the national and international expectations** of Local authority animal health and welfare services to ensure trade agreements are maintained;
- Detail how **changing national priorities** will be developed and shared with Local authorities to influence annual service planning.

3.1 Local priorities

Local authorities are uniquely placed to understand the people and businesses within their own communities and provide services that meet their needs. Communities directly influence the services they receive by voting, communicating with local politicians and responding to requests for views. Local authorities remain accessible to businesses and individuals in their area through their websites, easy to reach contact details and transparent complaints procedures.

The needs of communities will always be a primary concern for the delivery of local authority services. To recognise this, the Animal Health and Welfare Regulatory Framework for Wales recommends that local service plans are built on the following principles –

1.	<u>A risk based, consistent and accessible process for handling of complaints relating to animal health matters on farm.</u>
2.	<u>Transparency about how the local authority responds to animal welfare complaints, including collaborative arrangements with partners and charities to respond to these.</u>
3.	<u>Identification of high risk businesses and activities.</u>
4.	<u>Produce an annual programme of interventions for high risk businesses and activities based on the risk presented by the activities carried out, intelligence, history of compliance and available resources.</u>
5.	<u>Undertake an annual audit of each livestock market and collection centre in partnership with APHA to review documentation and procedures. Produce an</u>

[annual programme of interventions based on the outcomes of the audit, which remains flexible to changing risk through the year.](#)

3.1.1 Responding to complaints, partner referrals and public concern

The need for a structured and risk based approach to responding to complaints has gained importance in recent years as local authorities have moved away from carrying out planned inspections and increasingly rely on intelligence, referrals and complaints to decide when an intervention is required.

A survey carried out by ACTSO suggested that almost 70% of all on farm visits made by local authorities for animal health and welfare during 2015/16 were because of queries or complaints from other delivery partners, charities or the public. It is important that these queries are managed in a fair and transparent manner that can be easily accessed and explained to local communities.

A risk based, consistent and easily accessible approach to responding to complaints about animal health on farms is important to -

- **Provide reassurance and evidence to local communities, businesses, charities and local politicians how queries are managed fairly;**
- **Support the allocation of available resources based on risk;**
- **Consider local, national and international priorities;**
- **Contribute to the effective use and management of intelligence.**



Most local authorities already have an informal approach to assessing complaints about the health and welfare of livestock on farms and deciding what action is appropriate, however, a structured and documented approach ensures resources are consistently prioritised and provides transparency and fairness for local communities.

While it is recognised that standard procedures may not cover all situations, under the Framework local authorities are asked to consider how a transparent and consistent approach to complaints can be achieved for their community. Guidance has already been produced by the National Animal Health and Welfare Panel (NAHWP) and ACTSO, which has been shared on the [KHub](#) along with examples of existing local authority processes.

3.1.2 Responding to complaints about animal welfare on farms

Under [The Welfare of Animals at Market Order 1990](#) and the [Welfare of Animal \(Transport\) Order 2006](#), local authorities have a duty to enforce laws that are aimed at ensuring animals do not suffer unnecessarily during sale or transportation.

Local authorities are also given unique powers under the [Animal Welfare Act 2006](#) that can be used to respond to complaints about animal welfare issues more widely, including on farms. There is no duty on the local authority to enforce this Act or specific funding to support welfare work under the Act, however, because of the frequent link between welfare cases and animal disease risks, public interest in animal welfare and a general moral duty to ensure animals are not suffering, it is recommended that each local authority has a transparent policy or simple statement about how they will respond to complaints relating to the welfare of farmed animals and ensure officers are authorised appropriately.

Protecting the welfare of farmed animals in all situations is important because –

- **Welfare concerns about farmed animals rarely take place in isolation. Commonly animal health, disease, animal by-product and bio security issues will be present as well;**
- **Animal disease issues have the potential to create a public health risk;**
- **Animal welfare complaints are an important source of intelligence;**
- **Local authorities should consider the moral duty to use powers available to them to protect the welfare of farmed animals;**
- **The public and charities have an understandable interest in animal welfare related issues and will place additional scrutiny on the decisions made by local authorities in such cases;**
- **Media interest;**
- **Potential for links to wider local authority services, including social services, mental health issues, waste management and other criminal activity.**



Local authorities do not need to undertake the burden of welfare cases alone and collaboration with APHA and national and local charities can be immensely helpful. Local authorities may be able to establish partnerships with charities that will make the best use of resources and expertise depending on each case and this approach can be reflected in a transparent statement about responding to welfare complaints.

Any statement about handling welfare complaints will need to remain flexible enough to accommodate each unique case, accommodate limited resources and differing working relationships with partners. It could reference other areas of welfare work that local authorities cover as part of their animal licensing functions and provide links to other helpful organisations.

3.1.3 Identification of high risk activities and businesses and prioritisation of interventions

Local authorities have long recognised the importance of reducing burdens on businesses and have moved away from carrying out routine visits to responsible farmers. Instead available resources are focused on responding to complaints and using intelligence to target criminal activity and help businesses to comply.

However, it remains important that local authorities have a clear picture of what **high risk activities and businesses** are in their area to effectively service plan and prioritise interventions where resources are available and inspections are deemed appropriate.

Under the Framework, **local authorities are expected to have a current and clear picture of what high risk businesses and activities are in their area.** To identify high risk businesses and activities for the purposes of animal health and welfare, Local authorities should consider the following –

1. **A business may be considered high risk because of the activities it carries out.**

In relation to animal health and welfare, this would include activities that pose an increased risk of spreading animal disease or causing welfare issues. This will include business activities that move animals about, bring animals from different premises together and move animals on again. Activities such as this not only bring animals from different areas into close contact, but also vehicles and people and businesses with differing approaches to complying with the law, and will often be subject to additional provisions for the control of disease risks. Veterinary input through APHA can support the identification of such premises. Examples of such businesses include **livestock markets, slaughterhouses, collection centres and dealers**. Local authorities may also want to discuss the risk of local shows and transporters with APHA.

2. **A business may be considered high risk because of concerns about their compliance levels.**

This could include any business that is of significant concern to the Local authority based on local knowledge, including their history of non-compliance, complaints from the public and / or delivery partners, veterinary input, incomplete records, intelligence or non-compliance with other areas of regulatory legislation.

The identification of high risk businesses can be updated through the year, but should specifically be updated annually ahead of the service planning process.

Under the Framework, **local authorities are expected to produce an annual programme of interventions for high risk businesses and activities in their area.** This would take into consideration –

- **Risk** presented by the activities carried out;
- History of **compliance**;
- **Intelligence**;
- **Outcomes of annual audits** (for livestock markets and collection centres);
- **Available resources**;
- **Input from APHA at regional meetings**;
- Other businesses may be prioritised for a visit or intervention because they link to the **national or regional priorities**.

Local authorities are best placed to determine the level and type of interventions required at high risk premises in their area or whether any are appropriate during a delivery year. Local authorities may need to amend this programme as local and national risks change through the year.

Under the Framework it is expected that local authorities will have considered what interventions are required at all APHA licensed animal gatherings, livestock dealers, slaughterhouses and high risk businesses in their area. Details of any programmed interventions at high risk premises can be shared with APHA.

3.1.4 Working with livestock markets and collection centres

Livestock markets and collections centres are often the hub of farming communities and make a vital contribution to local economies, however, the very nature of their business means that will be always be considered high risk from an animal disease and welfare perspective. They are licensed by APHA due to this inherent risk.

Livestock markets and collection centres regularly bring people, vehicles and animals from different areas together and then move them on again. In addition to the individual responsibilities of farmers, dealers and transporters attending each sale, the market operator themselves must ensure that bio security standards are maintained, movement documentation is correct and welfare concerns are acted upon.

Due to the high risk nature of livestock markets and the importance of a consistently robust approach across Wales, under the Animal Health and Welfare Regulatory Framework it is expected that each local authority will –

1. **Know where all licensed livestock markets and collection centres are in their area and have up to date contact details and knowledge about the timing of sales.** Up to date Local authority contact details should also be shared with the market operator;
2. Ensure **regular liaison with APHA** and market operators about any concerns relating to livestock markets.
3. **In partnership with APHA, conduct an annual audit of each livestock market and collection centre** to review the systems, processes and paperwork arrangements in place to meet the market’s obligations in relation to animal health and welfare law and confirm how the market will act when concerns are identified. Engagement should focus on the identification and management of hazards. This should be carried out as part of the annual renewal of the approval given by APHA for the market to operate;
4. Based on the activities taking place at the market or collection centre, history of compliance, intelligence national / regional / local priorities, resources, the annual audit and discussions with APHA, **agree a programme of visits during operating hours to be put into the Local authority service plan.** Any visits during sale time should be conducted in an irregular pattern and at different times during sales / gatherings. If there are concerns about compliance levels at the market / collection centre then visits should always be unannounced;
5. **Consider whether national and regional priorities require visits to livestock markets and collection centres.**
6. **Discuss any concerns or trends at regional local authority groups.**

3.2 Regional collaboration

Collaboration across regulatory delivery partners is an essential way of sharing information, identifying high risk activities and businesses, resolving queries, providing mutual support and training, maximising resources and discussing local and regional priorities. Under the Framework, local authorities are expected to –

1.	Actively engage in regional animal health and welfare groups, attending meetings where possible and contributing to regional discussions about the implementation of the Framework. Ensure membership of the KHub.
2.	Work closely with other local authorities to share knowledge and expertise, including opportunities for shared training, joint inspections, and opportunities for contracting and peer to peer reviews.

For local authorities, the well-established regional networks and groups provide a vital route for regional collaboration and means to feed into discussions at a national level through the Welsh Panel and NAWHP.

Under the Framework the regional groups will also be expected to –

- Provide a forum for regular discussions about the Framework and resolution of queries about implementation;
- On an annual basis provide the opportunity for regional discussions about progress made under the Framework and any improvements required. and report to the Welsh Panel;
- Each year, ahead of service planning, ensure that a meeting is held to discuss local and regional priorities, trends, emerging areas of concern and to share intelligence about high risk activities and businesses. The nominated APHA representative will need to be invited to these discussions to provide information about national priorities and veterinary risks.

To do this, each regional group will be expected to –

- Ensure that they have details of a nominated animal health contact in each local authority;
- Have an agreed approach to communication within their region, including emails, use of the KHub for queries and at least one meeting each year;
- Ensure that the regional group have a nominated representative on the Welsh Panel and all local authorities within the region know who this is;
- Invite the nominated APHA contact to all meetings and ensure they are aware how to liaise with the regional group at other times;
- Consider inviting other delivery partners and industry to relevant meetings.

3.3 Sharing intelligence

Under the Framework, local authorities are asked to -

1.	Attend regional groups to discuss and agree how each local authority will be involved in the recording, accessing and analysis of intelligence relating to animal health and welfare with the aim of making a stage improvement in the level and quality of intelligence recorded and the influence this has on service planning across the region.
2.	Review the level of intelligence being recorded across each region and use the intelligence to identify any potential threats on at least an annual basis. Steps should be taken to resolve any concerns about the level of type of intelligence being recorded.

- | | |
|----|--|
| 3. | Actively engage in the sharing of environmental, political, legislative or organisational changes at a regional meetings that may influence service planning and activities. |
|----|--|

3.3.1 Understanding the NTS Intelligence Operating Model (IOM)

The NTS Intelligence Operating Model (IOM) has been developed by NTS to support local authority trading standards services in England and Wales. The IOM is not a database, but rather an intelligence framework that helps to provide a systematic and structured approach to gathering and sharing intelligence. The IOM has a set of procedures; a network of intelligence functions working together; effective tasking arrangements; a training and development programme including IOM eLearning; and monitoring and review programme.

Intelligence is recorded, evaluated and disseminated in a standard format. The IOM was developed to promote a culture of intelligence led enforcement as part of trading standard's day to day work. It can be used to manage and task local, regional and national prioritised threats and risks.

The model can easily be applied to any areas of regulation where there is the potential for criminal activity, including environmental health.

3.3.2 Local and regional intelligence officers

Each local authority is encouraged to have a local intelligence liaison officer, although it is recognised that as resources are constrained this role may be carried out in addition to other duties. They work closely with the regional intelligence analysts and will influence the wider regional issues.

NTS has provided funding for each regional trading standards group to have a regional intelligence function that is deployed in each regional trading standards group and embedded into regional structures. This function helps to improve intelligence capacity regionally and locally. Regional intelligence analysts work with their local intelligence liaison officers, other regional intelligence analysts and the national NTS Intelligence Team to provide an effective intelligence team across England and Wales.

3.3.3 Local authority intelligence databases

There are currently two national intelligence databases (Memex/SAS and IDB) that are used by trading standards services, both have fields for animal health and welfare. Each authority will take their own decisions on which intelligence database to use and who can access and use the database.

To support the IOM, NTS currently provides funding to help maintain these two national intelligence databases and also provides funding to help local trading standards authority in England and Wales cover the licence costs to access and use one of the intelligence databases.

The standardised recording of information and subsequent analysis to produce intelligence is critical to the IOM. Since April 2017, a new intelligence report has been used to record intelligence. User's grade the intelligence, providing a handling code and the justification for these codes. It is not envisaged that general non-compliance reports should be recorded on the national intelligence databases.

3.3.4 Using the IOM to gather and share intelligence about animal health and welfare

Step one – Local responsibilities and processes

Each Local authority animal health and welfare officer is encouraged to identify their local intelligence liaison officer to understand which intelligence database is used by their local authority, how this can be accessed and how information is graded, analysed and recorded within their authority using the standard processes. The IOM provides standard operational procedures and guidance on how information becomes intelligence and how this is recorded, however, local intelligence officers will be best placed to advise how the processes and responsibilities are operating locally.

Each authority will take their own decisions on who can access and use their intelligence database, which will often depend on the number and type of licences purchased. If an enforcement officer has not been trained on the IOM operational procedures and does not have direct access to the intelligence database then they should contact their line manager and local intelligence officer establish how they will be able to search the database, submit intelligence or interrogate the database for potential cross boundary threats on an ongoing basis. It would also be appropriate to discuss the type of information and intelligence expected.

Step two – Regional liaison

Once clarification has been sought about local roles and processes, then it would be appropriate for regional groups to discuss and agree the priorities and approach to recording and use of intelligence. This would need to include –

- Ensuring all Local authorities understand how the IOM works and how they contribute to this, including where animal health and welfare enforcement is not carried out directly within the Trading Standards function⁵;
- Consideration as to whether the regional group invites their regional intelligence analyst or other regional intelligence support officer to discuss how officers can contribute to the intelligence picture for feed and interrogate intelligence regularly or when there is a perceived threat;
- Agreeing the priorities for recording intelligence, particularly if there is a specific area of non-compliance or business type that is of concern;

⁵ Online NTS IOM eLearning training is available. Please contact donna.sidwell@actso.org.uk

- Discussing other environmental, political, legislative or organisational changes that may influence priorities;
- Agreeing a regional approach to checking the national intelligence databases for animal health and welfare related intelligence, which will require liaison and agreement with the regional intelligence function.

3.4 Understanding national requirements

Local authorities are in a unique position of working with their communities every single day and focusing on their needs. However, in many cases, including animal health and welfare, local authorities are delivering a service that is delegated by national Government and forms a vital part of European and international trade agreements.

It is important for local authority animal health and welfare services to consider the expectations and priorities of the Welsh Government because:

- Duties relating to the enforcement of animal health and welfare have been created under national legislation;
- Government and industry in Wales want to promote a consistent and coordinated approach to delivery of these duties;
- The Welsh Government have a unique overview of the delivery of all regulation relating to farms and can work to remove duplication of resources, reduce burdens and work to promote the role of industry;
- Local authority work on animal health matters contribute to the regulatory system that is a vital way of maintaining trade agreements within Europe and internationally;
- The Welsh Government will be able to help identify and advise Local authorities on emerging animal disease risks, new legislation and changes in policy.



3.4.1 National expectations

Under this Framework, the Welsh Government and APHA expect local authority delivery of animal health and welfare controls to be underpinned by the following principles –

1.	Each Local authority to undertake annual service planning based on the principles in the Animal Health and Welfare Regulatory Framework outlined in section 3.1 . This specifically includes the identification of high risk businesses and activities, annual audits at livestock markets and collection centres and the development on an annual programme of interventions.
2.	Actively engage in regional animal health and welfare groups, attending meetings where possible and contributing to regional discussions about the implementation of the Framework. Ensure membership of the KHub. As

	outline in section 3.2 .
3.	Proactively exchange and use information and intelligence to inform the delivery of animal health and welfare controls, using national intelligence databases where appropriate.
4.	Ensure that services consider the requirements laid down in the Regulators' Code where appropriate.
5.	All services should consider how they meet EU standards for the delivery of Official Controls and any future standards that support trade agreements.
6.	Each local authority to complete statutory data returns in a timely manner.
7.	Each local authority must have an up to date animal disease contingency plan in place , which is shared internally and with partners. Contact details are to be revised as changes happen. The plan should be updated within two years of any changes to the national template where this is used.
8.	Local authorities should ensure that contact details on the Local Authority Master Contact List are updated in a timely fashion. This information is used by APHA to communicate details of possible animal disease outbreaks, make referrals and share intelligence.
9.	Officers involved in the delivery of animal health and welfare controls should be trained and qualified in line with local standards and authorisation processes. Local processes should ensure officers are competent in the delivery of effective animal health and welfare controls. Staff should be supported by personal development processes and training.

The Welsh Government recognise that local authorities will use their local enforcement policy and the principles of the Regulators' Code when responding to non-compliance with animal health and welfare legislation. This ensures local authorities continue to focus on the provision of advice and guidance to help businesses comply with the law, but also make full use of enforcement tools when responding to persistent offenders and serious risks.

3.4.2 National data returns and reporting

Government has a [single data list](#) which includes all mandatory data returns to be completed by Local authorities on an annual basis. The Government focus has been to encourage local accountability for services rather than burdensome central monitoring, but the vastly reduced list still remains a way of monitoring individual services. Individual Government departments cannot amend the number or content of data returns without approval.

The single data list includes the following specific returns related to delivery of animal health and welfare controls –

1.	Return of expenditure incurred and prosecutions undertaken under the Animal Health Act 1981 and incidences of disease in imported animals.
2.	Animal Welfare: during transport.

Any other requests for data or information by APHA, Defra or the Welsh Government will be on a voluntary basis. Anyone requesting additional data will communicate the reasons

why the data is needed clearly and ensure that any outcomes are shared with the Welsh Panel and WHoTS.

3.4.3 Meeting the international / EU requirements

Local authorities are asked to remain aware of any EU legislation or international trade agreements that include standards to be met by those delivering animal health and welfare controls, specifically the implications of the European Union (Withdrawal) Act 2018 and any subsequent trading arrangements within the European Union. The effective delivery of controls relating to animal health and welfare are instrumental to the maintenance of successful trade agreements and minimal burdens on Welsh businesses that want to export their products.

Specifically, local authorities should be aware of Article 4 of the EC Regulation 882/2004 on Official Feed and Food Controls that require all Competent Authorities to have transparent and accountable audit processes in place. [Guidance is available for local authorities on how they can meet the audit requirements of EC 882/2004.](#)

3.4.4 Sharing national priorities to support service delivery

The principles contained within this Framework provide the foundation for effective management and delivery of animal health and welfare controls by local authorities, however, the national priorities that influence the focus of daily activities undertaken by Local authorities can be subject to rapid and regular change because of new policy developments, environmental factors, intelligence, emerging disease risks and changes in industry practices. The Framework will therefore be supported by regular communication about national priorities by the Welsh Government.

The communication of ongoing national priorities that relate to statutory duties under the Animal Health Act and EC Communities Act should continue to take place by the Welsh Government through the Welsh Panel, WHoTS and WLGA. This does not impact on the more formal processes that are in place to agree priorities, projects and funding for wider animal health and welfare concerns under the Animal Health and Welfare Partnership⁶.

⁶ Each year the Animal Health and Welfare Partnership in Wales work together to identify national priorities that may not be covered by statutory duties or responsibilities under this Framework. Annual projects and associated funding for local authorities are agreed to respond to these priorities and outcomes monitored under contract arrangements.

Annex 3 - Summary of prosecution cases concluding between December 2018 and February 2019

The following prosecution cases arising from investigations conducted across the Shared Service, have been concluded recently.

Case	Court date	Offence(s)	Outcome
1	4.12.18	<p>The defendants, a husband and wife partnership, ran a kitchen and bathroom fitting business. Complaints received from customers revealed a catalogue of problems relating to poor quality workmanship, failure to notify cancellation rights, goods not being ordered and the taking of money for no work being done in return.</p> <p>The first defendant pleaded guilty to 8 offences under the Fraud Act 2006 and 6 offences under the Consumer Protection from Unfair Trading Regulations 2008. In addition his wife pleaded guilty to 1 offence under the Consumer Protection from Unfair Trading Regulations 2008.</p> <p>The business has now been wound up and the defendants apologised for the financial harm caused to consumers and are remorseful for their actions. Their property has been placed on the market and it is anticipated that the equity from the sale will give sufficient funds to compensate the consumers in the case.</p> <p>The District Judge commented that the defendants had acted purely out of gain for themselves.</p>	<p>The husband was sentenced to a total of 20 months imprisonment suspended for 18 months and his wife to 6 months imprisonment suspended for 12 months.</p> <p>A proceeds of crime hearing is due to take place on 22nd February 2019 and it is anticipated that consumers will be compensated as part of those proceedings.</p>

2	13.12.18	The defendant company failed to produce insurance and failed to attend court. The case was proved in absence	A fine of £440 was imposed and the defendant ordered to pay £150 Prosecution costs and a £44 Victim Surcharge
3	13.12.18	The defendant failed to produce insurance and failed to attend court. The case was proved in absence	A fine of £440 was imposed and the defendant ordered to pay £150 Prosecution costs and a £44 Victim Surcharge
4	8.1.19	<p>The defendant pleaded guilty to 3 offences under the Fraud Act 2006 and to 4 offences under the Consumer Protection from Unfair Trading Regulations 2008. The case concerned the defendant entering into contracts and taking monies from consumers for products and services that never materialised. He continually promised to return the money but never did.</p> <p>In sentencing, the District Judge told the defendant that he was very lucky not to be going to prison as he is essentially 'a con man'. He made it clear that if there is any breach of the requirements of his sentence he will come back before the judge and will go to prison.</p>	The defendant was sentenced to 100 hours unpaid work in relation to the Fraud offences and 100 hours in relation to the CPR offences to run consecutively giving a total of 200 hours of unpaid work to be done in 12 months. He was also given a 12 day rehabilitation order, ordered to pay costs of £325 and a victim surcharge of £85. The District Judge also ordered £2620 in compensation to be paid to the victims in the case.
5	8.1.19	<p>The defendant had previously pleaded guilty to 12 offences under the Food Hygiene (Wales) Regulations 2006 in respect of a take-away premises. Inspections by officers in 2017 and 2018 had identified a number of failures including:</p> <ul style="list-style-type: none"> • Failure to effectively implement and manage the 	<p>The defendant was fined £720, ordered to pay costs of £275 and a victim surcharge of £30.</p> <p>While not a large penalty in itself, the fine reflects the defendant's low income, and the court made it clear how seriously the matter had been taken.</p>

		<p>businesses food safety management system</p> <ul style="list-style-type: none"> • Failure to protect foods from contamination • Failure to maintain food premises in clean condition • Failure to ensure adequate cleaning and disinfection of equipment that comes into contact with food • Failure to provide adequate hand washing facilities • Failure to ensure food handlers maintain a high degree of personal cleanliness and wear suitable clean and where necessary protective clothing • Failure to notify Cardiff Council that the premises were under his control <p>Since that time, the defendant had undergone training and the food hygiene rating improved from 0 to 3. The defence acknowledged the assistance given to the defendant by SRS officers</p>	
6	10.1.19	<p>The defendant pleaded guilty to failing to register with Rent Smart Wales and to allowing an uninhabitable rental property to be tenanted in contravention of a Prohibition Order</p>	<p>Fines totalling £560 were imposed and the defendant was ordered to pay a £500 contribution to the Council's costs together with a victim surcharge of £30.00. This gave an overall sum of £1,090.00 to pay.</p>

7	17.1.19	<p>This was a case where a rogue builder charged elderly and vulnerable residents significantly more than the fair market price for the work which was of a very poor standard. He also charged for unnecessary work and work not completed. In total, he attempted to defraud £39,750 from three victims over a 6 month period, but was only able to collect £23,100 before he was arrested. In each instance, false aliases were used.</p> <p>The defendant pleaded guilty to one count under the Fraud Act 2006 for knowingly participating in a fraudulent business he was arrested.</p> <p>In sentencing, the District Judge referred to the defendant as a “rogue builder, who preyed on elderly and vulnerable victims, charging exorbitant fees for work that didn’t take place, or was carried out to a very poor standard. In each case, you used an alias to disguise your identity and it is my view, anyone who targets elderly or vulnerable people receives immediate imprisonment.”</p>	<p>The defendant was sentenced to two years imprisonment, reduced to 16 months as a result of the early guilty plea. A Criminal Behaviour Order was also made for three years which restricts the defendant from trading as a builder or cold calling without permission from Shared Regulatory Services This order will come into place when he is released from prison.</p>
8	17.1.19	<p>Faced with allegations that he failed to activate his meter, had charged more than the authorised fee and had failed to show his badge, a taxi driver pleaded not guilty to the charges brought against him. The Magistrates took the view that the defendant wasn’t a credible witness whereas the complainant had been</p>	<p>The defendant was fined £120 per offence giving a total fine of £360, and ordered to pay costs of £600 along with a victim surcharge of £30.</p>

		and found him guilty of all three offences.	
9	21.1.19	<p>The director of a food business pleaded guilty to 16 offences under the Food Hygiene (Wales) Regulations 2006. These offences were identified by officers of Shared Regulatory Services during 5 visits to the company's premises. The offences consisted of the following:</p> <ul style="list-style-type: none"> • Failures to effectively put in place, implement and maintain the business's food safety management system • Failure to ensure food is protected against any contamination likely to render the food unfit for human consumption • Failure to ensure food handlers maintain a high degree of personal cleanliness and wear suitable, clean and, where necessary, protective clothing • Failure to ensure food handlers are trained commensurate with work activities • Failure to comply with Remedial Action Notice • Failure to maintain food premises in a good repair <p>The District Judge was disappointed that his directions at an earlier hearing to provide accounts wasn't complied with and accepted the full facts of the prosecution case including the Friskies assessment which categorised culpability as High and harm as a</p>	The company was fined a total of £10,500, ordered to pay costs of £4065 and a victim surcharge of £170. They have 4 months to make payment.

		<p>Category 2.</p> <p>In passing sentence, the District Judge Khan said that the business had clearly failed to meet the expectations of the industry in terms of hygiene and cleanliness and stated that there was a real risk of contamination from raw food products with cooked food products.</p>	
10	22.1.19	<p>This case concerned a property which was unfit for human habitation but was nevertheless let by an unregistered landlord. The tenant was disabled and the poor living conditions had an adverse effect on their health. After originally contesting the case against him, the defendant changed his plea to guilty.</p>	<p>The defendant was fined £496 and ordered to pay costs of £1100 together with a victim surcharge of £50.</p>
11	24.1.19	<p>The defendant was found guilty in his absence of lighting up and smoking a cigarette inside his taxi on while at a petrol station.</p>	<p>He was fined £100, ordered to pay costs of £150 and a victim surcharge of £30.</p>
12	24.1.19	<p>The defendant, the director of a company running a restaurant, entered guilty pleas to 2 offences under the Consumer Protection from Unfair Trading Regulations 2008 for stating on the business website that the food premises had a food hygiene rating of 5 when in fact it was a 1. In mitigation he told the court that during the period in question he had begun to lose control of the business due to personal alcohol issues. He stated that he was not fit to run the business and he apologised to the court for the offences. He confirmed that he is no longer involved in</p>	<p>The defendant was fined £120 for each offence giving a total fine of £240, ordered to pay costs of £120 and a victim surcharge of £30.</p>

		the business and would have to claim benefits.	
13	29.1.19	<p>The defendant in this case was the Director of a limited company running a public house. He had pleaded guilty at an earlier hearing to offences under the Health and Safety at Work Etc. Act following the installation and certification of a commercial gas oven by an unqualified person who was not Gas Safe registered.</p> <p>Two of the charges concerned the failure to ensure the health, safety and welfare of employees and that other persons were not exposed to risks to their health and safety. A further offence related to failure to comply with an Improvement Notice under the Gas Safety (Installation and Use) Regulations 1999 requiring evidence that the oven was being maintained in a safe condition by a suitably competent person.</p> <p>At the request of the District Judge a report had been prepared by a registered Gas Engineer and Gas Incident Investigation Officer to consider the likelihood of harm from the illegal installation. That report made an assessment of a Level A for seriousness of harm risked because of the ability of gas installations to cause death or serious lifelong physical impairment through explosion, fire and carbon monoxide poisoning. However, he considered the likelihood of such serious harm occurring in this case to be low as no actual proof of harm or immediate danger had</p>	<p>Fines totalling £3775 were imposed, and the defendant ordered to pay costs of £375 and a victim surcharge of £170.</p>

		<p>been provided. This gave a Harm Category 3.</p> <p>The District Judge categorised the defendant's culpability in the High category as he considered the defendant had turned a blind eye to the risk. The defendant had displayed apathy and a poor attitude to health and safety.</p>	
14	30.1.19	<p>The defendant is the director of a company operating a take-away premises. Between March and May 2018 officers from Shared Regulatory Services discovered that a gas twin deep fat fryer had been issued with a warning notice from a gas safe engineer indicating that the fryer was 'immediately dangerous' and should not be used. The defendant subsequently advised officers that he has used the fryer after the notice was issued.</p> <p>Guilty pleas had been previously entered by the company to two offences under the Health and Safety at Work Etc. Act 1974 for failing to ensure the health, safety and welfare of its employees by failing to provide and maintain the fryer, and for failing to ensure that persons not in its employment were not exposed to risks to their health and safety. The Director had also pleaded guilty to three offences namely, 2 offences under the Gas Safety (Installation and Use) Regulations 1998 for knowingly reconnecting the gas supply and putting the fryer into use when it had been classified as 'immediately dangerous' and for failing to maintain the equipment in</p>	<p>The company was fined £120 and the Director £1095. Costs of £350 and a victim surcharge of £111 were also payable.</p>

		<p>a safe condition. The third offence was for failing to maintain the fryer in a good state of repair and safe condition under the Provision and Use of Work Equipment Regulations 1998.</p> <p>The District Judge considered culpability and harm. He considered that the defendant's culpability was medium up to the day that he used the fryer after the notice. For that one day it would have been very high culpability. As it was only one day he considered the overall culpability was in the medium category. He had used the fryer for over 5 years without incident and he had been ignorant in terms of what was required in terms of gas appliances. He accepted that the potential for harm was a Level A namely death and significant injury but that no actual harm had been caused so culpability was a Category 2 risk.</p>	
15	6.2.19	<p>A February 2018 Shared Regulatory Services inspection of a take-away premises identified the following:</p> <ul style="list-style-type: none"> • Failure to ensure adequate procedures are in place to control pests. • Failure to ensure all articles, fittings and equipment which came into contact with food were effectively cleaned and where necessary, disinfected. • Failure to keep food premises clean and maintained in good repair and condition. This was because the structure and facilities throughout the premises had an accumulation 	<p>Both defendants were fined £400 each for the offence of failing to adhere to HACCP principles and a 12 month conditional discharge was imposed for the other 8 offences. Should the business be brought back into court in the next 12 months based on similar offences there was a likelihood of imprisonment. The defendant was ordered to pay costs of £375 and a victim surcharge of £40.</p>

		<p>of engrained dirt and debris which had built up over a prolonged period of time.</p> <ul style="list-style-type: none">• Failure to ensure the layout, design, construction, siting and size of the food premises permit good food hygiene practices, including protection against contamination and, in particular, pest control.• Failure to ensure food waste, non-edible by products and other refuse are deposited in closable containers.• Failure to ensure adequate provisions for the storage and disposal of food waste, non-edible by-products and other refuse and failure to ensure refuse stores are designed and managed in such a way as to enable them to be kept clean, and where necessary, free of animals and pests.• Failure to ensure that at all stages of production, processing and distribution, food is protected against any contamination likely to render food unfit for human consumption, injurious to health or contaminated in such a way that it would be unreasonable to expect it to be consumed in that state.• Failure to ensure every person working in a food handling area maintain a high degree of personal cleanliness.• Failure to ensure that food handlers are supervised and instructed and / or trained in food hygiene matters commensurate with their work activity.• Failure to put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles.	
--	--	--	--

		<p>The Director of the company running the premises pleaded guilty to 9 charges both for himself and the company under the Food Hygiene (Wales) Regulations 2006.</p> <p>In sentencing, the District Judge agreed with the Prosecution's submissions as to culpability. The defendant had displayed a wilful blindness to the risk from pests and cross contamination. The risk from the rodent activity created a risk of bacteria which could affect both employees and customers. He wanted to impose a sentence that would deter the business from falling into this situation again.</p>	
--	--	---	--