

Ref: Scrutiny/Env/13/10/2022

Date: 18 October 2022

Councillor Dan De'Ath

Cabinet Member, Transport & Strategic Planning



Dear Councillor De'Ath

Environmental Scrutiny Committee – 13 October 2022

On behalf of the Environmental Scrutiny Committee a sincere thank you for attending Committee to facilitate our consideration of the Shared Regulatory Services Business Plan 2022/23. Please also relay our thanks to the officers who attended the Committee meeting to support this item. Members agreed that I pass on the following observations. You will find our recommendations and requests, listed at the end of the letter.

Resources

The Committee noted the risk and challenges stated regarding '*insufficient capacity to deliver planned services will result in loss of services provision and reduction in performance*' and voiced concerns given that further savings will need to be made. Members asked how cuts across three Local Authority areas, and three Scrutiny Committees in Cardiff, will be managed and scrutinised. Officers informed the Committee that there was a National shortage of Environmental Health Officers and Trading Standards Officers, and that work was ongoing to build a workforce development plan to support traineeships, to 'grow their own' staff. It was acknowledged that there is a element of staff movement between authorities and that competitive salaries from the private sector would always be more attractive, to better understand what would help staff stay in the service a survey has recently been carried out.

Members also noted concerns about the Out of Hours Service and its flexibility. Officers informed the Committee that a review of these services is currently being undertaken and being informed by best practice in all areas to develop a more resilient service for the future.

The Committee asked about the cost effectiveness/economies of scale that other Local Authorities could bring to the Service. Officer acknowledged that this had been the intention when the service was originally established, however, any additional partners would need to be carefully considered so as not to jeopardise existing services and partnerships.

Food Hygiene

Members noted concerns about the percentage of food hygiene businesses identified. It appears that Cardiff businesses have been visited less often than those in both Bridgend and The Vale of Glamorgan. The importance of up-to-date ratings to be available for the public was also stressed. Officers informed the committee that premises are visited on a risk-based approach, i.e., High risk premises – once every 6 months, medium risk premises - once every 12 months and low risk premises once every 18 months. There is a requirement for all new businesses to register with the Food Standards Agency (FSA). One of the issues in Cardiff is the volume of new business, including take-away services there are compared to the other authorities. The most up to date food hygiene ratings are available on the FSA website. Officers also acknowledged that the number of visits has reduced during COVID and that they are now trying to get back on track within available resources.

Members also noted with concern that despite a reduction in the percentage of visits undertake the percentage of premises that meet food hygiene standards remains comparatively high. Officers explained this by confirming that some of the ratings available will be 'historical' as a new visit has not yet been undertaken, under the risk-based approach, they also acknowledged that premises standards may have declined over the COVID pandemic and that they were working through the backlog of visits as outlined in their FSA recovery plan, provided in the presentation (slide16).

Partnership Working

The Committee noted that partnership working had increased during the COVID pandemic and particularly in relation with South Wales Police, Cardiff & Vale University Health Board (NHS) and Public Health Wales and that this was a positive way of working, they then asked how is this being taken forward in SRS work. Officers confirmed that partnership working had been extremely successful, however, maintaining relationships takes time and effort as individuals may leave but the work needs to carry on. Officers also noted that there are many other partnerships that can be built on, but emphasised that the Shared Regulatory Service, by its nature, had a culture of partnership working at its heart.

The Committee also noted the working relationship with the Court Service and the delays in the court process and the level of sentencing/fines imposed, as fines were often built into the business models of rogue traders. Officers clarified that the issues leading to delays can be the complexity of the case, or the individuals that they are dealing with, the backlog of cases following COVID and the constraints of the court calendar to schedule cases that may take 4-6 weeks to hear. It was also noted that judges have guidelines that they need to reflect when imposing sentences and fines.

It was noted that Newport County Council have been successful in prosecuting several cases and it is anticipated that they will be sharing their knowledge and learning following this.

Members were also informed that a member of SRS staff is currently seconded to Welsh Government and is looking at the issue of illegal tobacco sales as part of their role.

Other Services/Issues

Members noted the importance of the **Wales Illegal Money Lending Unit**, especially in the current economic climate and the need for the public to be able to report any scams easily. Officers offered to provide the Committee with appropriate details. They also informed Members that National Trading

Standards week is taking place in October and that there would be significant media coverage and information provided about how to report issues and scams.

The Committee also raised concerns about **dead birds** in the canals around Atlantic Wharf. Officers confirmed that they were not responsible for the retrieval and disposal of the birds, this would be the responsibility of the land owner. However, they noted that dead birds should probably be reported to the Department for Environment, Food & Rural Affairs (DEFRA) and/or Natural Resources Wales (NRW), particularly as avian flu has been confirmed locally, and details will be provided to the Committee.

Members raised concern surrounding the **noise pollution** caused by **firework displays**. Officers clarified that organised displays do not need licences however they will need to be considered by an 'events panel' and the 2004 legislation relating to fireworks has a maximum decibel level for displays and that fireworks cannot be set off between 11:00pm and 07:00am, except on certain occasions, e.g., New Year's Eve, Diwali, Chinese New Year and Bonfire Night

General

The Committee congratulated the Shared Regulatory Services on the work it had undertaken during COVID and its ability to diversify and redeploy staff quickly to meet emerging needs.

For ease of reference, the requests detailed in this letter are:

- Contact details for the public to report scams
- Contact details for NRW and DEFRA to report dead birds

Please see below for the recommendation that the committee is making:

Recommendation	Accepted, Partially Accepted or Not Accepted	Cabinet Response	Responsible Officer	Action Date
It is recommended that Scrutiny Committees are engaged in discussions regarding budget cuts and the impact on services and performance				

Once again thank you once more for attending Committee and for considering our comments and recommendations.

I look forward to your response.

Yours sincerely,



Councillor Owen Jones

Chairperson Environmental Scrutiny Committee

Cc: Members of the Environmental Scrutiny Committee

Helen Picton, Head of Shared Regulatory Services

Jason Bale, Operational Manager, Shared Regulatory Services

Chris Pyke, Audit Manager

Tim Gordon, Head of Communications and External Relations

Alison Taylor, Cabinet Support Officer