

Meeting of:	<b>Shared Regulatory Services Joint Committee</b>
Date of Meeting:	<b>Wednesday, 21 June 2023</b>
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Shared Regulatory Services Annual Report
Purpose of Report:	To advise members on the performance and financial position of the Shared Regulatory Service for the 2022/23 financial year.
Report Owner:	Head of Shared Regulatory Services Head of Finance, Vale of Glamorgan Council
Responsible Officer:	Director of Environment and Housing
Elected Member and Officer Consultation:	Advice has been sought from the partner Councils
Policy Framework:	This is a matter for the Shared Regulatory Services Joint Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> <li>• 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 Council that commenced on the 1st May 2015, and is charged with the provision of Regulatory Services across the three Authorities.</li> <li>• The Joint Working Agreement requires the Head of SRS and the Head of Finance to produce an Annual Report which, once approved by the Committee, is forwarded to the partner Councils.</li> <li>• The report provides assurance that during 2022/23, the Shared Service has largely recovered performance across its traditional metrics after the disruption caused by the COVID-19 pandemic. There is however a way to go in clearing the inevitable backlogs in some areas of programmed work.</li> <li>• The report also reflects on additional demands being placed upon the Service, through for example, Government expectation that new areas of legislation will be enforced despite there being no new funding. This at a time when the Service has implemented a core services budget saving of 3% for the year ahead.</li> <li>• The £8.331m 2022/23 Shared Regulatory Services (SRS) Budget was agreed by Committee on the 14<sup>th</sup> December 2021, which included an assumed 2% pay award.</li> </ul>	

- The July 2022 National Employers for Local Government Services pay offer was accepted late 2022, thus resulting in a budget shortfall of £268k - although this has been offset by vacancies and other underspends in the service during 2022/23.
- The adverse variances at year end shown against Cardiff and the Vale can be associated with the Authority Specific elements of the SRS budget, and is further detailed in paragraphs 2.72 to 2.82 of this report.
- As at the 31<sup>st</sup> March 2023, the SRS has achieved an unaudited outturn deficit of £63k against the 2022/23 £8.331m budget. The forecast outturn position is illustrated on the following table:

	<b>Gross Budget</b>	<b>Forecast Outturn</b>	<b>Outturn Variance</b>
<b>Authority</b>	<b>£'000's</b>	<b>£'000's</b>	<b>£'000's</b>
Bridgend	1,777	1,703	74
Cardiff	4,811	4,936	(125)
Vale	1,743	1,755	(12)
<b>Total Gross Expenditure</b>	<b>8,331</b>	<b>8,394</b>	<b>(63)</b>

- This position is subject to the completion of the Audit Wales audit of these accounts.

## Recommendation

1. That the Joint Committee approves the report, and authorises the Chief Executive, Vale of Glamorgan Council, to forward a copy of the report to the Heads of Paid Service for the other partner Councils.
2. That the 2022/23 unaudited outturn position is noted

## Reason for Recommendations

1. To meet the requirements set out in Clause 5.1 of the Joint Working Agreement.

## Background

- 1.1 Under the Joint Working Agreement, the Shared Regulatory Service (SRS) is required to produce an annual report that covers the operational and financial performance of the service for the preceding year. Clause 5 of the Joint Working Agreement states:

"The Joint Committee shall receive in each year at its annual meeting which shall be held no later than 30th June the report of the Head of Regulatory Services and the Lead Financial Officer in respect of the functions delegated to the Joint Committee relating to the twelve months ending 31st March of that year and a copy thereof shall be forwarded to the Chief Executive of each Participant.

**1.2** The report shall include:-

- (i) *A statement showing the performance of the Regulatory Service Functions and progress in achieving the Objectives and delivering the Business Plan.*
- (ii) *a summary revenue account and statement of capital spending including the distribution or use of any revenue surpluses and the financing of any capital expenditure"*

**1.3** This is the eighth report produced under this requirement and covers the period 1st April 2022 to 31st March 2023. If the content of this report is agreed, a copy of the report must be sent to the Head of Paid Service of each of the three Councils along with the SRS Business Plan for 2023/24. This annual report outlines many of the actions undertaken at each partner Council to deliver the wide range of statutory functions assigned to the Service. The report provides a review of operations across the service, a summary of the financial position, and outlines performance against the 2022/23 service objectives.

### **Operating the Shared Regulatory Service**

**1.4** The Shared Regulatory Service (SRS) operates across Bridgend, Cardiff and the Vale of Glamorgan. Through a collaborative model, it delivers a range of statutory services, that are critical to maintaining the health, safety and economic wellbeing of local communities. The operating model delivers an integrated service for the Trading Standards, Environmental Health, and Licensing functions, which has three service delivery sectors focusing upon the customer rather than the traditional professional delivery model.

- Neighbourhood Services: activities relating to residential premises or having an impact on the local community.
- Commercial Services: activities relating to business premises (generally where national standards apply).
- Enterprise and Specialist Services: specialist areas of work and income generating services.

**1.5** As a regional organisation, providing regulatory services across three local authority areas, the SRS seeks to place the corporate priorities and stated outcomes of the three councils at the heart of all its activities. Using them as a focus, the strategic priorities for the Shared Regulatory Service of

- Safeguarding the Vulnerable
- Improving Health and wellbeing
- Protecting the Environment
- Supporting the local economy
- Maximising the use of resources

provide a robust base for achieving the outcomes identified in previous business plans and the partner Councils' corporate aspirations.

**1.6** The Joint Working Agreement, executed in April 2015, and updated in July 2017, underpins the entire service provision. The JWA contains a number of "milestones and requirements". In accordance with those requirements:

- The Wales Audit Office completed an independent financial audit of the service in September 2022; there were no recommendations for improvement.
- The Business Plan for 2023/24 is presented for political approval in papers to the June 2023 Joint Committee meeting.
- The Joint Committee will receive an audited statement of accounts for 2022/23 in September 2023.

## **2. Key Issues for Consideration**

**2.1** The 2021/22 Annual Report illustrated that the Shared Service had delivered the necessary financial savings and delivered the majority of the business plan actions. The Key Milestones set for 2022/23 were:

- *Delivery of the SRS Business Plan 2022-2023 and the associated corporate priorities assigned to the SRS by the partner Councils*
- *To support the partner councils and other agencies to manage the impact of any resurgence of Covid-19*
- *To monitor the implementation of new legislation and any requirements imposed by such legislation upon the Service, for example the Welsh Government requirements around special procedures.*
- *To contribute to the climate change goals in each of the partner authorities through effective enforcement of environmental controls such as those regulating energy efficiency in the private rented housing sector.*
- *To consult with staff and develop a recruitment and retention strategy comprising actions for the short, medium and longer term in order to attract, develop and retain skilled staff.*
- *To review the agile working arrangements for the service to ensure that technology is being exploited fully to improve service delivery.*

**2.2** The 2022/23 SRS Business Plan was sufficiently realistic to recognise the need for the Service to recover, post COVID response, as it returned to its 'business as usual' work. Over the previous two years, the Service had engaged with a wide range of partners

to play a central role in protecting the health of the public. At the time of writing the 2022/23 Plan, the over-riding challenge facing the Service was in balancing the need to respond to any resurgence of COVID-19 with the need to respond to other emerging global events, while at the same time resuming fully its 'normal' programmes of work.

## Human Resources

- 2.3** Recruitment and retention continue to prove challenging, and in line with other regulatory services across Wales, SRS has experienced difficulty in recruiting into a range of key posts across the Environmental Health and Trading Standards functions. The problem has been exacerbated nationally by the limited pool of suitably qualified staff and an already ageing workforce. SRS has made a commitment to 'growing our own' practitioners and to this end has been forging excellent links with academic institutions and with the relevant professional bodies. In addition, the Service continues to take the lead on development of the much-needed Regulatory Apprenticeship for Wales.
- 2.4** A service-specific staff survey was carried out in 2022, having as its focus two main themes. This was the first SRS staff survey since the early part of 2020, and thus the first post-COVID. As a result, one of the purposes of the survey was to carry out a well-being 'temperature check' on staff as they adjust to a hybrid model of working and a return to a more 'normal' way of life. Given the concerns highlighted above around recruitment and retention, the survey's other main area of interest sought views on what would make SRS as welcoming and as attractive a Service to work in as possible.
- 2.5** The survey response rate was good (62%), with staff indicating to what extent they agreed with a range of statements. In addition, colleagues contributed a wealth of free text comments under headings such as what they like best and least about their roles, what they find most challenging, and what would make SRS a more attractive place to work. A common theme throughout the staff comments was concern over workloads across the Service, with the danger of officer 'burn out' being flagged multiple times. Analysis of the survey results has revealed that the areas scoring particularly well included:
- Support of colleagues and managers
  - Flexibility and work-life balance
  - Clarity over what is expected in one's role

While the areas scoring less well included

- Feeling recognised, valued, and rewarded fairly
- Adequacy of growth and development opportunities

While there is a need to be realistic in the current public sector funding landscape, there are a number of areas that are being built on and improved to achieve positive outcomes in this context, both in the short term and the longer term.

- 2.6** Staff of the Shared Service never fail to amaze in all that they do, and this has been recognised throughout the year in the positive feedback received about individuals and the services they provide and, in the recognition / awards received by the Service. A number of staff have celebrated long service milestones with others due to do so in the coming months.
- 2.7** It is pleasing to see that despite the wider recruitment difficulties, the Service has welcomed into permanent posts a number of now fully qualified staff who previously worked with us on COVID enforcement and other part time roles while Environmental Health degree students. However, in the early part of 2022-23, the Service suffered the devastating loss of two members of staff, both highly regarded Environmental Health professionals, who died in service after periods of illness. Needless to say, the impact on colleagues across the Service has been profound, on both a personal and a professional level.
- 2.8** The year saw a number of SRS staff beginning, continuing and completing further study, and in the coming year, additional opportunities will be identified and uptake encouraged through the performance review process.
- 2.9** Overall sickness absence levels for 2022/23 were **10.47 days per FTE person**. This represents a slight increase on the same measure for 2021/22 when the overall sickness absence rate stood at **10.11 days per FTE person**. Once again, it is the number of days lost through long term absence that has impacted the overall rate of absence, and through the year, the Service has had a number of staff away for a significant period of time. As can be seen in **Figure 1** below, the figures for 2022/23 appear to represent a return to pre-pandemic levels of sickness absence.

*Figure 1: 2022/23 sickness absence figures compared to those for previous years*

Year	Short term days lost per FTE	Long term days lost per FTE	Total days lost per FTE
<b>2022/23</b>	2.78	7.69	10.47
<b>2021/22</b>	1.95	8.16	10.11
<b>2020/21</b>	1.68	4.64	6.32
<b>2019/20</b>	3.04	7.19	10.23

## Operational Performance

**2.10** Operational performance throughout 2022/23 has been reported both to the Joint Committee and to each partner Council through the legacy systems. Written as we emerged from the pandemic, the 2022/23 Business Plan was realistic in identifying resource pressures and the uncertainty at that time over any resurgence in the pandemic through new variants. As a result, performance against the 2022/23 Business Plan is very positive, with all statutory documents published on time and the targets and actions identified in the plan were in the main achieved. Those actions that weren't attained (through lack of resource or for reasons outside the control of the Service) are being rolled over into the 2023/24 Business Plan. The following paragraphs reference the key performance criteria.

**2.11** The Shared Regulatory Service has a role in delivering on Public Accountability Measures in respect of food establishments (PAM 023) for all three partner Councils, and also for empty homes (PAM 013 and PAM 045) for Cardiff and Bridgend.

- **PAM 023: Food establishments - broadly compliant (%)**

This measure provides an indication of how well a food business complies with food hygiene legislation. The food industry is responsible for producing and distributing safe food. The Shared Regulatory Service, as the enforcement agency, conducts inspections, ensuring that standards are met through a robust enforcement programme to deal with those who do not comply with standards. Additionally, the business support and advice regimes introduced into the SRS structure play a part in promoting an increase in hygiene standards, examples of that are set out under the priority heading 'supporting the local economy'. Premises are deemed to be broadly compliant if specified risk scores are achieved for cleanliness, structural issues, and confidence in the management of the business.

The proportion of premises that are broadly compliant with food hygiene requirements, i.e., scoring a 3\* food hygiene rating or above, is in line with the UK average of 95%, and is consistent with that seen in previous years for each of the local authority areas, as shown in **Figure 2** below i.e.

*Figure 2: Percentage of food establishments 'broadly compliant'*

Year	Bridgend	Cardiff	Vale of Glamorgan
<b>2022/23</b>	98.00%	95.67%	97.01%
<b>2021/22</b>	97.38%	95.74%	97.25%
<b>2020/21</b>	97.24%	95.41%	97.53%
<b>2019/20</b>	97.49%	94.84%	97.37%

The significant turnover of food businesses has continued, and during 2022-23, some 885 new food businesses were due for inspection across the region. All new food businesses are required to be inspected and the Food Law Code of Practice requires that where possible, they are inspected within 28 days of opening. This requirement places a significant impact on the resources of the Shared Service as these visits are in addition to the existing programme of inspections. The problem is further exacerbated when new businesses are found to have poor levels of compliance, requiring further intervention.

- **PAM 013 and PAM 045**

PAM 013 measures the *percentage of empty private properties brought back into use*, while PAM 045 measures *the number of new homes created as a result of bringing empty properties back into use*. These indicators have as their core purpose the aim of indicating the reduction in the number of empty properties as a consequence of action by the Councils. The current performance measure guidance sets out the categories of direct action that local authorities can take to bring a property back into use, including

- Grants, loans or other financial assistance
- Enforcement action including statutory notices, and
- Dialogue between the owner and the local authority where progress to restore the use of the property is evident.

Officers from the Shared Regulatory Service contribute a dedicated resource to bringing empty properties back into beneficial use within Cardiff and Bridgend.

In **Bridgend** SRS is currently working on 121 active residential cases and 6 commercial cases of empty properties. Resources are targeted towards the top 20 worst cases. Of the top 20 properties, 3 are now occupied, 2 are sold and undergoing renovation, 1 property is up for sale, and another 2 are progressing through probate to be sold at the earliest opportunity. There are 6 properties subject to ongoing enforcement action, all of these being subject to enforcement notices (of these there have been 2 successful prosecutions, one work in default completed and further work pending, one pending Compulsory Purchase Order (CPO) and one pending prosecution). Work also continues on properties outside the top 20 utilising the 5 stage escalation letter process. We have also established links with a registered social landlord to explore opportunities to work closer together in bringing properties back into use.

In **Cardiff**, through a combination of dialogue, incentives and enforcement action, 91 empty properties were returned to use in 2022/23. Welsh Government approved Cardiff Council's Empty Homes action plan, which identifies 13 long term derelict problem empty properties as top targets and progress is being made on several of these key targets. In addition to the day to day work to support and advise owners of empty properties the Empty Homes Working group, chaired by the Cabinet member for Housing & Communities has helped to secure effective working across all empty



homes disciplines. SRS also held a workshop with Council Housing officers to ensure the best package of measures is offered to empty property owners, in the most attractive and timely way possible which will include property loans, leasing scheme and buy back/purchase where appropriate.

From 1st April 2023, each of the three partner Councils will charge a 100% Council Tax premium on long term empty homes to help fund this work. In addition, the Vale of Glamorgan Council will provide additional resource to the Service, enabling SRS to deliver empty homes intervention and enforcement on the same footing as for Bridgend and Cardiff Councils.

**2.12** The detail of performance against all the agreed performance indicators is set out in **Appendix 1**. The transition from COVID response to ‘business as usual’ meant that again, our traditional inspection programme was to some extent impacted in 2022/23. Specifically in relation to the Food inspection programme, the Service continued to follow the Food Standards Agency’s COVID-19 Local Authority Recovery Plan which recognised the significant pressure faced by local authorities (given the secondment of key members of staff to COVID response roles over a period of more than two years). The purpose of the Recovery Plan (shown in **Figure 3** below) was to provide a risk-based pathway towards resumption of planned interventions, in accordance with the Food Law Code of Practice, while dealing with the COVID-related inspection backlogs that inevitably built up in the system.

**Figure 3: FSA COVID-19 Local Authority Recovery Plan**



Progress against the FSA COVID-19 Recovery Plan has been reported to the Joint Committee throughout the year, and it was confirmed in February 2023 that the Recovery Plan would be withdrawn at the end of the 2022/23 financial year. The Service met with the FSA in March 2023 to agree a bespoke solution for bridging the gap between the Recovery Plan and resumption of the full SRS Food programmes.

Further detail on food hygiene and food standards interventions is provided in 2.19 below.

- 2.13** The SRS may, through the relevant participant Council, prosecute breaches of legislation, particularly in respect of those who flout the law or who act irresponsibly, or where there is an immediate risk to health and safety. In the period, the service has been successful in challenging a range of unfair practices, many of which attracted media attention. The time and work required to investigate these matters, and the consequences this has on officers' ability to carry out day to day work whilst these matters are ongoing, is significant. The details of all the prosecutions that concluded in the period 1st April 2022 to 31st March 2023 are set out in **Appendix 2**.
- 2.14** SRS has continued to support relevant corporate challenges at each Council. During the 2022/23 financial year, the Shared Service brought its expertise to the table to support significant challenges as they arose. In this context, SRS Officers conducted checks on the suitability of accommodation offered by residents of the three local authorities under the Homes for Ukraine scheme. During the 2022/23 timeframe, over 500 such checks were carried out, thereby enabling Ukrainians displaced by the war to settle in suitable host accommodation across the SRS region.
- 2.15** Other examples of providing corporate support included officers playing a key role in assisting the Councils to deal with the requirements to improve air quality, and the cost of living crisis. In addition, officers provided support in dealing with the emergence of avian influenza in the wild bird population at a number of park and leisure locations. In respect of the Climate Change agenda for each Council, the Service put in place the necessary infrastructure for engagement with landlords and letting agents so that the extent to which minimum energy efficiency standards are being met in the private rented sector can be determined.
- 2.16** In respect of taxi licensing, SRS took reports to the respective Cabinets over the course of 2022/23 which led to increases in Hackney Carriage fares. In addition, SRS Officers delivered a consultation exercise for Cardiff Council in which the taxi trade and members of the public were asked for their opinions as to whether card payment facilities should be made available across the fleet, and also their views on removing the existing moratorium on the number of Hackney Carriages that can be licensed in the City.

### **Significant Service achievements**

- 2.17** Paragraph 1.5 above highlights the priority themes for Shared Regulatory Services, and a range of achievements over the course of 2022/23 demonstrate progress toward delivering the outcomes associated with these priorities. The 2023-24 SRS Business Plan reviews these achievements in some detail, while the sections below provide just some examples of the work carried out in the last financial year.

## Improving Health and Wellbeing

**2.18** Improving health and wellbeing is a key priority for Shared Regulatory Services. Work undertaken to ensure that food is safe, that infectious disease, noise, and air emissions are controlled, that risks in the workplace are managed properly, allows people to live in healthy environments. Add to this our activities to ensure the quality of private rented property, the promotion of a safe trading environment and our regulation of licensed premises to ensure they operate responsibly, and it is evident that the work undertaken by SRS is hugely important to the health and wellbeing of the region.

### ***Food Hygiene and Food Standards interventions***

**2.19** As outlined in paragraph 2.12 above, during 2022/23, the Shared Service followed the Food Standards Agency COVID-19 Local Authority Recovery Plan which applied across the four nations. This approach enabled resources to be targeted where they added greatest value in safeguarding public health and consumer protection, and alongside a number of essential interventions, i.e.

- Reactive work including enforcement in the case of non-compliance
- Managing food incidents and food hazards
- Investigating and managing food complaints
- Sampling, and ongoing proactive surveillance

**2.20** There are certain unique challenges facing SRS in delivering on the full food hygiene and food standards programmes. These are well established and result from the sheer number of food businesses within our footprint (around 20% of all those in Wales), the diverse and vibrant nature of the food scene locally, and the very frequent churn of new business start-ups. A number of other factors have emerged, post pandemic which add to the challenges faced, namely

- The significant increase in enforcement action necessary at food premises post COVID, and the increase in the incidence of pests, all of which impacts on Officers' ability to carry out inspections and programmed work
- Many cases where previously high scoring premises under the Food Hygiene Rating Scheme are scoring lower, post pandemic
- The Service has also seen a significant increase in new and different cuisines being offered at food businesses. This requires Officers to research and understand these new approaches so that through their interaction with the businesses concerned, appropriate advice can be given, and action taken as required.

**2.21** Taking into account all of the above, it has been agreed with the FSA that from 1<sup>st</sup> April 2023, the Service will work towards realigning with the provisions of the Food Law Code of Practice, using the full range of flexibilities offered by the Code. The bespoke agreement will see SRS continue its risk-based approach, tackling the inspection

backlog and moving to completion of 4\* C rated premises along with high risk new businesses.

- 2.22** Reflecting the significant increase in enforcement action required at food premises, post pandemic, a total of six food prosecution cases concluded during 2022/23. Others are yet to emerge from the court process. The six concluded cases resulted in fines against the food business operators totalling £21,390 together with costs of £17,575.
- 2.23** One of the cases concluding in the 2022/23 financial year arose from food hygiene and health & safety offences committed at a restaurant in 2019. After many delays in the court process, the case finally culminated in a two week trial at Cardiff Crown Court. The court heard of the dreadful conditions found by Officers at the restaurant concerned which included pest infestation, unsafe food hygiene practices and failure to comply with an improvement notice under the Health and Safety at Work etc., Act 1974.

Upon conclusion of the trial, the company, its Director and her father (who managed the restaurant) were each found guilty of nine charges. In sentencing, the Judge stated that when the premises was inspected in 2019, there was clear evidence of the ingress of rats, disrepair, food handling practices that were nauseating, records that had been falsified by one or more persons, equipment that was missing or broken or which staff did not know how to use, food stored in a manner which rendered it unfit for human consumption, and where there was clearly no appetite of those running the restaurant to do anything other than trade. The three defendants were given fines totalling £14,500 and ordered to pay costs totalling £10,000 (full details are included in **Appendix 2**)

### ***Building Safety***

- 2.24** Welsh Government has repeated its commitment to addressing building safety in Wales. The vision is to take forward the Welsh Building Safety Programme alongside a significant programme of reform to establish a fit for purpose building safety regime. SRS represents the Directors of Public Protection Wales group on the Building Safety Stakeholder Group which acts as a strategic, independent advisory group for Welsh Government on matters relating to the Welsh Building Safety Programme. The first meeting of the Strategic Stakeholder Group took place in January 2023.
- 2.25** A number of different themes are being taken forward and this includes working with developers of buildings requiring remediation through the Welsh Government Developers Pact. Welsh Government has made it clear that it does not expect leaseholders to bear the cost of repairing fire safety issues that are not of their making and eleven of the major developers have made a public commitment to address fire safety issues in buildings of 11 metres and over which they have developed over the last 30 years. Welsh Government continues to develop the Leaseholder support fund for those leaseholders who face financial hardship as a result of fire safety issues in their homes and are also planning further resident engagement on the various measures being developed.

**2.26** In addition to the above, SRS is represented on the Leaseholder Task and Finish Group which is examining options to help support leaseholders who find themselves in significant financial hardship. Welsh Government is considering options to introduce a scheme to target provision where it is most needed, i.e., those buildings with identified defects where individual leaseholders cannot sell their properties on the open market and find themselves in considerable difficulty due to escalating costs.

### Protecting the Environment

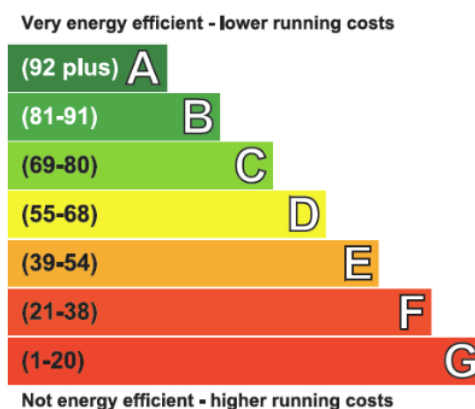
**2.27** Protecting the environment is a core strategic priority of SRS. Many of the activities such as water sampling, monitoring air quality, and remediating contaminated land contribute toward promoting a better environment. This in turn means better long term prospects for the health and wellbeing of our communities. The SRS has a key role to play in ensuring society makes best use of existing resources and bringing back redundant/derelict properties into use is an important contributor to local communities as well as the wider environment. In respect of the climate change and future generations agendas SRS is able to contribute through its enforcement role on energy efficiency controls in respect of properties and consumer products. In the shorter term, SRS ensures that communities are protected from nuisance and are safer, by investigating noise complaints, and dealing with straying dogs and other animals.

### Minimum Energy Efficiency Standards

**2.28** In 2018, the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 introduced minimum energy efficiency standards (MEES) for domestic private rented properties. The regulations were designed to increase the energy efficiency of the worst performing dwellings, reduce fuel poverty, and improve housing standards.

**2.29** An Energy Performance Certificate has been a legal requirement for all UK homes being rented for over a decade. Certificates are valid for 10 years and through calculation of the energy efficiency score for a given property, they provide a rating from A (most efficient) to G (inefficient), as shown in Figure 4, below.

**Figure 4: Energy Performance Score Rating of Properties**



- 2.30** The Regulations require that domestic property let out under all new *and existing* tenancies must have an EPC rating of E or above. F or G rated properties cannot be let unless there is a bona fide, properly registered, exemption.
- 2.31** During 2022/23, the Service developed the necessary materials for a targeted program of work to contact the owners, agents and landlords of private rented properties to remind them of their duties under the legislation and to signpost to opportunities for funding streams that may be available to assist in improving the rating of their property. Interventions will be focussed initially on those properties appearing to fall into the forbidden F and G energy efficiency ratings, together with those for which there is no published rating.
- 2.32** SRS will report key data into the partner Councils, demonstrating the impact of this new area of work, both in terms of climate change but also crucially on the cost of living crisis, i.e.
- Reduction in carbon tonnage
  - Reduction in energy use at improved properties in kWh
  - Reduction in energy use at improved properties in money saved on energy bills

### ***Animal Welfare***

- 2.33** During the year, a prolific local keeper of horses was further prosecuted under the Animal Welfare Act for the mistreatment of horses and dogs, and for breaching his lifetime ban on keeping any animals. He was jailed for 6 months. This followed his earlier 6 month sentence after being found guilty of a string of animal welfare offences in 2021. In the most recent investigation, the defendant's 17 year old son also admitted 25 animal welfare charges and was disqualified from keeping animals for a period of 5 years. The court heard how, after the 2021 prosecution case, the defendant had transferred ownership of all his horses and other animals to the son, who was just 16 years old at the time. Officers of the Shared Service made every attempt to assist the son in keeping the animals responsibly, but to no avail. Detailed improvement notices concerning the unsuitability of the environment, overcrowding, inability to display normal behaviours and the provision of adequate food and water, had been consistently ignored.
- 2.34** Complaints and other intelligence continue to be received on illegal, unlicensed dog breeding. Unfortunately, this is an industry that has attracted a rogue element, keen to make quick profits, with little thought for animal welfare, and in an environment where they perceive there to be a low risk of being caught and punished. The Service is determined to take a firm line against illegal breeding to protect not only unsuspecting purchasers, but to safeguard the welfare of dogs and their puppies, and at the same time create a 'level playing field' for legitimate, properly licensed breeders.

- 2.35** SRS Officers have carried out a number of major investigations into illegal dog breeding over the course of 2022/23, and while no prosecution cases have concluded in court over that particular time frame, several are in the court system currently. A continuing theme to emerge from these investigations is the exploitation of the narrow definition of dog breeding that requires a licence. Other activities, often inextricably linked with dog breeding fall outside the current requirement to be licensed. Examples include the sale and supply of semen, the provision of stud dogs, artificial insemination, and other fertility services. In responding to a January 2023 Welsh Government consultation on animal related licensing, SRS made the case for these allied activities, provided to clients at significant cost, to be regulated as part of a wider licensing requirement.
- 2.36** During 2022/23, SRS contributed to two TV documentaries highlighting the often dark world of dog breeding and the harms that can be caused by it. The first of these was the BBC Panorama programme '*Dogs, Dealers and Organised Crime*' which featured an investigation reported to Joint Committee in 2021/22, when a Vale of Glamorgan couple were prosecuted for animal welfare offences (including the overbreeding of bitches). The case resulted in them both being fined £19,000 and ordered to pay costs totalling £44,000. The second documentary was an episode of '*Defenders UK*' which featured an SRS investigation into an illegal dog breeder based in Cardiff (again, reported previously to Joint Committee). In that case, American Bully puppies were sold through Facebook, and the investigation uncovered offences of animal mutilation, causing unnecessary suffering to an animal and the illegal importation of dogs. The breeder was sentenced to 16 weeks in custody, fined £1200 and ordered to pay costs of £9775. He was also banned from keeping animals for 8 years.
- 2.37** In 2022, our Animal Health and Welfare Team was recognised under the RSPCA PawPrint Awards Scheme for their work in animal related licensing, stray dog provision and kennelling. It was particularly pleasing to see that for the first time the Service, achieved the gold standard for animal related licensing, not only improving on previous performance in this category, but becoming the only service in Wales to achieve the gold standard in animal licensing. A further gold award was received for stray dog provision and a bronze award for kennelling.

### ***Air Quality***

- 2.38** During 2022/23, SRS ensured that Bridgend, Cardiff and the Vale of Glamorgan Councils met their statutory duties under part 4 of the Environment Act 1995 by producing the 2022 Annual Progress Report (APR) for each area. These reports detailed their quality monitoring data for 2021 and were reported to the three respective Cabinets.
- 2.39** In **Bridgend**, the 2022 APR highlighted continued non-compliance of the annual average air quality objective in 2021 for Nitrogen Dioxide (NO<sub>2</sub>) with concentrations of 46 µg/m<sup>3</sup> being recorded at two locations within the Park Street Air Quality

Management Area (AQMA). The APR demonstrated that all other monitoring locations within Bridgend County Borough continued to meet the relevant air quality objectives.

- 2.40** SRS in conjunction with colleagues from BCBC Communications Team undertook a 12-week consultation on the updated Park Street AQMA Action Plan. This ran from the 29th of August until the 21st of November 2022. The purpose of the consultation was to seek the views of the residents, businesses and other interested parties on the proposed measures set out to reduce NO<sub>2</sub> concentrations on Park Street. The results of the public consultation were positive and in general supportive of the key priority areas of intervention and air quality actions developed in the AQAP.
- 2.41** The draft AQAP has been updated following the consultation and from technical feedback from Welsh Government. A final AQAP will be taken to Bridgend CBC Cabinet for approval prior to being submitted to Welsh Government.
- 2.42** In **Cardiff**, the 2022 APR highlighted that in 2021 no monitoring sites recorded concentrations in exceedance of the annual average objective set for NO<sub>2</sub> of 40 µg/m<sup>3</sup>. The results were indicative of the continued impacts of the COVID lockdowns and restrictions at the start of 2021 on pollution levels in Cardiff. Overall it appears that traffic volumes have decreased by approximately 20% to pre-covid levels, which continues to have a positive impact on overall air quality in Cardiff. SRS continues to support the delivery of the Cardiff Council Clean Air Plan in line with the additional Legal Direction from Welsh Government. Further detailed transportation and air quality modelling work was progressed during Quarter 3, the results of which will enable Cardiff to identify a permanent scheme for Castle Street, which was due to be reported.
- 2.43** In the **Vale of Glamorgan**, the 2022 APR demonstrated that no monitoring sites recorded concentrations in exceedance of the annual average objective set for NO<sub>2</sub> of 40 µg/m<sup>3</sup>. Monitoring within the previously declared Windsor Road Air Quality Management Area (AQMA) showed continued compliance concerning the applicable air quality objectives for NO<sub>2</sub>.

### **Safeguarding the Vulnerable**

- 2.44** SRS contributes toward the safeguarding agendas of the partner Councils by seeking to ensure that children are protected from harmful substances and products, that older and vulnerable people are protected from unscrupulous individuals and traders, that illegal money lending activities across Wales are challenged robustly, and that the public feel safe when using taxis as public transport.
- 2.45** During 2022/23, SRS received 196 complaints or intelligence logs regarding **underage sales** of alcohol, e-cigarettes, tobacco and knives. With the assistance of young volunteers, Officers responded by staging a total of 60 attempts to purchase a range of age restricted products during the year. 13 of these attempts to purchase resulted



in a sale (22%) of either alcohol or e-cigarettes/vapes. The circumstances of each case were fully investigated, and appropriate enforcement action taken.

**2.46** Details of the underage sales cases successfully prosecuted in 2022/23 are included in **Appendix 2** to this report, but one, involving the sale of alcohol stands out as being particularly egregious. In this case, two volunteers, one aged 15 and the other 16 entered a local store and took a box of dark fruit cider, priced at £12.99 to the counter. On attempting to purchase the alcohol, the 15 year old volunteer was asked their age by the business owner. When the volunteer answered truthfully that they were only 15, the shopkeeper explained that someone would have to be 18 to buy alcohol. Rather than refusing the sale, however, the business owner proceeded to charge the volunteer for the box of cider, adding an additional £1.01 to the purchase price. He indicated for the volunteer to meet him at the door, where he handed over the cans of cider him, no longer in their box, but decanted into two opaque carrier bags.

The shopkeeper claimed to be the Designated Premises Supervisor (DPS) for the store, but this wasn't the case. He had supplied false personal licence holder details to the Licensing Department (as he did not hold a personal licence) and as a result, the store had been trading without having a DPS in place. The business owner was fined £640 for selling alcohol to a person under the age of 18, £640 for not having a Designated Premises Supervisor and £640 for supplying false information. He was also ordered to pay costs of £500 and a victim surcharge of £190 making a total of £2,610.

**2.47** During 2022/23, Officers investigated a number of significant rogue builder or doorstep crime cases. Sitting behind each of these cases is a story of residents, often vulnerable, being defrauded of large sums of money, sometimes their life savings. The cases show a pattern of little, or no, work being done, and where work has been carried out, it will have been to a very poor standard. While multiple cases have progressed into the court process to be prosecuted, the legacy of COVID-related delays in the court system meant that relatively few cases finally concluded in court during the year. Nevertheless, the impact of these three concluded cases is significant, i.e.

- A combined total of nearly 3 years in custodial sentences
- A 12-month Community Order
- 150 hours of unpaid work
- Costs of £750, and
- Compensation of £6000 for some of those affected.

**2.48** Hosted by SRS, the Wales Illegal Money Lending Unit (WIMLU) covers the length and breadth of Wales. It works closely with other public agencies, including housing providers and third sector organisations whose position on the 'front line' means that they encounter the victims of loan sharks through their daily activities. These relationships provide the Unit with crucial intelligence of illegal lending. To exploit this and encourage reporting, WIMLU proactively seeks opportunities to present to these organisations on the work of the team and receives frequent requests for information and training of frontline staff and community-based public facing support services. In 2022/23 training was delivered to 46 different organisations from all over Wales

drawn from different aspects of local government, credit unions, and the housing, advice and charitable sectors. Some 895 participants were reached in this way, representing a 36% increase on the number trained during 2021/22.

- 2.49** In October 2022, the public face of the Wales Illegal Money Lending Unit was rebranded as 'Stop Loan Sharks Wales'. The rebranding was promoted with a four week media campaign and the creation of a social media digital toolkit for stakeholders. The social media campaign ran across the major social media platforms. In addition, the unit undertook local targeted action in areas of Wales based on recent intelligence of illegal lending activity, with additional awareness raising in the form of digi-vans (which use advertising screens on the sides of the vehicle), driving on specific routes with scheduled stops including supermarkets and town centre locations.
- 2.50** As part of the WIMLU rebranding, a new dedicated website was launched at <https://stoploansharkswales.co.uk/>. This new website provides a range of information and resources/ training around illegal money lending. The aim is to ensure that these key messages are at the forefront of the minds of partners, and as a result this will help the Unit expand its reach and share messages with victims, support groups and members of the public throughout Wales so that more people know about illegal money lending, its dangers and how to report it.

### Supporting the Local economy

- 2.51** The work of SRS has a significant impact upon the local economy in a number of different ways. The provision of timely advice and guidance on regulation can enable businesses to maximise the benefit they derive from the marketplace, and the taking of firm enforcement action against rogue traders and those undermining the *bona fide* trade maintains an environment in which legitimate businesses are able to flourish. At the same time, effective market surveillance ensures 'visibility' of trading practices that would otherwise be hidden, and this is particularly so in regard to the huge increase in online trading in recent years. The SRS role as regulator also extends to providing a fair trading environment for consumers, supporting them to become better informed and confident in their purchasing decisions.
- 2.52** The Primary Authority scheme enables a business to enter into a statutory partnership with a local authority through which it can receive assured advice. Provided this advice is followed, the Primary Authority (PA) is able to challenge intended enforcement action by other local authorities. Over the course of 2022/23, SRS has increased its Primary Authority portfolio from 28 to 34 partnerships which includes both local and national businesses and is able to charge for the work done as part of these arrangements on the basis of full cost recovery. In addition, arrangements with one of the Service's high-profile partners changed during the year, meaning that SRS is now responsible not just for food hygiene matters in Wales, but for the co-ordination of all referrals about that business, from other local authorities in England and Wales.

- 2.53** Illegal tobacco (i.e., counterfeit, or non-duty paid) continues to present a very real problem in our communities. Research has shown that at least 15% of all tobacco and cigarettes supplied in Wales are illegal, and smokers are quite comfortable in purchasing it, presumably under the misapprehension that the only impact of its widespread use is the loss of revenue to HM Treasury. This thinking ignores the most serious harms caused by illegal tobacco. At around half the cost of legitimate product, illegal tobacco removes the price incentive for smokers to quit the otherwise expensive habit. In addition, the way in which illegal tobacco is supplied means that mainstream tobacco control measures such as minimum age of purchase and the tobacco display ban are undermined. It is also important to remember that widespread availability of illegal tobacco undermines the viability of legitimate retailers selling genuine product, for it is not just the revenue from tobacco products that they are losing. Customers purchasing (illegal) tobacco elsewhere will also tend to purchase other goods elsewhere, for example the bread, milk and other essentials they pick up at the same time as their cigarettes.
- 2.54** SRS officers carry out regular exercises with partner agencies and the assistance of tobacco detection dogs to locate illegal product (which invariably will be hidden) whilst on site. During 2022/23, some 32 seizures of illegal tobacco were made from vehicles and residential properties as well as from retail premises. **13,834 packets of cigarettes** and **957 packets of hand rolling tobacco** were seized during these operations with a total retail value estimated to be **£184,501**.
- 2.55** During 2022/23 SRS Officers investigated the supply of a range of other counterfeit goods, the supply of which impacts the viability of legitimate traders who sell genuine items. Examples of the types of counterfeit goods seized during 2022/23 include
- Counterfeit chocolate bars
  - Counterfeit Apple products
  - Counterfeit dog clothes and leads (bearing Chanel and Dior trademarks)
  - Counterfeit vapes
- 2.56** Building on the success of the 'Ask the Regulator' series of podcasts, SRS prepared a further six episodes over the course of 2022/23. Produced by local community radio station Bro Radio, the podcasts can be accessed via the SRS website and are also available on Spotify. The most recent episodes cover the following topics:
- Business Focus (May 2022)
  - Penarth Food Pod and Jubilee Celebrations (June 2022)
  - The 'Buy with Confidence' scheme (September 2022)
  - National Safeguarding Week (November 2022)
  - Illegal Money Lending (January 2023)
  - Mandatory Licensing of Special Procedures in Wales (March 2023)

Such has been the success of the podcasts that they were nominated at the National Community Radio Awards for 2022 in the category for best podcast.

## Maximising the use of resources

- 2.57** Maximising the use of resources was the original catalyst for creating SRS, and work in this area continues. By reducing “triplication” of effort, introducing better processes, making systems work without constant intervention and improving access into the service, our business improves and customer satisfaction increases. Income generating activities like marketing our metrology laboratory, offering paid for advice services, building Primary Authority partnerships and extending our training provision to business are examples of our more “commercial” culture.
- 2.58** Further improvements to the **SRS website** have taken place over the last year in order to ensure the best possible customer journey. During 2022/23, the SRS website had 52,665 users and 141,142 page views. Our noise and air pollution web pages continue to receive the most page views of all areas.
- 2.59** The SRS website is supplemented by our **social media** offerings, SRS Twitter (@SRS\_Wales) and the SRS LinkedIn account. These channels have proved to be a highly effective way of getting information to a large number of businesses and residents.
- 2.60** The Service encourages use of the **noise app** in cases where residents wish to make a complaint about noise. It can be downloaded simply from the App Store enabling them to short bursts of the disturbance to be recorded and submitted to the case Officer to determine if a nuisance has occurred. This approach has enabled complaints to be triaged effectively, thereby ensuring that officers’ site visits are prioritised where and when they are most needed.
- 2.61** Since the inception of SRS, officers have been provided with access to the systems of the 3 legacy authorities of Bridgend, Cardiff and the Vale of Glamorgan. This enables officers to access the essential IT systems they need to fulfil their duties for the relevant authorities. While this has worked well, more recent updates to systems and software have impacted on the continuity of current arrangements affecting connectivity and access. SRS maintains good relationships with the ICT departments of the legacy authorities to deal with issues as they arise in the short term. It has become apparent however, that there is a need to consolidate the long-term access requirements to ensure continued access and smooth running of systems and crucially to provide seamless delivery of essential services.
- 2.62** The different ways of working during the pandemic impacted the ability of the Service to generate income and recover costs over that time frame. In the case of business training courses for example, restrictions on movement and gathering meant that teaching in a classroom setting was simply not possible, and so training provision had to be paused while online solutions were developed. In the second half of 2022/23, SRS became the first training provider in Wales to deliver the Level 2 qualification in Infection Prevention and Control for special procedure practitioners. All practitioners in Wales performing tattooing, acupuncture, skin piercing, and electrolysis will have to obtain this qualification as part of the requirements of the new Welsh Government

Special Procedures regime. By year end, the Service saw a return to pre-pandemic levels of income through the provision of training, as a result of our Primary Authority work, our paid for business advice, the work of the UKAS accredited metrology laboratory and our specialist environmental monitoring services.

## Financial Performance

- 2.63** The 2022/23 Shared Regulatory Services Gross Revenue Budget was approved on the 14<sup>th</sup> December 2021.
- 2.64** Two members of staff remained on secondments out of the Service during the year. The associated cost of these secondments was being recovered from Welsh Government and Monmouthshire County Council. This has then enabled staff to act up into more senior roles.
- 2.65** A small group of officers from across the Service were seconded to support the regional Trace, Track and Process (TTP) teams to both Health Boards that cover the SRS region. From July 2022, this was reduced to supporting the Cardiff and Vale Health Board only.
- 2.66** The impact of cost pressures relating to cost-of-living price rises has intensified pressure on already struggling budgets.
- 2.67** The Gross Revenue Budget and unaudited outturn position for 2022/23 are shown in the tables below, with the position in respect of each of the partners detailed to include both Authority Specific and Core expenditure positions. The Service achieved an unaudited £63k overspend against a gross revenue budget of £8.331m, as illustrated in the following table:

	<b>Gross Budget</b>	<b>Forecast Outturn</b>	<b>Outturn Variance</b>
<b>Authority</b>	<b>£'000's</b>	<b>£'000's</b>	<b>£'000's</b>
Bridgend	1,777	1,703	74
Cardiff	4,811	4,936	(125)
Vale	1,743	1,755	(12)
<b>Total Gross Expenditure</b>	<b>8,331</b>	<b>8,394</b>	<b>(63)</b>

- 2.68** Multiple recruitment drives were undertaken during the 2022/23, however, the Service experienced significant issues in attracting appropriate candidates to particular disciplines within the Service, which may also be due to a national scarcity of resource being available. This position was then amplified further due to the cost-of-living price rises and the overall position of the economy.
- 2.69** Throughout 2022/23, the Service worked with local universities in the practical support of students who are enrolled on degree courses relevant to areas in the SRS

such as supporting the Homes for Ukraine initiative within the Housing Team. Some of the students then went on to secure permanent posts within the Service as vacancies arose.

**2.70** Staff have continued to work from home, with only skeleton staffing levels at the hubs.

**2.71** A full breakdown of the unaudited outturn position is shown in **Appendix 3**.

### **Authority Specific Services**

**2.72** The approved gross budget of £2.414m in respect of Authority Specific (AS) Services has a unaudited outturn overspend of £222k, as detailed in the following table:

	<b>Gross Budget</b>	<b>Outturn Position</b>	<b>Outturn Variance</b>
<b>Authority</b>	<b>£'000's</b>	<b>£'000's</b>	<b>£'000's</b>
Bridgend	434	396	38
Cardiff	1,468	1,683	(215)
Vale	512	557	(45)
<b>Total AS Services</b>	<b>2,414</b>	<b>2,636</b>	<b>(222)</b>

**2.73** The £38k underspend at Bridgend, relates directly to a £22k underspend within Kennelling and Vets which is very much consistent to activity levels experienced in previous years. The £13k underspend within Licensing as a result of carrying a part year vacant post, plus £3k underspend on Bridgend Empty Homes due to in year staffing changes.

**2.74** The £215k overspend at Cardiff predominantly relates to the £196k overspend within Taxi Licensing Section which is consistent with performance in previous years.

**2.75** Night Time Noise achieved an overspend of £14k, which is due to a marginal uplift in demand due to an increase in service expectations plus the salary award being in excess of budget.

**2.76** The £4k overspend in Cardiff Port Health Authority is due to the pay award exceeding the budgeted expectation.

**2.77** The combined £3k overspend within HMO Cathays and Plasnewydd is the result of increased salary costs resulting from the pay award, which was then partially offset by a small underspend elsewhere on these budgets.

**2.78** Student Liaison achieved a £2k underspend, due to a change in staff.

**2.79** Overall the Vale achieved an aggregate £45k overspend.

- 2.80** Taxi Licensing achieved an overspend of £50k which is as a result of increased staffing costs to enable staff to successfully navigate an increased workload.
- 2.81** Burials achieved an £8k overspend which is due to an escalation in demand during the current economic climate. The £1k overspend within Pest Control relates to the impact of the agreed pay award, which was marginally offset by underspends across the remaining budget.
- 2.82** The £14k underspend within Kennelling and Vets, is consistent with performance in previous periods.

### **Core Services**

- 2.83** The approved gross Core Services Budget for 2022/23 is £5.917m, which at year end has achieved an unaudited underspend of £159k at year end. The Core Service's budget is allocated in line with the population split across the participating authorities, as illustrated in the following table:

<b>Authority</b>	<b>%</b>	<b>Gross</b>	<b>Forecast</b>	<b>Outturn</b>
		<b>Budget</b>	<b>Outturn</b>	<b>Variance</b>
		<b>£'000's</b>	<b>£'000's</b>	<b>£'000's</b>
Bridgend	22.70%	1,343	1,307	36
Cardiff	56.49%	3,343	3,253	90
Vale	20.81%	1,231	1,198	33
<b>Total Core</b>		<b>5,917</b>	<b>5,758</b>	<b>159</b>

- 2.84** The £158k overspend within Animal Services is the result of a vehicle purchase plus increased vets and legal costs being incurred due to a large canine seizure undertaken on welfare grounds by the Service. Additionally, there were residual legal, stabling and vet's fees incurred in the early part of 2022/23 in respect of the previous year's equine seizure which have also contributed to the outturn position.
- 2.85** Environmental Services achieved a balanced position at year end.
- 2.86** The £18k underspend within Food is the result of in year vacancies where recruitment campaigns did not attract a sufficient volume of appropriate candidates. Agency has been accessed to address this issue.
- 2.87** Housing Services has achieved a £9k underspend outturn position, which is the result of vacant posts.
- 2.88** Health & Safety and Communicable Disease Services has achieved an £62k outturn overspend which predominantly relates to the impact of the recently agreed 2022/23 pay award, plus additional officer time being undertaken to meet increased pressures on the Service.

- 2.89** Pollution Services has achieved a underspend of £64k, which is the result of the impact of the pay award, which has being partially offset by in year vacant posts.
- 2.90** The £288k Trading Standards underspend relates to a number of vacant posts together with an underspend within Supplies & Services.

### **Challenges moving forward**

**2.91** Since its inception, SRS has consolidated service delivery in accord with the agreed standards. The over-riding challenges during 2023/24 will be around recruitment and retention, tackling post-pandemic backlogs in programmed work, the need to address emerging global, national, regional, and local events, and all while working within a reduced resource. Consequently, the Key Milestones for 2023/24 include:

- *Delivery of the SRS Business Plan 2023-2024 and the associated corporate priorities assigned to the SRS by the partner Councils*
- *To support the partner Councils and other agencies as an integral part of the health protection system in Wales*
- *To monitor the implementation of new legislation and any requirements imposed by such legislation upon the Service, for example the Welsh Government requirements around Special Procedures and Single Use Plastics*
- *To contribute to the climate change goals in each of the partner authorities through effective enforcement of environmental controls such as those regulating energy efficiency in the private rented housing sector.*
- *To consult with staff and develop a recruitment and retention strategy comprising actions for the short, medium and longer term in order to attract, develop and retain skilled staff.*
- *Review the agile working arrangements for the service to ensure that technology is being exploited fully to improve service delivery.*

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

**3.1** The Annual report demonstrates the partner Councils' commitment to improving social, economic, environmental and cultural well-being and promoting sustainable development in line with the Wellbeing of Future Generations (Wales) Act 2015. Equalities, Sustainability and safeguarding issues have all been taken into account when drafting this plan. Our work with stakeholders seeking to ensure that our early



intervention and prevention activities maintain wellbeing in the SRS region is a crucial element of our approach to protect local people and the environment.

- 3.2** The Wellbeing 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. The SRS Business Plan contains a number of initiatives that contribute to the wellbeing objectives. Section 6 of the Business Plan illustrates how the SRS priorities interface with the wellbeing goals on matters such as safeguarding the vulnerable and protecting the environment and forms the basis for the Annual report.
- 3.3** Aligning the Wellbeing Goals of the Act enables us to evidence our contribution to the National Wellbeing Goals. Promoting the five ways of working is reflected in our approach to integrated business planning. Setting consistently challenging yet realistic steps and performance improvement targets, the SRS is able to clearly demonstrate progress towards achieving the national goals by the production of the Annual report.

#### **4. Climate Change and Nature Implications**

- 4.1** One of the key strategic themes for the Shared Regulatory Service is *Protecting the Local Environment*.
- 4.2** The SRS Business Plan articulates the work carried out under this theme to deliver on the corporate priorities for the participant Councils, including their ambitions to minimise climate change and impacts on the natural environment.
- 4.3** In this context, the Joint Committee is regularly updated on the contribution of the Shared Service to this agenda, for example through its work in the areas of animal health and welfare, air quality, contaminated land, energy efficiency in the private rented sector and investigating greenwashing claims or environmental fraud.

#### **5. Resources and Legal Considerations**

##### **Financial**

- 5.1** The implications are set out in the body of the report.

##### **Employment**

- 5.2** The implications are set out in the body of the report.

## **Legal (Including Equalities)**

- 5.3** The partner Councils have a duty to improve under the Local Government (Wales) Measure 2009. The report outlines achievements in 2022/23 for the matters assigned to the Shared Regulatory Service. The Joint Working Agreement executed on 10 April 2015 and amended July 2017 sets out the obligations placed upon the partner Councils in delivery of the Shared Regulatory Service.

## **6. Background Papers**

None

## ***Appendices***

- Appendix 1 – SRS Performance Measures 2022- 2023
- Appendix 2 – SRS Prosecution Statistics 2022-2023
- Appendix 3 – 2022-2023 SRS Provisional Outturn Position

# Shared Regulatory Services

## Quarterly Performance Report 2022/23

### Quarter 4



Gwasanaethau  
Rheoliadol  
a Rennir



# High Risk Food Hygiene Inspections

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/FH/001	Qtr 4	The percentage of high risk businesses (Cat A & B) that were liable to a programmed inspection that were inspected for food hygiene.	42	42	100.00%	Green	In line with the priorities of the Food Standards Agency Recovery Plan, which aims to assist local authorities to tackle the backlog of inspections resulting from the pandemic, all high risk businesses rated A and B due an inspection by the end of Qtr 4 have been completed at premises that were operating and available for inspection.	100%
2022-23	Cardiff	SRS/FH/001	Qtr 4	The percentage of high risk businesses (Cat A & B) that were liable to a programmed inspection that were inspected for food hygiene.	131	131	100.00%	Green	In line with the priorities of the Food Standards Agency Recovery Plan, which aims to assist local authorities to tackle the backlog of inspections resulting from the pandemic, all high risk businesses rated A and B due an inspection by the end of Qtr 4 have been completed at premises that were operating and available for inspection.	100%
2022-23	Vale of Glam	SRS/FH/001	Qtr 4	The percentage of high risk businesses (Cat A & B) that were liable to a programmed inspection that were inspected for food hygiene.	65	65	100.00%	Green	In line with the priorities of the Food Standards Agency Recovery Plan, which aims to assist local authorities to tackle the backlog of inspections resulting from the pandemic, all high risk businesses rated A and B due an inspection by the end of Qtr 4 have been completed at premises that were operating and available for inspection.	100%
2022-23	SRS	SRS/FH/001	Qtr 4	The percentage of high risk businesses (Cat A & B) that were liable to a programmed inspection that were inspected for food hygiene.	238	238	100.00%	Green	In line with the priorities of the Food Standards Agency Recovery Plan, which aims to assist local authorities to tackle the backlog of inspections resulting from the pandemic, all high risk businesses rated A and B due an inspection by the end of Qtr 4 have been completed at premises that were operating and available for inspection.	100%

# High Risk Food Hygiene Inspections

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/FH/002	Qtr 4	The percentage of high risk businesses (Cat C) that were liable to a programmed inspection that were inspected for food hygiene.	144	474	30.38%	Red	While high risk business inspections remained a priority and all Category A and B programmed inspections have been completed, Category C inspections remain an issue with a significant number outstanding. This is largely due to the volume of inspections required and the service focusing resources on those businesses that pose the greatest risk. Notwithstanding this, all non broadly compliant C rated inspections have been completed (those that have a food hygiene rating of 0-2) and all but one of the programmed inspections at businesses with a 3 rating were completed at businesses that were open and operational.	90%
2022-23	Cardiff	SRS/FH/002	Qtr 4	The percentage of high risk businesses (Cat C) that were liable to a programmed inspection that were inspected for food hygiene.	543	1162	46.73%	Red	While high risk business inspections remained a priority and all Category A and B programmed inspections have been completed, Category C inspections remain an issue with a significant number outstanding. This is largely due to the volume of inspections required and the service focusing resources on those businesses that pose the greatest risk. Notwithstanding this, all non-broadly compliant C rated inspections have been completed (those that have a food hygiene rating of 0-2) together with those businesses with a 3 rating at businesses that were open and operational.	90%
2022-23	Vale of Glam	SRS/FH/002	Qtr 4	The percentage of high risk businesses (Cat C) that were liable to a programmed inspection that were inspected for food hygiene.	174	411	42.34%	Red	While high risk business inspections remained a priority and all Category A and B programmed inspections have been completed, Category C inspections remain an issue with a significant number outstanding. This is largely due to the volume of inspections required and the service focusing resources on those businesses that pose the greatest risk. Notwithstanding this, all non-broadly compliant C rated inspections have been completed (those that have a food hygiene rating of 0-2) together with those businesses with a 3 rating at businesses that were open and operational.	90%
2022-23	SRS	SRS/FH/002	Qtr 4	The percentage of high risk businesses (Cat C) that were liable to a programmed inspection that were inspected for food hygiene.	861	2047	42.06%	Red	While high risk business inspections remained a priority and all Category A and B programmed inspections have been completed, Category C inspections remain an issue with a significant number outstanding. This is largely due to the volume of inspections required and the service focusing resources on those businesses that pose the greatest risk. Notwithstanding this, all non-broadly compliant C rated inspections have been completed (those that have a food hygiene rating of 0-2) together with all but one of those businesses with a 3 rating at businesses that were open and operational.	90%

# New Businesses—Food Hygiene

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/FH/003	Qtr 4	The percentage of new businesses identified which were subject to a risk assessment during the year for food hygiene.	135	246	54.88%	Red	Whilst new business inspections have been prioritised in line with the Food Standards Agency Recovery Plan, new business inspections remain an issue with a significant number outstanding. This is largely due to the volume of inspections required and the service focussing on those businesses that pose the greatest risk which has affected performance in this area. Notwithstanding this, the number of businesses due an inspection has reduced since this time last year which is testament to efforts made in reducing the backlog.	90%
2022-23	Cardiff	SRS/FH/003	Qtr 4	The percentage of new businesses identified which were subject to a risk assessment during the year for food hygiene.	412	756	54.50%	Red	Whilst new business inspections have been prioritised in line with the Food Standards Agency Recovery Plan, new business inspections remain an issue with a significant number outstanding. This is largely due to the volume of inspections required and the service focussing on those businesses that pose the greatest risk which has affected performance in this area. Notwithstanding this, the number of businesses due an inspection has reduced since this time last year which is testament to efforts made in reducing the backlog.	90%
2022-23	Vale of Glam	SRS/FH/003	Qtr 4	The percentage of new businesses identified which were subject to a risk assessment during the year for food hygiene.	182	280	65.00%	Red	Whilst new business inspections have been prioritised in line with the Food Standards Agency Recovery Plan, new business inspections remain an issue with a significant number outstanding. This is largely due to the volume of inspections required and the service focussing on those businesses that pose the greatest risk which has affected performance in this area. Notwithstanding this, the number of businesses due an inspection has reduced since this time last year which is testament to efforts made in reducing the backlog.	90%
2022-23	SRS	SRS/FH/003	Qtr 4	The percentage of new businesses identified which were subject to a risk assessment during the year for food hygiene.	729	1282	56.86%	Red	Whilst new business inspections have been prioritised in line with the Food Standards Agency Recovery Plan, new business inspections remain an issue with a significant number outstanding. This is largely due to the volume of inspections required and the service focussing on those businesses that pose the greatest risk which has affected performance in this area. Notwithstanding this, the number of businesses due an inspection has reduced since this time last year which is testament to efforts made in reducing the backlog.	90%

# Broadly Compliant Food Premises

Year	Authority	Ref	Quarter	Title	No. broadly compliant	No. businesses	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	PAM/23	Qtr 4	Percentage of food establishments which are 'broadly compliant' with food hygiene standards.	1274	1300	98.00%	Green	Target exceeded.	94%
2022-23	Cardiff	PAM/23	Qtr 4	Percentage of food establishments which are 'broadly compliant' with food hygiene standards.	3091	3231	95.67%	Green	Target exceeded.	94%
2022-23	Vale of Glam	PAM/23	Qtr 4	Percentage of food establishments which are 'broadly compliant' with food hygiene standards.	1234	1272	97.01%	Green	Target exceeded.	94%
2022-23	SRS	PAM/23	Qtr 4	Percentage of food establishments which are 'broadly compliant' with food hygiene standards.	5599	5803	96.48%	Green	Target exceeded.	94%

# High Risk Trading Standards Inspections

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/TS/001	Qtr 4	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	15	15	100.00%	Green	All programmed high risk inspections have been carried out at open and operational businesses.	100%
2022-23	Cardiff	SRS/TS/001	Qtr 4	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	21	23	91.30%	Amber	2 inspections remained outstanding at the end of Qtr 4, both of which were food standards inspections. These inspections were due in Qtr 4 and will be carried over to the new financial year.	100%
2022-23	Vale of Glam	SRS/TS/001	Qtr 4	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	6	6	100.00%	Green	All programmed high risk inspections have been carried out at open and operational businesses.	100%
2022-23	SRS	SRS/TS/001	Qtr 4	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	42	44	95.45%	Amber	All but 2 inspections were completed at open and operational premises. The outstanding 2 food standards inspections will be carried over into the new financial year.	100%



# New business—Trading Standards

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/TS/003	Qtr 4	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 standards and animal feed.	104	269	38.66%	Red	New business inspections remain an issue for the service with a significant number outstanding. This is largely due to the volume of inspections required and the service focussing on those businesses that pose the greatest risk which has affected performance in this area.	80%
2022-23	Cardiff	SRS/TS/003	Qtr 4	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 standards and animal feed.	185	841	22.00%	Red	New business inspections remain an issue for the service with a significant number outstanding. This is largely due to the volume of inspections required and the service focussing on those businesses that pose the greatest risk which has affected performance in this area.	80%
2022-23	Vale of Glam	SRS/TS/003	Qtr 4	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 standards and animal feed.	107	351	30.48%	Red	New business inspections remain an issue for the service with a significant number outstanding. This is largely due to the volume of inspections required and the service focussing on those businesses that pose the greatest risk which has affected performance in this area.	80%
2022-23	SRS	SRS/TS/003	Qtr 4	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 standards and animal feed.	396	1461	27.10%	Red	New business inspections remain an issue for the service with a significant number outstanding. This is largely due to the volume of inspections required and the service focussing on those businesses that pose the greatest risk which has affected performance in this area.	80%

# Trading Standards Significant Breaches

Year	Authority	Ref	Quarter	Title	No. resolved	No. identified	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/TS/002	Qtr 4	The percentage of significant breaches that were rectified by intervention during the year for: Trading Standards	25	31	<b>80.65%</b>		This measure relates to premises/businesses that are subject to ongoing investigations. The conclusion of such investigations may not always be possible within the financial year, however all cases are in within time for legal processing.	N/A
2022-23	Cardiff	SRS/TS/002	Qtr 4	The percentage of significant breaches that were rectified by intervention during the year for: Trading Standards	122	134	<b>91.04%</b>		This measure relates to premises/businesses that are subject to ongoing investigations. The conclusion of such investigations may not always be possible within the financial year, however all cases are in within time for legal processing.	N/A
2022-23	Vale of Glam	SRS/TS/002	Qtr 4	The percentage of significant breaches that were rectified by intervention during the year for: Trading Standards	20	22	<b>90.91%</b>		This measure relates to premises/businesses that are subject to ongoing investigations. The conclusion of such investigations may not always be possible within the financial year, however all cases are in within time for legal processing.	N/A
2022-23	SRS	SRS/TS/002	Qtr 4	The percentage of significant breaches that were rectified by intervention during the year for: Trading Standards	167	187	<b>89.30%</b>		This measure relates to premises/businesses that are subject to ongoing investigations. The conclusion of such investigations may not always be possible within the financial year, however all cases are in within time for legal processing.	N/A

# Noise and Air Pollution

Year	Authority	Ref	Quarter	Title	No. re- sponded to within tar- get	No. re- ceived	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/LC/008	Qtr 4	Percentage of domestic noise and air complaints responded to within 3 working days.	106	118	89.83%	Amber	The result for Qtr 4 is fractionally below target representing less than 1 complaint that was not responded to within target.	90%
2022-23	Bridgend	SRS/LC/008	Annual Result	Percentage of domestic noise and air complaints responded to within 3 working days.	483	530	91.13%	Green	Target exceeded.	90%
2022-23	Cardiff	SRS/LC/008	Qtr 4	Percentage of domestic noise and air complaints responded to within 3 working days.	350	370	94.59%	Green	Target exceeded.	90%
2022-23	Cardiff	SRS/LC/008	Annual Result	Percentage of domestic noise and air complaints responded to within 3 working days.	1560	1650	94.55%	Green	Target exceeded.	90%
2022-23	Vale of Glam	SRS/LC/008	Qtr 4	Percentage of domestic noise and air complaints responded to within 3 working days.	87	90	96.67%	Green	Target exceeded.	90%
2022-23	Vale of Glam	SRS/LC/008	Annual Result	Percentage of domestic noise and air complaints responded to within 3 working days.	367	395	92.91%	Green	Target exceeded.	90%
2022-23	SRS	SRS/LC/008	Qtr 4	Percentage of domestic noise and air complaints responded to within 3 working days.	543	578	93.94%	Green	Target exceeded.	90%
2022-23	SRS	SRS/LC/008	Annual Result	Percentage of domestic noise and air complaints responded to within 3 working days.	2410	2575	93.59%	Green	Target exceeded.	90%

# Noise and Air Pollution

Year	Authority	Ref	Quarter	Title	No. re- sponded to within tar- get	No. re- ceived	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/LC/009	Qtr 4	Percentage of commercial and industrial noise and air complaints responded to within one working day.	37	49	75.51%	Green	Target exceeded.	75%
2022-23	Bridgend	SRS/LC/009	Annual Result	Percentage of commercial and industrial noise and air complaints responded to within one working day.	197	272	72.43%	Amber	The shortfall against target represents just 7 complaints that failed to reach target. This is largely due to staffing pressures as a result of long term sick which has impacted on the capacity of the team to meet the required targets at the beginning of the year.	75%
2022-23	Cardiff	SRS/LC/009	Qtr 4	Percentage of commercial and industrial noise and air complaints responded to within one working day.	89	114	78.07%	Green	Target exceeded.	75%
2022-23	Cardiff	SRS/LC/009	Annual Result	Percentage of commercial and industrial noise and air complaints responded to within one working day.	453	632	71.68%	Amber	The shortfall against target represents 21 complaints that failed to reach target. This was largely due to vacancies within the team that affected performance at the beginning of the year.	75%
2022-23	Vale of Glam	SRS/LC/009	Qtr 4	Percentage of commercial and industrial noise and air complaints responded to within one working day.	28	37	75.68%	Green	Target exceeded.	75%
2022-23	Vale of Glam	SRS/LC/009	Annual Result	Percentage of commercial and industrial noise and air complaints responded to within one working day.	194	273	71.06%	Amber	The shortfall against target represents 11 complaints that failed to reach target. This was largely due to vacancies within the team that affected performance at the beginning of the year.	75%
2022-23	SRS	SRS/LC/009	Qtr 4	Percentage of commercial and industrial noise and air complaints responded to within one working day.	154	200	77.00%	Green	Target exceeded.	75%
2022-23	SRS	SRS/LC/009	Annual Result	Percentage of commercial and industrial noise and air complaints responded to within one working day.	844	1177	71.71%	Amber	The shortfall against target represents 39 complaints that failed to reach target. This was largely due to vacancies within the teams that affected performance at the beginning of the year.	75%

# Noise and Air Pollution

Year	Authority	Ref	Quarter	Title	No. responded to within target	No. received	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/LC/010	Qtr 4	Percentage of alarm complaints responded to within one day.	3	3	100.00%	Green	Target exceeded.	90%
2022-23	Bridgend	SRS/LC/010	Annual Result	Percentage of alarm complaints responded to within one day.	13	13	100.00%	Green	Target exceeded.	90%
2022-23	Cardiff	SRS/LC/010	Qtr 4	Percentage of alarm complaints responded to within one day.	14	16	87.50%	Amber	The shortfall against target represents just one complaint that failed to reach target. This is due to complaints not being logged and referred to the team on time, resulting in delays. Both outstanding complaints were however dealt with on the day they were received.	90%
2022-23	Cardiff	SRS/LC/010	Annual Result	Percentage of alarm complaints responded to within one day.	67	72	93.06%	Green	Target exceeded.	90%
2022-23	Vale of Glam	SRS/LC/010	Qtr 4	Percentage of alarm complaints responded to within one day.	3	3	100.00%	Green	Target exceeded.	90%
2022-23	Vale of Glam	SRS/LC/010	Annual Result	Percentage of alarm complaints responded to within one day.	10	10	100.00%	Green	Target exceeded.	90%
2022-23	SRS	SRS/LC/010	Qtr 4	Percentage of alarm complaints responded to within one day.	20	22	90.91%	Green	Target exceeded.	90%
2022-23	SRS	SRS/LC/010	Annual Result	Percentage of alarm complaints responded to within one day.	90	95	94.74%	Green	Target exceeded.	90%

# Licensing

Year	Authority	Ref	Quarter	Title	No deter- mined	No. received	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/LC/004	Qtr 4	Percentage of licensed premises applications received and determined within 2 months.	33	33	100.00%	Green	Target achieved.	100%
2022-23	Bridgend	SRS/LC/004	Annual Result	Percentage of licensed premises applications received and determined within 2 months.	125	125	100.00%	Green	Target achieved.	100%
2022-23	Cardiff	SRS/LC/004	Qtr 4	Percentage of licensed premises applications received and determined within 2 months.	128	128	100.00%	Green	Target achieved.	100%
2022-23	Cardiff	SRS/LC/004	Annual Result	Percentage of licensed premises applications received and determined within 2 months.	534	535	99.81%	Amber	One application was not determined within the designated time due to the Licensing Sub Committee hearing being deferred due to the period of national mourning.	100%
2022-23	Vale of Glam	SRS/LC/004	Qtr 4	Percentage of licensed premises applications received and determined within 2 months.	33	33	100.00%	Green	Target achieved.	100%
2022-23	Vale of Glam	SRS/LC/004	Annual Result	Percentage of licensed premises applications received and determined within 2 months.	116	116	100.00%	Green	Target achieved.	100%
2022-23	SRS	SRS/LC/004	Qtr 4	Percentage of licensed premises applications received and determined within 2 months.	194	194	100.00%	Green	Target achieved.	100%
2022-23	SRS	SRS/LC/004	Annual Result	Percentage of licensed premises applications received and determined within 2 months.	775	776	99.87%	Amber	One application was not determined within the designated time due to the Licensing Sub Committee hearing in Cardiff being deferred due to the period of national mourning.	100%

# Licensing

Year	Authority	Ref	Quarter	Title	No deter- mined	No. received	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/LC/005	Qtr 4	Percentage of licensed personal applications received and determined within 2 months.	27	27	100.00%	Green	Target achieved.	100%
2022-23	Bridgend	SRS/LC/005	Annual Result	Percentage of licensed personal applications received and determined within 2 months.	80	80	100.00%	Green	Target achieved.	100%
2022-23	Cardiff	SRS/LC/005	Qtr 4	Percentage of licensed personal applications received and determined within 2 months.	61	61	100.00%	Green	Target achieved.	100%
2022-23	Cardiff	SRS/LC/005	Annual Result	Percentage of licensed personal applications received and determined within 2 months.	287	287	100.00%	Green	Target achieved.	100%
2022-23	Vale of Glam	SRS/LC/005	Qtr 4	Percentage of licensed personal applications received and determined within 2 months.	19	19	100.00%	Green	Target achieved.	100%
2022-23	Vale of Glam	SRS/LC/005	Annual Result	Percentage of licensed personal applications received and determined within 2 months.	73	73	100.00%	Green	Target achieved.	100%
2022-23	SRS	SRS/LC/005	Qtr 4	Percentage of licensed personal applications received and determined within 2 months.	107	107	100.00%	Green	Target achieved.	100%
2022-23	SRS	SRS/LC/005	Annual Result	Percentage of licensed personal applications received and determined within 2 months.	440	440	100.00%	Green	Target achieved.	100%

# Licensing

Year	Authority	Ref	Quarter	Title	No deter- mined	No. received	Percentage achieved	RAG Status	Comment	Target
2022-23	Bridgend	SRS/LC/006	Qtr 4	Percentage of Gambling Premises applications received and determined within 2 months.	0	0	0.00%	Green	No applications received.	100%
2022-23	Bridgend	SRS/LC/006	Annual Result	Percentage of Gambling Premises applications received and determined within 2 months.	0	0	0.00%	Green	No applications received.	100%
2022-23	Cardiff	SRS/LC/006	Qtr 4	Percentage of Gambling Premises applications received and determined within 2 months.	1	1	100.00%	Green	Target achieved.	100%
2022-23	Cardiff	SRS/LC/006	Annual Result	Percentage of Gambling Premises applications received and determined within 2 months.	1	1	100.00%	Green	Target achieved.	100%
2022-23	Vale of Glam	SRS/LC/006	Qtr 4	Percentage of Gambling Premises applications received and determined within 2 months.	0	0	0.00%	Green	No applications received.	100%
2022-23	Vale of Glam	SRS/LC/006	Annual Result	Percentage of Gambling Premises applications received and determined within 2 months.	0	0	0.00%	Green	No applications received.	100%
2022-23	SRS	SRS/LC/006	Qtr 4	Percentage of Gambling Premises applications received and determined within 2 months.	1	1	100.00%	Green	Target achieved.	100%
2022-23	SRS	SRS/LC/006	Annual Result	Percentage of Gambling Premises applications received and determined within 2 months.	1	1	100.00%	Green	Target achieved.	100%



## Appendix 2 - Summary of cases concluding between April 2022 and March 2023

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

Case	Court date	Offence(s)	Outcome
1	1.4.22	<p>Housing Act 2004</p> <p>The property freeholder granted a management lease of a house in multiple occupation to the defendant company in 2014. The effect of the lease was that the defendant company is the landlord of the HMO and responsible for ensuring that the relevant standards are met to protect the health, safety and welfare of the tenants.</p> <p>The company, and its sole director were previously prosecuted in 2020 for failing to comply with management regulations made under the Housing Act 2004. An improvement notice was served on the company in September 2020, requiring works to be carried out so that the required standards could be met. These works included :</p> <ul style="list-style-type: none"> <li>• An overhaul of the electrical installation.</li> <li>• Provision of an escape window to one room.</li> <li>• Fire protecting the gas &amp; electricity meter cupboards.</li> <li>• Removal of accumulations in the garage.</li> <li>• Replacement of worn laminate flooring.</li> <li>• Overhaul of all windows.</li> <li>• Overhaul of the heating and hot water system.</li> </ul> <p>As the works were not completed, both defendants were again prosecuted, this time for failure to comply with the Improvement Notice. There was no attendance or representation by either defendant, so the matter was heard in their absence.</p>	<p>The Magistrates imposed a fine of £3,740 with costs of £400 and a victim surcharge of £154 for each defendant. (Total £8,588)</p>
2	29.4.22	<p>Food Hygiene (Wales) Regulations</p> <p>In October 2020, April 2021 and November 2021 officers from Shared Regulatory services visited a convenience store premises to</p>	<p>In sentencing, the Judge accepted that the</p>

		2006	<p>carry out food hygiene Inspections. The first of these inspections highlighted a number of food hygiene breaches including an active rodent infestation. The food business operator was advised that if the rodent activity was to return, they must contact the local authority and close the store immediately. However, on 2 further occasions rodent activity did return and the store continued to trade with an active infestation, ignoring the risks to the public. In addition, the store had been trading and preparing open high-risk food with not only a rodent infestation but also no hot water to clean or sanitise the premises, equipment or effectively wash hands, which was unacceptable.</p> <p>The defendant company had pleaded guilty to 9 offences under the Food Hygiene (Wales) Regulations 2006. The prosecution had placed culpability in the very high category due to the continued breaches over a number of months. The defence argued that it was medium culpability and more that the systems that were in place were just not sufficiently adhered to. They also argued that harm was low to medium as there were no reports of actual harm to customers. The prosecution submission was that harm was of the most serious nature, namely a category 1 as the risk of harm to vulnerable customers had to be considered. The defence argued that the defendant had taken steps when the problems were brought to their attention and had changed their pest control company. The defence also produced financial statements indicating a low turn-over and profit.</p>	<p>defendant's culpability was in the high category and the risk of harm was a category 1. He imposed a £1000 fine for the HACCP offence, and a £50 fine for each of seven other offences, resulting in a total fine of £2350. The Judge imposed costs of £2000 and a victim surcharge of £135.</p>
3.	23.5.22	General Food Regulations 2004	<p>The defendant attended court and pleaded guilty to two offences under the General Food Regulations 2004. The defendant runs a convenience store which was visited by officers in March 2021. at</p>	<p>In sentencing the Magistrates gave the defendant credit for his</p>

			<p>89 Bridgend Road, Bridgend and an inspection by officers from the Shared Regulatory Services on the 29<sup>th</sup> March 2021 discovered a number of food items on sale which were past their 'use by' dates. The court were advised that the defendant had a previous conviction for similar offences at the same store in 2019.</p> <p>The defendant handed in a letter to the court in mitigation which was not read out and the defendant added nothing further.</p>	<p>early guilty plea and he was fined a total of £440, ordered to pay costs of £502 and a victim surcharge of £44.</p>
4.	26.5.22	Management of Houses in Multiple Occupation (Wales) Regulations 2006	<p>The defendant did not attend court and an application was made to prove the offences in his absence. He was found guilty of 17 offences under The Management of Houses in Multiple Occupation (Wales) Regulations 2006. The HMO of which the defendant is the landlord was inspected by officers from the Shared Regulatory Service in November 2021 and the following failures were identified:</p> <ul style="list-style-type: none"> <li>• Failure to provide an appropriate fire alarm system.</li> <li>• Failure to provide a fire door between the ground floor annex and hall.</li> <li>• Failure to provide solid timber doors to the bedrooms.</li> <li>• Failure to enclose the gas &amp; electricity meters in fire resisting units.</li> <li>• Failure to replace the glazing over the door to the first floor front bedroom to provide a fire resisting partition.</li> <li>• Failure to provide a fire blanket.</li> <li>• Failure to address a trip hazard to the ground floor hallway.</li> <li>• Failure to provide sufficient kitchen sockets.</li> <li>• Failures to submit gas and electrical certificates</li> <li>• Failures to maintain the electrical sockets</li> </ul>	<p>The Magistrates imposed a fine totalling £6,600 and ordered payment of £680 Prosecution costs &amp; £660 Victim Surcharge*</p> <p><i>*This case was later re-opened at the request of the defendant as he was able to show that he had entered guilty pleas at the time. At the subsequent hearing in January 2023, the Magistrates agreed that he should be given credit as if guilty please had been entered. As a result, the penalty was reduced to being a fine totalling £4645, costs of £1080 and a court surcharge of £190</i></p>

5.	31.5.22	Food hygiene	This prosecution was taken in response to a number of food hygiene failures at the premises of a retail butcher. The defendant company and the store manager pleaded guilty to six food hygiene offences as well as an additional charge of not implementing or following a HACCP system. Mitigation was offered as a result of the business having subsequently ceased trading and the premises closed.	The company was fined £50 for each of the six food hygiene offence and a further £500 for the HACCP charge. Likewise, the other defendant was fined £50 for each of the six food hygiene offences and was given a 2 year conditional discharge for the HACCP offence Each defendant was ordered to pay £1500 in costs as well as victim surcharges of £80and £34 respectively.
6.	16.6.22	Licensing	The defendant was found to be driving an unlicensed and uninsured vehicle for a third party in order to fulfil a school transport contract. In mitigation, he claimed to have driven the vehicle for a company previously when it was a Public Service Vehicle and he assumed he was still able to drive it. He was simply doing a favour to help the holder of the school transport contract as he had told him who he would lose the contract otherwise.	The defendant was fined £100 and disqualified from driving for 4 months for the offence of no insurance, with no separate penalty for the private hire offence. He was also ordered to pay £150 Prosecution costs and £34 victim surcharge.
7.	23.6.22	Licensing	In November 2021, the defendant was found to be plying for hire in a controlled district whilst not having the licence to do so. The vehicle insurance did not include plying for hire, only Private Hire by prior arrangement. He pleaded guilty to one offence under Section	The defendant was fined £450 and his licence endorsed with 6 penalty points for the offence of

			<p>45 of the Town Police Clauses Act 1847 (plying for hire) and one offence under Section 143 of the Road Traffic Act 1988 in respect of the lack of insurance.</p> <p>In mitigation, the Court was told the defendant had been driving for 15 years without incident and is the sole provider for his wife and 4 children.</p>	<p>having no insurance. He was also ordered to pay £150 costs and a £45 victim surcharge. No separate penalty was imposed for the plying for hire charge.</p>
8.	19.8.22	Licensing Act (underage sales)	<p>The owner and Designated Premises Supervisor of a convenience store pleaded guilty to 2 offences under the Licensing Act 2003. In July 2021 officers from Shared Regulatory Services, in conjunction with South Wales Police, conducted a test purchase operation with the assistance of a 16-year-old volunteer. On taking three cans of cider to the till, the young volunteer was served by the defendant's 17-year-old son. No checks were carried out to establish whether the volunteer was old enough to purchase alcohol and he was not asked to remove the face covering he was wearing at the time.</p> <p>When interviewed under caution, the defendant made a full admission of the two offences, i.e., the sale of alcohol to someone under the age of 18, and also permitting a minor to sell alcohol without specific authorisation. The investigation demonstrated that there were no training records, no refusals register and no CCTV at the premises and the defendant did not operate a 'Challenge 25' policy.</p>	<p>The defendant was fined £307 per offence giving a total fine of £614. He was also ordered to pay costs of £500 and a victim surcharge of £61.</p>
9.	8.9.22	Local Government (Miscellaneous Provisions) Act 1982	<p>On the day of the Six Nations Wales v. Scotland rugby international in February 2022, officers from Shared Regulatory Services were on duty in Cardiff city centre to monitor for street trading. The officers discovered the defendant engaging in street trading on Penarth Road (a street designated as a consent street for the purposes of street trading). He was offering and exposing food for</p>	<p>The defendant was fined £169 and ordered to pay £95 Prosecution costs together with a £34 Victim Surcharge.</p>

			<p>sale from a trolley but did not have the relevant authorisation to do so.</p> <p>He pleaded guilty to the offence under the Local Government (Miscellaneous Provisions) Act 1982.</p>	
10.	15.9.22	<p>General Food Regulations 2004</p> <p>Food Safety Act 1990</p>	<p>The defendant pleaded guilty to 4 offences under the General Food Regulations 2004 and 1 offence under the Food Safety Act 1990. A Shared Regulatory Services officer visited the defendants' convenience store to carry out an inspection of the premises. The visit followed a complaint from a consumer who had purchased some cakes that were passed their 'use by' dates. Despite the inspection taking place on 2<sup>nd</sup> July 2021, a number of items were found to be on sale despite their use by dates having expired the previous month. These items included a black pudding with a use by date of 4<sup>th</sup> June 2021 and grated cheese with a use by date of 20<sup>th</sup> June 2021 which had visible signs of mould. In mitigation the defendant confirmed that changes had been made to prevent the incident happening again and he was truly sorry.</p>	<p>The District Judge fined the defendant £350 for the first offence and £100 for each of the remaining 4 offences giving a total fine of £750. The defendant was also ordered to pay a victim surcharge of £75 and costs in the amount of £2000.</p>
11.	23.9.22	<p>Housing Act 2004</p> <p>Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007.</p> <p>Local Government (Miscellaneous</p>	<p>The defendant is the freeholder of a 3-storey Victorian house split into four self-contained flats. Following a complaint from a tenant, Shared Regulatory Services carried out an inspection in December 2021 during which a number of significant hazards were found. These included</p> <ul style="list-style-type: none"> <li>• a defective fire alarm system</li> <li>• insecure front door</li> <li>• lack of fire proofing to the gas and electricity meter cupboards</li> </ul>	<p>The defendant pleaded guilty to the 12 offences and was fined a total of £6,350. He was also ordered to pay costs of £1,376 and a victim surcharge of £190.</p>

		Provisions Act) 1976	<ul style="list-style-type: none"> <li>defective flat entrance doors</li> <li>obstructions to the means of escape from fire, and</li> <li>failure to submit gas certificates</li> </ul> <p>In addition, it was established that the property is subject to an additional HMO licensing scheme, however no application had been made for the property to be licensed.</p> <p>The defendant also failed to comply with a requisition to provide information served upon him in January 2022.</p>	
12.	7.10.22	Consumer Protection from Unfair Trading Regulations 2008	<p>The defendant had masqueraded as a private seller rather than a trader when he sold a Mini Cooper to an unsuspecting purchaser. The car soon developed problems, and this led to the true status of the defendant being established - he was a trader attempting to avoid his legal responsibilities to the purchaser. The defendant had made a number of misleading and unfair commercial practices which included:</p> <ul style="list-style-type: none"> <li>Stating that vehicle had a full service history which was false</li> <li>Stating that it had been used as a second personal vehicle which was false</li> <li>Failing to give his trading name, status and geographical address</li> <li>Advertising it in such a way that he falsely represented himself as a consumer</li> </ul> <p>The defendant pleaded guilty to all four charges against him under the Consumer Protection from Unfair Trading Regulations 2008.</p>	<p>The Magistrates stated that there was a high level of culpability but given the defendant's previous clean character, they imposed a fine of £958 for the 4<sup>th</sup> offence with no separate penalty for the other offences. He was also ordered to pay costs of £1568 and a victim surcharge of £96. A £500 compensation order was made for the victim.</p>
13.	10.10.22	Town Police Clauses	<p>In November 2021, the defendant was seen plying for hire in a controlled district whilst not having the licence to do so. The vehicle</p>	<p>The defendant was given a global fine of £220 for</p>

		Act 1847 Road Traffic Act 1988	insurance did not cover plying for hire (as not a Hackney carriage) and therefore the vehicle he was using was not insured. The charges related to the plying for hire offence and also the offence under the Road Traffic Act of being uninsured.	the two offences, and 6 penalty points were imposed for the no insurance charge. He was also ordered to pay £250 Prosecution costs and £88 Victim Surcharge.
14.	13.10.22	Environmental Protection Act 1990	<p>The defendants in this case, tenants in a privately rented property have a history of complaints made against them by neighbours as a result of their playing loud amplified music. This resulted in them being subject to a noise abatement notice which was served in November 2021. From January 2022 on, further occasions of their playing loud amplified music were witnessed by officers of Shared Regulatory Services.</p> <p>Both defendants were charged with offences under the Environmental Protection Act for failing, without reasonable excuse to comply with the requirements of the noise abatement notice.</p> <p>Neither Defendant attended court and the matter proceeded in their absence. The Magistrates heard the Victim Impact statement of one of the neighbours, explaining the significant issues he and his partner have encountered with the defendants.</p>	Having heard the facts, the Magistrates found the case against both Defendants proved. Each defendant received a fine of £880 (£1760 in total) and ordered to pay costs of £550 (£100 in total), together with a Victim Surcharge of £88 (£176 in total).
15.	17.10.22	Animal Welfare Act 2006	The defendants in this case were a prolific horse breeder, previously banned from keeping animals for life, and his teenage son. The son had pleaded guilty to 25 animal welfare offences, and a matter of days before the trial took place the father also pleaded guilty to the animal welfare charges and also a further offence for breaching his lifetime disqualification order under the Animal	<p>The defendants were sentenced as follows:</p> <p>The <b>son</b> was banned from keeping animals for 5 years except for domestic dogs and cats and a</p>



			<p>Welfare Act.</p> <p>Following the father's ban in April 2021 he transferred ownership of all the animals to the son who was only 16 years old at the time. The animals in question were being kept at two sites to which numerous visits were made by officers from Shared Regulatory Services. A total of 71 Improvement Notices were served as a result of animal welfare concerns including unsuitable environment, overcrowding, not allowing normal behaviours, failure to supply water and a failure to supply food. The improvement notices related to horses, dogs and birds.</p> <p>In sentencing the son, the judge accepted that he was of clean character and had pleaded guilty. It was noted that pressure had been put on him at a very young age, and that he had been manipulated by his father. The judge accepted that his culpability was at the lower end of the range and that he was in college.</p> <p>In sentencing the father, it was noted that he had previously been prosecuted and imprisoned for similar offences.</p>	<p>maximum of 10 chickens. He was also given a Referral Order for 4 months and ordered to pay a victim surcharge of £22. He was given 14 days to make arrangements for his animals</p> <p>The <b>father</b> was given 4 months imprisonment for each of the 26 offences to run concurrently and 2 months imprisonment for the breach of the ban to run consecutively. This gives a total of 6 months imprisonment of which he is expected to serve half.</p>
16.	3.11.22	Building Act 1984	<p>In October 2021 an enforcement notice was served on the defendant under Section 79(1) of the Building Act 1984. This Notice required the owner, to undertake repairs to the front and rear elevations of his neighbouring properties or take steps to demolish them. The notice required completion of the work no later than 13th April 2022. A visit to the properties on 14th April 2022 revealed no compliance and there was no change in the condition of the premises. Written and verbal reminders were given in the months that followed, but the necessary work was not carried out.</p>	<p>The defendant was fined £440 for each of the two offences making a total fine of £880. He was also ordered to pay costs of £433 and a Victim surcharge of £88.00.</p>

			The defendant did not attend court, so the case was heard in his absence. He was found guilty of two offences under the Building Act 1984.	
17.	4.11.22	Children and Families Act 2014 (underage sales)	<p>In April 2022, as a result of intelligence received about premises selling tobacco or nicotine inhaling devices (e-cigarettes) to those under the age of 18, officers conducted an underage sales operation. Two sixteen-year-old female volunteers attempted to purchase the age restricted products at the identified outlets. At one of the premises visited, the volunteers went to the counter and asked for a vape bar. They were handed an 'Elf Bar 600 – Strawberry Ice' which contained 2% nicotine and paid for it. On leaving the premises, the officers accompanying the volunteers placed the product in a tamper proof bag.</p> <p>The defendant did not attend court but pleaded guilty by post to one offence under the Children and Families Act 2014.</p> <p>In mitigation the business owner wrote that the sale had been an error of judgement on his part, and he had taken steps since the sale to educate himself further on the sale of these products but that he welcomed any course that the SRS officers could suggest he take going forward.</p>	Each of the two defendants (the limited company and its sole director) was fined £180 and ordered to pay costs of £250 together with victim surcharge of £34.
18.	10.11.22	Fraud Act 2006	In August 2021 officers from the Shared Service were contacted by a Cardiff resident who had paid a deposit of £5250 by bank transfer for the purchase of goods and fitting of kitchen upgrade/refit. The payment had been made to the bank account of the defendant in 3 transactions on a day in June 2021, but he subsequently failed to provide any goods or services. The consumer had previous landscape work completed by the defendant and it was during this time that she had mentioned that she was going to get her kitchen	The Magistrates made a 12-month community order with 150 hours of unpaid work requirement, and the defendant was ordered to pay costs of £750. A compensation order for the sum of

			<p>upgraded. The defendant said that he also did building work and arrangements were made for him to call round to discuss. He then attended with an unknown male.</p> <p>The court heard through the victim impact statement how the incident had affected the complainant. The money that she had lost was the inheritance she had received from her mother's death during the Covid pandemic. Waiting months for the work to start, the victim had been living out of boxes waiting for the defendant to turn up and she had felt totally humiliated. She had spent years protecting her mum from falling for scams and couldn't believe that she had become a victim herself. She was not sleeping, was stressed and this had triggered her IBS resulting in an emergency hospital admission. She now struggles to trust people and feels like she had let her mum and dad down.</p> <p>The defendant pleaded guilty to one offence under the Fraud Act and sought to blame the unknown male who he had paid the money to. The court heard how the defendant had been a gifted amateur boxer who had won an Olympic Silver medal in 2012 but had later developed mental health issues before starting a landscaping business. The fact that he couldn't resolve this problem had been a blow to his confidence and he had been too ashamed to tell his partner and family. He had buried his head in the sand and was too ashamed to tell the complainant what had happened to the money. His empathy and apology to the complainant was absolutely unreserved.</p>	£5250 was also made for the complainant.
19.	1.12.22	Housing Act 2004 Licensing and Management of	The defendant is the landlord of a property split into four self-contained flats. An inspection by Shared Regulatory Services in November 2021 revealed a number of concerns, including	The Magistrates found the case proved in the absence of the defendant.

		<p>Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007.</p> <p>Housing (Wales) Act 2014</p>	<ul style="list-style-type: none"> <li>• No fire alarm in the common areas of the property</li> <li>• Broken detectors within the flats</li> <li>• None of the flat entrance doors were complete fire doors</li> <li>• Three of the flats had bedrooms which were inner rooms but were not fitted with fire doors or escape windows</li> <li>• Inadequate and defective bathroom facilities</li> <li>• Security issues</li> <li>• The manager of the property wasn't licensed under the Housing (Wales) Act.</li> </ul>	<p>In delivering their sentence, they gave weight to the immediate risks such as fire, and the longer-term risks to health and welfare, such as damp and mould.</p> <p>The defendant was fined £2,000 for each of the five offences making a total of £10,000. She was also ordered to pay costs of £2,000 and a victim surcharge of £190</p>
20.	7.12.22	<p>Theft Act 1968</p> <p>Fraud Act 2006</p>	<p>The defendant in this rogue builder case had pleaded at an earlier hearing, to one offence under the Theft Act 1968 and to one offence the Fraud Act 2006. The offences related to an incident in July 2021 when the defendant attended at a property and quoted the residents a figure of £1100 for rendering a rear garden wall. He advised that if they paid half immediately to cover the materials, he would be able to complete the work the following weekend. The resident got the defendant to sign a handwritten receipt, but no additional paperwork was provided. He subsequently failed to attend to carry out the works, failed to return the deposit and failed to provide any materials. At one point he even claimed that he had repaid the money which was untrue.</p> <p>The court was advised that the defendant had been prosecuted for similar offences investigated by SRS in 2017 for which he had</p>	<p>The court ordered that the defendant be sentenced to 12 months imprisonment for the theft offence and 6 months imprisonment for the fraud offence, to run concurrently. He also ordered that the defendant pay the required statutory surcharge and he made a Compensation Order for the victims in the case in</p>

			<p>received a prison sentence and had been banned from being a director.</p> <p>In sentencing, the Judge stated that, whilst the defendant might be described as a rogue trader, he was in fact a criminal and a thief who exploited the trust of reasonable people. His offences had caused stress and anxiety to his victims. He accepted the prosecution's characterisation of where the offences fell in the sentencing guidelines but his previous 2017 convictions were an aggravating factor. These were further aggravated as he had been repeatedly given advice which he had ignored and the fact that he had lied about repaying the money.</p>	the sum of £550.
21.	9.12.22	Food Hygiene Rating (Wales) Act 2013	<p>This case was brought against a limited company as the Food Business Operator of a restaurant, as well as against the company's sole director. When an Officer of the Shared Service inspected the restaurant in January 2022, the business had been awarded a food hygiene rating of 1 (Major Improvement Necessary) A visit by officers in May 2022 revealed that the company had failed to display the food hygiene rating sticker in the location and manner prescribed by the legislation. To make matters worse, the company director misled officers by claiming that the business had changed hands when it had not.</p> <p>The director did not attend court for the case hearing and there was no one else present to represent the company. Application was sought to prove the matters in absence as effective service of papers had been achieved.</p> <p>The company was found guilty of two offences under the Food Hygiene Rating (Wales) Act 2013. The first of these was for failing to display the food hygiene rating sticker and the second was for</p>	<p>The company was fined a total of £1500, ordered to pay costs of £1277 and a court surcharge of £150. The company director was fined £750, ordered to pay costs of £796 and a court surcharge of £75.</p>

			obstructing the officers in their enquiries. The company director was found guilty on the one charge against him, that of obstruction.	
22.	6.1.2023	Children and Families Act 2014	In May 2022, a test purchase attempt resulted in the sale of a nicotine inhaling product (e-cigarette) being sold to a 16-year-old volunteer. This was despite SRS having written to the outlet to advise on the law after complaints were received alleging that underage sales were taking place at the premises. The sole director of the business was the seller on this occasion, and he was subsequently interviewed under caution about the offence. Later, in September 2022, a further attempt was made (by the same young volunteer) to purchase a nicotine inhaling product at the premises, and this also resulted in a sale being made, this time by an employee at the store. Both the company and its sole director were prosecuted for the underage sales offences on the two separate occasions, and guilty pleas were entered.	<p>The company director was fined £166 for each of the two offences, and he was ordered to pay costs of £310 together with a Victim Surcharge of £34.</p> <p>In addition, the company was fined £293 for each of the two offences, and ordered to pay costs of £310 and a Victim Surcharge of £48 (<i>Total fine £918, and total costs £620</i>)</p>
23.	6.1.2023	Licensing Act 2003 (underage sales)	Following complaints about under 18s being sold alcohol at a retail premises in Barry, Trading Standards Officers carried out a test purchase attempt with the assistance of two young volunteers, aged 15 and 16 years old. The volunteers picked up a box of Strongbow dark fruit cider priced at £12.99 and took it to the counter. The owner of the business was behind the counter and asked one of the volunteers for their age. On being told that they were 15, the defendant explained that a person had to be 18 years old to purchase alcohol. Despite this, he went on to sell the alcohol to the 15 year old, charging an additional £1.01 for the cans. He then proceeded to decant the cans from the cardboard box and placed them into opaque carrier bags before handing them to the purchaser at the shop door where he's told them to wait.	<p>The defendant was fined £640 for selling alcohol to a person under the age of 18, £640 for not having a Designated Premises Supervisor, and a further £640 for supplying false information.</p> <p>He was also ordered to pay costs of £500 and a victim surcharge of £190.</p>

			<p>This came three months after concerns were first raised about the store, and the defendant received verbal and written guidance from Trading Standards on the sale of alcohol.</p> <p>At the time of the offence, he had claimed to be the Designated Premises Supervisor (DPS) for the store, a role required by law, but this later turned out to be false. During interviews and further investigation, it emerged that the defendant had submitted false personal licence information to the Vale of Glamorgan Council's licensing department.</p>	
24.	27.1.2023	Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales Regulations 2007	<p>The defendant is the landlord of a 4 storey, Victorian property comprising a basement and ground floor maisonette and a first and second floor maisonette. Upon inspection, a number of offences were identified for failing to comply with the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales Regulations 2007. These included:</p> <ul style="list-style-type: none"> <li>• A defective fire alarm system</li> <li>• Missing or insecure, handrails to stairs</li> <li>• Defective floor coverings</li> <li>• Low level windows which presented a risk of falls</li> <li>• damaged kitchen work surfaces</li> <li>• unsafe kitchen layouts</li> <li>• an insecure WC</li> <li>• accumulations to the rear yard likely to provide harbourage for rodents</li> </ul>	The defendant was fined a total of £23,750 and ordered to pay costs of £450 together with a victim surcharge of £1,200.

			<ul style="list-style-type: none"> <li>• damp</li> <li>• unsafe guarding to landings</li> <li>• unsafe electrical installations and</li> <li>• an insecure entrance door.</li> </ul> <p>In addition, the gas central heating and hot water boiler in the upper maisonette was not working and a notice was served on the defendant under s. 80, Environmental Protection Act 1990 requiring the repair or replacement of the boiler within 8 days. When this notice wasn't complied with by the defendant, arrangements were made for the boiler repairs to be carried out as works in default.</p> <p>The case against the defendant included a total of 18 offences for failure to comply with the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales Regulations 2007 and also for failure to comply with the Section 80 notice relating to the gas boiler. Neither the defendant nor any representative attended court and the matter was heard in his absence. He was convicted on all 18 offences.</p>	
25.	20.2.23	<p>Fraud Act 2006</p> <p>Consumer Protection from Unfair Trading Regulations 2008</p>	<p>The defendants in this doorstep crime case were brothers who travelled to South Wales from Leighton Buzzard at the height of the COVID-19 pandemic. Residents were cold called and persuaded to have roofing works carried out, only to find that when the work was completed, the price had risen to 3 times the amount that had been originally quoted. When the victims queried the escalation in price they were met with threats and intimidation in order to get them to</p>	<p>Both defendants were sentenced to 12 months in prison for each offence to run concurrently. Applying the 20% discount for early plea meant that they will each serve a sentence of 9 months, at least half</p>



			<p>pay the higher price.</p> <p>The men had earlier pleaded guilty to the offences and attended court for sentencing. The Judge told them that their offending had been planned and had a detrimental impact on the finances of the victims as well as their psychological wellbeing. He added that 'the victims in this case were both in their eighties who were cold called for work which was claimed by the defendants as necessary. The approach taken by you has reflected a worrying trend during the period of lockdown in a rural area in the Vale of Glamorgan where you travelled from your home addresses in Leighton Buzzard and set up camp somewhere in Newport and further travelled to dupe the victims in this case. You raised the price in a deliberate and false 3 stage tier process. When challenged by the victims you bullied them and made them feel intimidated, there was genuine fear felt by the victims. You have asked for leniency in this case but you did not think of the effects of your actions in respect of the victims. This case has clearly passed the custody threshold. I have taken into consideration your early guilty pleas but have also taken into consideration the age of the victims in this case.</p>	<p>of that would be served in prison before being released on licence for the remainder.</p> <p>Due to the custodial sentences being received no costs or compensation were awarded.</p>
26.	24.2.23	Housing Act 2004	<p>The defendant did not attend court and the case was proved in his absence. He was found guilty of failing to comply with 2 improvement notices made under the Housing Act 2004.</p> <p>The defendant is the owner of a 3 storey, Victorian, terraced property in Cardiff which has been sub-divided into 4 self-contained flats. In January 2022 formal Improvement Notices were served requiring works to be carried out to the ground floor front flat and the common areas. These notices expired in March and April 2022. No response was received to letters and emails sent to the</p>	<p>The magistrates fined the defendant £1500 for each offence giving a total fine of £3000, costs of £360 and statutory charge of £1200. A collection order was made. Arrangements will be made for payment and consolidation with his previous fine (£6,350</p>

			<p>defendant, including a letter which was hand delivered to his home address. A visit in August 2022 confirmed that the fire alarm system was faulty, the electricity meters had not been properly fire-protected and works inside a ground floor flat remained incomplete.</p> <p>The Court was notified of the defendant's previous conviction in respect of the same property in September 2022 which arose as a result of an earlier SRS investigation into significant hazards at the property.</p>	<p><i>together with costs of £1,376 and a victim surcharge of £190)</i></p>
27.	24.2.23	Town Police Clauses Act 1847	<p>The defendant in this case had previously contact the court to plead guilty to two offences under the Town and Police Clauses Act 1847. The case concerned two incidents, firstly on the 30th of July 2022, between 11.05 hours and 11.35 hours and secondly, on the 10th of September 2022, between 14.05 hours and 14.35 hours, when the defendant left his hackney carriage unattended in a designated taxi rank in Cardiff city centre.</p>	<p>The magistrates fined the defendant £100 for the first offence and £140 for the second offence, giving a total fine of £240. Prosecution costs of £175 and a statutory charge of £96 were also imposed.</p>
28	23.3.23	<p>Health and Safety at Work etc Act 1974</p> <p>Food Hygiene (Wales) Regulations 2006</p>	<p>Between August 2019 and January 2020 officers from the Shared Regulatory Service visited a Cardiff restaurant found problems including pest infestation, unsafe food hygiene practices and health and safety violations, namely:</p> <ul style="list-style-type: none"> <li>• Failure to put in place, implement and maintain a permanent procedure based on HACCP principles</li> <li>• Failure to ensure the design, layout, construction, siting and size of the food premises permitted good food hygiene practices including protection against contamination including pest control</li> <li>• Failure to ensure all fittings, equipment and articles that came into</li> </ul>	<p>The company was fined £12,000 on count 1 and ordered to pay costs of £6500. There was no separate penalty on the other charges.</p> <p>The company Director was fined £1500 on count 2 and ordered to pay £1000 in costs. There was no separate penalty on</p>

			<p>contact with food were kept in good repair and condition to avoid risk of contamination</p> <ul style="list-style-type: none"> <li>• Failure to ensure the premises were kept clean and maintained in good repair and condition</li> <li>• Failure to ensure that at all stages of production, processing and distribution food was protected against any contamination likely to render the food unfit for human consumption</li> <li>• Failure to comply with 2 hygiene improvement notices served under the Food Hygiene (Wales) Act 2006</li> <li>• Failure to comply with an improvement notice served under the Health and Safety at Work etc Act 1974</li> </ul> <p>The three defendants in this case were the legal Food Business Operator (a limited company), the sole Director of the limited company and her father who fulfils the role of the natural Food Business Operator, managing the restaurant's day to day operations. Each had pleaded not guilty to all 9 charges but were found guilty following a two week Crown Court trial in February 2023.</p> <p>In sentencing, the judge stated that the picture when the premises was inspected in 2019 was one of clear evidence of the ingress of rats, disrepair, food handling practices that were nauseating, records that had been falsified by one or more persons, equipment that was missing or broken or which staff did not know how to use, food stored in a manner which rendered it unfit for human consumption, and where there was clearly no appetite of those running the restaurant to do anything other than trade.</p>	<p>the other offences.</p> <p>The natural food business operator was fined £5000 on count 2 and ordered to pay £2500 in costs. There was no separate penalty on the other offences.</p> <p><i>Total £14,500 fines and £10,000 in costs</i></p>
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## Provisional Outturn Statement

## Appendix 3

	Bridgend 2022/23			Cardiff 2022/23			Vale 2022/23			Total Gross Expenditure 2022/23		
	Budget £000's	Outturn £000's	Variance £000's	Budget £000's	Outturn £000's	Variance £000's	Budget £000's	Outturn £000's	Variance £000's	Budget £000's	Outturn £000's	Variance £000's
<b>Authority Specific</b>												
Bridgend Licensing	348	335	13							348	335	13
Bridgend Empty Homes	40	37	3							40	37	3
Kennelling & Vets Fees (Bridgend)	46	24	22							46	24	22
Cardiff Licencing				709	905	(196)				709	905	(196)
HMO Cathays				205	207	(2)				205	207	(2)
HMO Plasnewydd				278	279	(1)				278	279	(1)
Student Liaison				66	64	2				66	64	2
Night Time Noise				63	77	(14)				63	77	(14)
Cardiff Port Health				147	151	(4)				147	151	(4)
Vale Licensing							385	435	(50)	385	435	(50)
Burials (Vale)							1	9	(8)	1	9	(8)
Pest Control Service (Vale)							106	107	(1)	106	107	(1)
Vets & Kennelling Fees (Vale)							20	6	14	20	6	14
<b>Authority Specific Sub total</b>	<b>434</b>	<b>396</b>	<b>38</b>	<b>1,468</b>	<b>1,683</b>	<b>(215)</b>	<b>512</b>	<b>557</b>	<b>(45)</b>	<b>2,414</b>	<b>2,636</b>	<b>(222)</b>
<b>Core Services</b>												
Animal Services	89	125	(36)	222	311	(89)	82	115	(33)	393	551	(158)
Environmental	51	51	0	127	127	0	47	47	0	225	225	0
Food Services	340	336	4	847	837	10	312	308	4	1,499	1,481	18
Housing Services	146	144	2	363	358	5	134	132	2	643	634	9
Health & Safety & Communicable Disease	135	149	(14)	336	371	(35)	124	137	(13)	595	657	(62)
Pollution Services	200	186	14	499	462	37	183	170	13	882	818	64
Trading Standards	382	316	66	949	787	162	349	289	60	1,680	1,392	288
<b>Core Sub total</b>	<b>1,343</b>	<b>1,307</b>	<b>36</b>	<b>3,343</b>	<b>3,253</b>	<b>90</b>	<b>1,231</b>	<b>1,198</b>	<b>33</b>	<b>5,917</b>	<b>5,758</b>	<b>159</b>
<b>Gross Expenditure Budget</b>	<b>1,777</b>	<b>1,703</b>	<b>74</b>	<b>4,811</b>	<b>4,936</b>	<b>(125)</b>	<b>1,743</b>	<b>1,755</b>	<b>(12)</b>	<b>8,331</b>	<b>8,394</b>	<b>(63)</b>