

## Quarterly Performance Report –Public Protection

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**Report Date** Quarter 3 2012-13  
**Report Period** Quarter 3 : October – December 2012

### Introduction

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The report is produced on a quarterly basis and is provided to Cabinet members for review and assurance and will be available for Overview and Scrutiny Committees as part of their Forward Work Programmes.

The report consists of an overview of the key messages to highlight across all work streams in Public Protection, which is followed by highlights from each service area. Parts 2 and 3 of the report include an assessment of performance in the quarter from the following sources:

- Improvement Plan Monitoring
- Strategic Assessment of Risks and Challenges
- Performance Indicators and Outcome Measures
- Improvement Target Action Plan Monitoring
- Key Actions from Service Plan Monitoring
- Internal and external regulatory reports
- Customer satisfaction and feedback
- Awards and accreditations
- Resource Management (HR, ICT, Finance, Assets)

# 1. Foreword

Report highlights for this quarter are the following items: -

<p><b><u>Community Protection:</u></b></p> <p><b>Trading Standards</b></p>	<p>The indicator for Trading Standards High Risk inspections is jointly reported by the Compliance, Food Safety/Standards and Investigations sections. Performance this quarter is slightly lower than the target at 63%; however the end of year target of 100% is expected to be achieved as a Trading Standards Officer will be appointed on a fixed term contract. The other indicators for Trading Standards are annually reported and at current performance are projected to meet the 100% target by the end of the fourth quarter.</p> <p>Primary Authority</p> <p>Flintshire was asked by the Better Regulation Development Office (BRDO) to take part in a six month pilot relating to the under age sale of alcohol. This will be part of the Primary Authority scheme that the Council already operates with Iceland Foods Limited but will also involve JD Wetherspoon pubs. We have agreed to take part because currently the under age sale of alcohol is excluded from the Primary Authority scheme. The BRDO wishes to analyse whether there are any obstacles to bringing it into the scheme. One of the obvious complications is that the Police have responsibility for enforcing the under age sales provisions in on-licensed premises and are therefore outside the current local authority/company Primary Authority regime.</p> <p>Fireworks</p> <p>Another important age restricted product is fireworks. Officers carried out unannounced checks during the run up to Bonfire Night on premises that sell fireworks to ensure that no sales take place to under 18's. They also check on safety standards of storage and that only the correct categories of fireworks are sold to the general public. Thirty four premises were checked and no formal action was required.</p> <p>National Consumer Week</p> <p>This took place in mid-November and focussed upon cold calling with the slogan 'Cold Calling – Don't Buy It' The aim was to raise awareness that people have the right to refuse to entertain traders who arrive unannounced at their home and if they choose to invite such traders in then they have specific consumer rights. Officers arranged displays at Flintshire markets in conjunction with Neighbourhood Watch; issued press releases; provided talks to Police Community Support Officers and Over 50's Groups and</p>
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	<p>issued alerts via the OWL system (On-line Watch). There are now 62 No Cold Calling Zones in Flintshire which help to protect particularly vulnerable residents.</p> <p>Prosecution</p> <p>Flintshire has involved the Wales Illegal Money Lending Unit in the investigation of a small chain of pawn shops. Businesses are required to be licensed by the Office of Fair Trading if they offer consumer credit. It is alleged that this business is operating without a credit licence. The matter is due to be heard in the Crown Court in Spring 2013.</p> <p>Other action</p> <p>Two market traders were issued with warnings as to future conduct for having unsafe counterfeit cigarette lighters on sale.</p>
<b>Licensing</b>	<p>Internal Audit of Licensing</p> <p>This was concluded at the end of October and the draft report has been received. The report was generally very positive about the service and the policies and procedures in place. No major issues were identified and only a couple of minor procedural amendments required</p> <p>Disclosure and Barring Service</p> <p>The Criminal Records Bureau and the Independent Safeguarding Authority merged on 1<sup>st</sup> December 2012 to become the Disclosure and Barring Service. Though the Protection of Freedoms Act has introduced new definitions of Regulated Activity, taxi or private hire vehicle drivers will remain subject to enhanced DBS checks and also to checks against both the adults barred list and the children's barred list.</p> <p>Gambling</p> <p>Flintshire's latest statement of Gambling Policy was approved at the Licensing Committee at the end of November. This lays out the matters that the Licensing Authority will take into account when dealing with the various licences and permits that are issued under the Gambling Act. The new Policy runs for 3 years from January 2013 until the end of 2015.</p>
<b>Community Safety</b>	<p>Information on offending rates across the six North Wales authority areas was recently published by the Police. Flintshire was below the Force average in all the categories covered and was lowest in terms of violent crime and shoplifting. The overall reported crime rate in Flintshire was 51.25 per 1000 people and this was bettered only by Anglesey at 47.91.</p>

Flintshire Community Safety Team convened a Partnership meeting to formulate a multi agency action plan highlighting activities around the Halloween/ Bonfire night period. The meeting was attended by North Wales Police, North Wales Fire & Rescue, Neighbourhood Wardens, Neighbourhood Policing Teams, the Arson Reduction Team and Trading Standards. Information was shared relating to activities around the purchase of fireworks, licensed sellers of fireworks, leaflet drops and patrolling of hotspot areas, and funding for and the location of specific local neighbourhood events. Each agency was forthcoming with support for other agencies' activities and partnership working arrangements were formulated and agreed.

**Anti Social Behaviour**

In early October the ASB Coordinator was invited to present at Connah's Quay Town Council. An overview of the work of the Flintshire Community Safety Partnership, how it reacts to incidents of ASB and its relationship with partner agencies was given to Members. The presentation was very well received with positive feedback given. Members brought up emerging issues in Connah's Quay which the ASB coordinator was already dealing with, thus highlighting good information sharing protocols within CSP agencies.

**Neighbourhood Wardens**

The Wardens continue to deal with domestic violence referrals by offering support and fitting target hardening measures such as door and window locks, alarms and letterbox plates (to prevent flammable liquids being poured in). In addition they continue to undertake patrols in areas identified by anti social behaviour officers, police officers, housing officers and at the ASB Forum. They have also been involved in the drug related initiatives in areas of Deeside, offering reassurance visits and patrols, providing and fitting target hardening equipment and issuing advice leaflets.

The Wardens supported the launch of the 'Bike Safe' scheme. This is a regional campaign which is supported by the Community Safety Partnerships of North Wales. During October and November the Wardens participated in 6 events held on Friday and Saturday nights at venues across Flintshire. Their role has been to etch bikes and scooters which is a theft deterrence measure, and also to offer general community safety advice.

**Environmental Protection:**

**Environmental Control**

During this quarter, this section has responded to 99 service requests, served 3 statutory nuisance notices for rubbish

	<p>accumulations and one emergency prohibition order to prevent a hazardous property being occupied. The service receives on average 160 service requests per quarter.</p> <p>Private water supply annual sampling has been completed during this quarter along with the County's swimming pool audit sampling having been undertaken.</p>																								
<p><b>Pollution</b></p>	<p>The section has dealt with 93 service requests from residents and 194 consultations from Planning and Licensing during this quarter.</p> <table border="1" data-bbox="448 573 1422 853"> <thead> <tr> <th></th> <th><b>Q3 2012</b></th> <th><b>Q3 2011</b></th> </tr> </thead> <tbody> <tr> <td>Nuisance Complaint</td> <td>4</td> <td>8</td> </tr> <tr> <td>Noise Complaint</td> <td>82</td> <td>69</td> </tr> <tr> <td>Smoke Complaint</td> <td>3</td> <td>9</td> </tr> <tr> <td>Contaminated Land Action</td> <td>4</td> <td>7</td> </tr> <tr> <td>Planning Consultation</td> <td>192</td> <td>156</td> </tr> <tr> <td>Licensing Consultation</td> <td>2</td> <td>3</td> </tr> </tbody> </table> <p>One abatement notice for noise nuisance has been served during Quarter 3.</p> <p>Work commenced on the preparation of an Order to declare an Air Quality Management Area (AQMA) at a property in Mold, where air quality levels have exceeded the tolerable levels.</p> <p>Work has also continued this quarter on updating the Council's Contaminated Land Strategy.</p>		<b>Q3 2012</b>	<b>Q3 2011</b>	Nuisance Complaint	4	8	Noise Complaint	82	69	Smoke Complaint	3	9	Contaminated Land Action	4	7	Planning Consultation	192	156	Licensing Consultation	2	3			
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<p><b>Animal and Pest Control</b></p>	<p>During the quarter the emphasis of the work has switched from the traditional summer type complaints regarding Wasps and Ants to Mice and Rats. The team has treated and dealt with the following number of reported public health and nuisance pest incidents during the quarter:</p> <table border="1" data-bbox="448 1469 1422 1771"> <thead> <tr> <th></th> <th><b>Q3 2012</b></th> <th><b>Q3 2011</b></th> </tr> </thead> <tbody> <tr> <td>Mice</td> <td>138</td> <td>146</td> </tr> <tr> <td>Rats</td> <td>358</td> <td>256</td> </tr> <tr> <td>Unidentified insects</td> <td>1</td> <td>0</td> </tr> <tr> <td>Fleas</td> <td>4</td> <td>16</td> </tr> <tr> <td>Wasps</td> <td>76</td> <td>42</td> </tr> <tr> <td>Garden Ants</td> <td>2</td> <td>0</td> </tr> <tr> <td>Other Pests</td> <td>7</td> <td>5</td> </tr> </tbody> </table> <p>Signs at the majority of school sites where they do not permit access to the public have now been erected, with the remainder to be completed during January 2013, in order for the Council's enforcement officers and North Wales Police to undertake enforcement action for dog fouling under Section 547 of the Education Act 1996.</p>		<b>Q3 2012</b>	<b>Q3 2011</b>	Mice	138	146	Rats	358	256	Unidentified insects	1	0	Fleas	4	16	Wasps	76	42	Garden Ants	2	0	Other Pests	7	5
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	<p>Proactive patrols have again continued to be undertaken by North Wales Police and our enforcement officers for littering and dog fouling offences. In addition to the patrols Enforcement Officers have also replaced / erected new No Dog Fouling Signage throughout the county totaling approximately 70 in number. No fixed penalty notices were issued during this quarter.</p> <p>The authority's <i>Doggy Do</i> App was fully operational during the quarter with usage rates showing 58 reports made via the app during the quarter. These related to 52 reports of Dog Fouling and 6 of full or overflowing Dog Bins</p>																														
<p><b>Bereavement Service</b></p>	<p>The Council's revised Cemetery Regulations were distributed to all Funeral Directors and Stone Masons within the county.</p> <p>During the quarter the service undertook 113 interments (both full burial and cremated remains) compared to 88 for the same period in 2011 / 12</p> <p>During the quarter the service undertook 2 Public Health Burials (people who die without any funds or anyone willing or able to make funeral arrangements for them).</p> <p>Ongoing improvement works to Hawarden No2 (Garden of Remembrance), Treuddyn (Drainage to Cemetery extension area) and Kelsterton (Woodland Burial Area) continue with a planned completion by the end of the financial year.</p>																														
<p><b>Building Control</b></p>	<p>During Q3, the Building Control section have dealt with:-</p> <table border="1" data-bbox="475 1261 1385 1742"> <thead> <tr> <th></th> <th>Quarter 3 2012</th> <th>Quarter 3 2011</th> </tr> </thead> <tbody> <tr> <td>Full Plans submissions</td> <td>57</td> <td>85</td> </tr> <tr> <td>Building Notice submissions</td> <td>41</td> <td>33</td> </tr> <tr> <td>Partner Authority submissions</td> <td>22</td> <td>19</td> </tr> <tr> <td>Partner Inspector submissions</td> <td>1</td> <td>7</td> </tr> <tr> <td>Regularisation submissions</td> <td>0</td> <td>4</td> </tr> <tr> <td>Dangerous Structure cases</td> <td>4</td> <td>5</td> </tr> <tr> <td>Demolition Notices</td> <td>1</td> <td>4</td> </tr> <tr> <td>Street naming / numbering and house naming cases</td> <td>9</td> <td>24</td> </tr> <tr> <td>Consultations from Planning</td> <td>31</td> <td>48</td> </tr> </tbody> </table> <p>During the third quarter Building Control has dealt with applications for,</p> <ul style="list-style-type: none"> <li>• A new junior school in Talieson Avenue, Shotton.</li> <li>• Alterations to accommodate 1<sup>st</sup> floor office facility and a coffee shop and support facilities for Airbus in Broughton.</li> </ul>		Quarter 3 2012	Quarter 3 2011	Full Plans submissions	57	85	Building Notice submissions	41	33	Partner Authority submissions	22	19	Partner Inspector submissions	1	7	Regularisation submissions	0	4	Dangerous Structure cases	4	5	Demolition Notices	1	4	Street naming / numbering and house naming cases	9	24	Consultations from Planning	31	48
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	<ul style="list-style-type: none"> <li>• A residential development of 9 dwellings in Buckley.</li> </ul> <p>Members of Building Control were called to Pantymwyn where a hole associated with former lead workings had opened in the ground 2 metres from a dwelling. There was the potential for parts of the building to collapse into the hole. The owner was advised to vacate the premises whilst a specialist consultant reviewed the situation. The owner has moved his family from the property but has decided to stay in the property himself. The hole/shaft has been capped and further investigation work is being carried out to determine whether underpinning work is required to the dwelling.</p> <p>Staff dealt with a notice of intended demolition of the former Headland Foods factory at Castle Park, Flint.</p> <p>Staff from Building Control hosted a presentation in October with Welsh Water to Architects, Surveyors, Engineers and Building Contractors, explaining the new legislation relating to the transfer of ownership of private sewers and lateral drains to the Water Authority. Building Control staff continue to advise many builders about the new legislation relating to what are now considered Public Sewers.</p> <p>The team continues to undertake Fire Risk Assessments of Council owned buildings and have now almost completed all schools in the county.</p>
<p><b><u>Health Protection:</u></b></p> <p><b>Food Safety and Food Standards</b></p>	<p>Performance against High Risk inspections undertaken has improved this quarter with an outturn figure of 68% recorded against the target of 75%. The percentage number of Broadly Compliant premises has remained at 82% which is in excess of the target of 80%. The section is now up to full staff complement with the appointment of additional staff on fixed term contracts until 31<sup>st</sup> March 2013. It is therefore anticipated that end of year Performance targets will be met.</p>
<p><b>Health &amp; Safety Enforcement</b></p>	<p>Work is progressing well with the Estates Excellence project in conjunction with Wrexham County Borough Council to promote and mentor Health and Safety awareness on the Deeside and Wrexham Industrial parks. During this quarter 283 initial visits to encourage businesses to join the Project were made across the two estates with approximately 120 of these relating to businesses on the Deeside Industrial Park. This has yielded a 56% success rate with 159 businesses in total across the two estates agreeing to take part. This work will gain momentum during the final quarter i.e. Jan to March 2013.</p>

<b>Corporate Health &amp; Safety</b>	During this quarter there has been a further session of Member Development Health and Safety training as well as a further session of senior management Health and Safety training in the “The Principles of Safety Leadership”. Both have been well received. The Health and Safety advisors are now to commence a series of audits based on risk to monitor and assist with Health and Safety compliance across Directorates.
<b>Animal Health and Welfare</b>	<p>A significant long running prosecution case was concluded successfully in favour of the Council during this quarter relating to offences against Bovine Tuberculosis regulations. The farmer was sentenced to 10 and 1/2 months in prison and the level of sentencing in this case was regarded as being unusually high for a trading standards animal health case, reflecting the severity of the offence and ongoing offending of the trader.</p> <p>During this quarter we have been able to provide maternity cover for the Health Promotion officer role and this has enabled the Hand Washing project for schools to be progressed as well as raising the profile of the service by a number of internal and external informative articles and press releases relating to such matters as Food Safety on a Budget, minimising food waste, food safety at Christmas and the dangers of fireworks.</p>
<b>General</b>	Work has continued well with respect to the Business Support project and a meeting is scheduled for early in the New Year to progress matters in conjunction with Flintshire’s Economic Regeneration Unit.

## 2. Performance Summary

### 2.1 Improvement Plan Monitoring

The following table summarises the progress made to date and the progress against the desired outcome of the Council Improvement Priorities on which Public Protection lead.

#### KEYS



**Progress RAG** – Complete the RAG status using the following key: -

<b>R</b>	<b>Limited Progress</b> - delay in scheduled activity; not on track
<b>A</b>	<b>Satisfactory Progress</b> - some delay in scheduled activity, but broadly on track
<b>G</b>	<b>Good Progress</b> - activities completed on schedule, on track

**Outcome RAG** – Complete the RAG status using the following key: -

<b>R</b>	<b>Low</b> - lower level of confidence in the achievement of outcome(s)
<b>A</b>	<b>Medium</b> - uncertain level of confidence in the achievement of the outcome(s)
<b>G</b>	<b>High</b> - full confidence in the achievement of the outcome(s)



Council Priority	Target Date	Progress RAG	Outcome RAG	Commentary
5.9 Implement recommendations of E-coli inquiry	Ongoing			See Para 3.1

## 2.2 Strategic Assessment of Risks and Challenges

At present Public Protection does not lead on mitigating any of the risks identified in the SARC.

### 2.3.1 Performance Indicators and Outcome Measures

The status of the indicators are summarised for this quarter below:

 2       1       4

Graphs and commentary are included section 3 for those indicators shown with a RAG status of either Amber or Red. An asterisk (\*) indicates that the indicator is an *improvement* target.

The following are annual PIs and will be reported at Q4: -

PPN/007 – The percentage of significant breaches that were rectified by intervention during the year for i) Trading Standards, ii) Animal Health.



PPN/008 - The percentage of new businesses identified which were subject to a risk assessment visit or returned a self assessment questionnaire during the year for i) Trading Standards, ii) Food Hygiene, iii) Animal Health & iv) Health & Safety.






PSR/007A – Of the Houses in Multiple Occupation (HMO) known to the local authority, the percentage that have a full licence.

PSR/007c – Of the Houses in Multiple Occupation (HMO) known to the local authority, the percentage subject to enforcement.

PSR/008 - The percentage of high risk private sector dwellings improved to an acceptable level.

1A4.2L3 – Develop targets for increasing satisfaction levels by 5% per year over baseline.

Indicator	Annual Target	Previous Quarter Outturn	Current Quarter Target	Current Quarter Outturn	RAG	Change e.g. Improved / Downturned
BCT/004 – The percentage of building control 'full plan' applications checked within 15 working days during the year	92%	95%	92%	97%		Improved
BCT/007 – The percentage of 'full plan' applications approved first time	95%	100%	95%	100%		No change

Indicator	Annual Target	Previous Quarter Outturn	Current Quarter Target	Current Quarter Outturn	RAG	Change e.g. Improved / Downturned
PPN/001i-iv – The percentage of high risk businesses that were liable to a programmed inspection that were inspected for: -						
PPN/001i – Trading Standards	100%	50%	75%	65%		Downturn (see Para 3.2.1)
PPN/001ii – Food Hygiene	100%	40%	75%	68%		Improved (see para 3.2.2)
PPN/001iii – Animal Health	100%	38%	75%	53%		Improved (See Para 3.2.3)
PPN/001iv – Health & Safety	100%	N/A	75%	75%		Improved
PPN/009 (I.P. 5.9) – Percentage of food establishments which are 'broadly compliant' with food hygiene standards <b>(Improvement Success Measure)</b>	80%	82%	80%	82%		No change

### IMPROVEMENT SUCCESS MEASURES

Please see 3.2 for commentary on amber performance indicators.

#### 2.3.2 Improvement Target Action Plan Monitoring

Key - ✓ on track, ✗ behind schedule, C completed

Ref	Action & Planned Completion date	Progress
PPN/008i * -The percentage of new businesses identified which were subject to a risk assessment visit or returned a self assessment questionnaire during the year for Trading Standards	Monthly monitoring of new businesses and allocation of work to ensure target is met	✓
PSR/007c * – Of the Houses in Multiple Occupation (HMO) known to the local authority, the percentage subject to enforcement.	Working with landlords to ensure properties are up to the required standards and serving enforcement notices where necessary.	✓

Ref	Action & Planned Completion date	Progress
PSR/008 * - The percentage of high risk private sector dwellings improved to an acceptable level	Using the new guidance provided to identify high risk properties and working closely with private landlords and house owners to improve standards within dwellings. Enforcement notices served where necessary	✓
IA4.2L3 * - Develop targets for increasing satisfaction levels by 5% per year over baseline.	The customer survey for work carried out by the service during 2012/13 will be undertaken during the year and the results of the survey will be provided at the end of the year.	✓

## 2.4 Key Actions from Service Plan Monitoring

The following table shows the progress made against key areas of improvement/actions in the Public Protection service plan. A ✘ indicates those areas which have incurred slippage or have been subject to a revised timetable and references the paragraph number where commentary can be found to further explain the slippage/revised timescales: -

**Key** - ✓ on track, ✘ behind schedule, C completed

Improvement Area	On-track?	Commentary
Implementing the recommendations of the e-coli Public Enquiry report	✓	See paragraph 3.1
Improve Business Compliance in high risk premises	✓	
Deliver FSA and DEFRA Framework agreements	✓	
Support Neighbourhood Renewal Programme	✓	
Review, Improve and Integrate new services and functions.		
Effective Implementation of Corporate Health and Safety Strategy and Strategic Health and safety Improvement Plan.	✓	
Tackling dog fouling, littering and other environmental crime.	✓	

## 3. Exception Reporting

### 3.1 Implementation of the recommendations from the E. coli inquiry.

As previously reported the Food Standards Agency have issued new guidance relating to E. coli. All food hygiene inspections in Flintshire are being carried out with due regard to this new guidance but as a consequence progress on this recommendation is reported as Amber rather than Green at this time.

## **3.2 Performance Indicators**

### **3.2.1 PPN/001i – Trading Standards – High Risk Businesses**

The vacant Trading Standards Officer posts within the service meant that there was insufficient capacity with regard to Weights and Measures expertise to fully complete all the inspections within the time period. An officer on a fixed term contract will be appointed shortly which should ensure that the year end target is met.

### **3.2.2 PPN/001ii – Food Hygiene – High Risk Businesses**

The indicator is slightly below target for this quarter but considerable improvements have been made. During this quarter replacement staff have started work on six month fixed term contracts until 31<sup>st</sup> March 2013 which should ensure that the set target of 100% is achieved by the end of the year.

### **3.2.3 PPN/001iii – Animal Health – High Risk Businesses**

This indicator is below the target figure for this quarter and also below the intervention level target of 65% hence the red RAG status but this is due to the fact that many of the High risk inspections are due in Quarter 4 when welfare issues are most prevalent in the winter months. A review of the quarterly targets, particularly at Quarter 3 is to be carried out to reflect this. It is fully anticipated that the end of year target of 100% will be met.