

	<p>Environment Committee</p> <p>11 January 2017</p>
<p style="text-align: right;">Title</p>	<p>Regulatory Services Operations-2015/16</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director for Environment</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1 – Regulatory Services Operations 2015/16</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Rick Mason – rick.mason@barnet.gov.uk 020 8359 7865</p>

Summary

This report provides members of the Environment Committee with a summary of the activity undertaken by Regulatory Services (excluding Private Sector Housing) in the financial year 2015/16.

Recommendations

1. That the Environment Committee note the Regulatory Services operations report for 2015/16 in Appendix 1.
2. That the Environment Committee instruct the Commissioning Director for Environment to submit an operations report to the Committee annually for information on activity which also sets out priorities for the coming year.

1. WHY THIS REPORT IS NEEDED

- 1.1 Regulatory Services are responsible for delivering a complex and wide ranging set of activities. These activities are delivered to protect the health, safety and welfare of Barnet residents and visitors to the borough and to ensure that consumers are protected. This report is to provide Members with information about those activities.
- 1.2 Component services comprise Trading Standards and functions within Environmental Health: Scientific Services (pollution control); Noise, including anti-social behaviour and Public Health and Nuisance; and Food and Health & Safety.
- 1.3 Regulatory Services also deliver private sector housing (enforcement and grants) and licensing functions. These activities are under the remit of the Housing Committee and the Licensing Committee respectively and are not included in this report.
- 1.4 The teams are responsible for application and enforcement of a wide range of regulatory legislation to deliver important public health outcomes and contribute to reduced likelihood, frequency and severity of reliance on more acute health services. Officers operate inspection programmes targeted at premises posing the greatest risk and a reactive response service to investigate complaints, outbreaks and accidents involving the many people living, working and visiting Barnet. The service also delivers proactive public health interventions in partnership with the wider public health community and government agencies. At times however, the service is called upon to take immediate action to halt imminent risks to health and in a number of cases officers are involved in serving enforcement notices, the emergency closure of premises, prohibition of dangerous activities and the prosecution of offenders.
- 1.5 It is often the case that Regulatory Services may only be highlighted when things go wrong, such as a food poisoning outbreak, or other major incident. However this does not mean that these services do not play a vitally important part in ensuring residents are kept safe and well. The fact that in 2015/16 there were no significant public health or safety incidents, or outbreaks of infectious disease are testament to the good work that goes on behind the scenes to tackle issues such as the causes of ill health, accidents and rogue trading in the borough.
- 1.6 Regulatory Services do not solely undertake regulatory activity. The approach to achieving desired outcomes involves a combination of providing advice and support to aid compliance, but where this is not effective, or where matters warrant immediate action, then enforcement action is taken.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The content of this report is provided for information and noting.

2.2 An annual report of activity will be useful to the Environment Committee to provide members with information about the services and the priorities for the coming year.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 The Environment Committee may decide not to ask the officers to submit an annual report however, not to report on these activities means that the work of these important services will not be evident to the Committee.

4. POST DECISION IMPLEMENTATION

4.1 No implementation is required in respect of the Regulatory Services Operation Report for 2015/16 as this report is for noting.

4.2 In respect of the annual report these reports will be brought to future meetings

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Corporate Plan 2015-2020 is based on the core principles of fairness, responsibility and opportunity to make sure Barnet is a place:

- Of opportunity, where people can further their quality of life
- Where people are helped to help themselves, recognising that prevention is better than cure
- Where responsibility is shared, fairly
- Where services are delivered efficiently to get value for money for the taxpayer

5.1.2 Regulatory Services contribute to the Corporate Priorities in the following ways:

Responsible growth and regeneration

5.1.3 By providing advice to developers and Planners throughout the planning process to ensure that developments are designed in such a way as to prevent detrimental effects upon the environment, ensure a good quality of residential living accommodation where residents are not exposed to excessive noise or pollution and meet regulatory requirements.

Managing demand for services

5.1.4 By working with businesses to ensure the highest levels of compliance means that the risk posed by those businesses is reduced and so the need for regulatory visits is reduced as are the number of reactive visits as a result of complaints (service requests).

5.1.5 A safe and healthy environment and safe and compliant businesses will in turn ensure residents are safer and less likely to suffer effects of ill health,

which would otherwise place demands on other services such as the NHS and social services.

- 5.1.6 A responsive and effective pest treatment service will ensure that pests are adequately controlled and eradicated, resulting in less complaints and need for enforcement action.
- 5.1.7 Effective licensing and conditions applied to licences will ensure that licensed premises support the local economy and also operate in a way that does not have an adverse impact on residents, leading to complaints that require investigation.
- 5.1.8 Working with multi-site businesses in Primary Authority relationships ensures that the businesses are in receipt of assured advice that is applied across their estate and so reducing the regulatory burden on the business and both Barnet and other enforcing authorities.

More resilient communities

- 5.1.9 Effective regulatory services help to provide a safer and healthier environment and so build resilience into communities as they need to seek the support of the council to resolve issues that would otherwise affect them.
- 5.1.10 The Joint Health & Wellbeing Strategy 2015-2020 sets out the following aim:

1. Keeping Well

Based upon a strong belief that 'prevention is better than cure', the JHWB Strategy aims to begin at the very earliest opportunity by giving every child in Barnet the best possible start to live a healthy life. It aims to create more opportunities to develop healthy and flourishing neighbourhoods and communities as well as to support people to adopt healthy lifestyles in order to prevent avoidable disease and illness.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 Regulatory Services are delivered by Re (Regional Enterprise) Ltd under the Development and Regulatory Services contract and the staff and resources are managed by Re. Performance of the service is monitored through a comprehensive range of key performance indicators and through performance reports submitted to the council under the terms of the contract. These reports provide a wide range of quantitative and qualitative data detailing both operational outputs and the outcomes achieved as well as customer satisfaction data. This report does not seek to exhaustively replicate these reports, instead providing more of an annual summary.

5.3 **Legal and Constitutional References**

- 5.3.1 Council constitution Section 15 - Responsibility for functions states that the Environment Committee includes specific responsibilities for commissioning Environmental Health Services (excluding Private Sector Housing).

5.3.2 It goes on to state that Environmental Health functions, include the regulation of the following:

- Food hygiene, safety and standards, including composition and labelling.
- Infectious Disease Control
- Drinking Water Quality
- Animal Feeding stuffs
- Health and Safety at Work where the Council is the Enforcing Authority
- Animal Health and Welfare
- Business training and advice
- Air Quality
- Contaminated Land
- Pollution Control
- Electromagnetic radiation
- Exhumations
- Statutory Nuisance, including noise, smoke, dust and odours
- Drainage
- Anti-social behaviour
- Pest Control
- Health Promotion in relation to any of the matters included above

5.3.3 Trading Standards functions, include regulation of the following:

- Age Related Sales
- Metrology
- Fair Trading
- Safety
- Quality
- Consumer Protection

5.4 **Risk Management**

5.4.1 Many of the functions of Regulatory Services are statutory and so the Council must undertake the statutory duties and functions set out in legislation. The Council has contracted the delivery of the services to Re. The services are comprehensively described in the service output specifications that form part of the contract to ensure that the Council's statutory duties are met. Staff delivering statutory functions are jointly employed between Re and London Borough of Barnet and when exercising statutory powers, do so solely as an employee of the Council.

5.5 **Equalities and Diversity**

5.5.1 The public sector equality duty is set out in s149 of the Equality Act 2010: A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.5.2 The relevant protected characteristics are:

- Age;
- Disability;
- Gender reassignment;
- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sex; and
- Sexual orientation.

5.5.3 The Corporate Plan 2015-2020 sets the Strategic Equalities Objective, which is: that citizens will be treated equally, with understanding and respect, and will have equal access to quality services which provide value to the tax payer. Changes to policies and services are analysed in order to assess the potential equalities impacts and risks and identify any mitigating action possible before final decisions are made.

5.5.4 Regulatory Services are services which can be accessed by all residents and businesses within the borough. Regulatory sanctions may be more difficult for those on low incomes. Sanctions are only taken against those who break the law and so can be avoided if there is a willingness to comply.

5.6 **Consultation and Engagement**

5.6.1 None in connection with this report.

5.7 **Insight**

5.7.1 Not applicable

6. **BACKGROUND PAPERS**

None