

## PERTH AND KINROSS COUNCIL

## Community Safety Committee

14 January 2015

## REGULATORY SERVICES IN THE ENVIRONMENT SERVICE

## Report by the Depute Director (Environment)

**PURPOSE OF REPORT**

This report highlights the community safety work carried out by the Environment Service's Regulatory Services, and sets out future priorities for the team.

**1. BACKGROUND / MAIN ISSUES**Regulatory Services

- 1.1 Regulatory Services (within Environmental and Consumer Services in the Environment Service) cover activities such as Environmental Health, Food Safety, Trading Standards, Animal Feedstuffs, workplace Health and Safety, Private Water Supplies, Contaminated Land, Animal Health & Welfare, and various licenses and permissions.
- 1.2 A chart of the management and service structure can be found in Appendix 1.
- 1.3 The purpose of these regulatory activities is to meet the Council's objectives for ensuring the safety of our community, protecting the environment, and ensuring a prosperous economy. These teams are also required to comply with certain statutory enforcement duties placed on the Council. Several elements of the Service's work are determined and monitored by national bodies such as the Food Standards Agency in Scotland, the Health & Safety Executive and the Drinking Water Quality Regulator.
- 1.4 These regulatory activities are part of the overall public protection response of community planning partners, dealing principally with hazards presented by physical and environmental factors.
- 1.5 Regulation is an important part of the context within which businesses operate, and people co-exist. Effective and well-targeted regulation by the Council plays an important role in ensuring the economic well-being of Perth and Kinross. It protects the vulnerable and the environment. It promotes equality, and helps raise the standards of service. It provides the platform for fair competition, giving reassurance to consumers and businesses alike. As such, regulation is an enabler to economic activity.
- 1.6 The principles under which enforcement officers seek to achieve compliance with the civil and criminal legislation enforced by Regulatory Services is detailed in the Service's Enforcement Charter. The Charter is designed to help businesses and individuals understand the Service's objectives and methods for achieving compliance, as well as the criteria considered when

deciding what the most appropriate response is to a breach of legislation. Through this Charter, officers carry out our enforcement activities in a fair, helpful, transparent, accountable, proportionate and consistent way. The Charter was submitted to a previous Committee meeting (Report No 12/359 refers).

- 1.7 To illustrate the range of activities covered by Regulatory Services, the following represents some of the main activities of the teams during 2013/14. This report is usually submitted in Autumn of each year, but was deferred, due to the services extensive involvement in the preparations for the 2014 Ryder Cup and Junior Ryder Cup.

### **Trading Standards**

- 1.8 This team is responsible for enforcement of a wide range of consumer protection legislation including fair trading, weights and measures and product safety. The aim of the service is to safeguard consumers, particularly those in vulnerable groups, and business interests, by promoting a fair, safe and healthy trading environment for the benefit of communities.
- 1.9 Since 1 April 2012, the national service - Citizens Advice Consumer Service (CACS) have dealt with all first tier consumer complaints via their dedicated hotline. Trading Standards deal with criminal allegations and complex complaints requiring officer input and investigation. A total of 2,267 enquiries were received by CACS from consumers in Perth and Kinross, 125 of which required further investigation. The remainder were reviewed by the team to assess any need for further action. Increasingly officers must also extract any relevant intelligence from these enquiries for submission to the Memex database (the national intelligence database operated by Trading Standards Scotland which is used to collate information on cross boundary consumer protection concerns)
- 1.10 In terms of responding to enquiries, service requests and routine inspection activities, the team dealt with the following in 2013/14:
- 109 requests for assistance/advice from businesses
  - 125 Consumer complaints
  - 532 visits to trader premises to offer advice
  - 91 Inspections of high risk premises
  - 34 visits to filling stations regarding Petroleum Safety
  - Weight & Measures Testing - calibration checks were carried out on 192 petrol meters, 32 weighbridges, 27 weighing machines, 3 liquid fuel tanker meters and 2,100 other measures (measuring devices for length / capacity).
- 1.11 The perpetrators of “scams” (e.g. fraudulent schemes to extract money for non-existent services or financial opportunities) tend to target vulnerable individuals in our communities. In relation to developing Scams awareness amongst vulnerable groups, the team liaised with Social Work colleagues to identify and assist chronic victims of scams.

- 1.12 During 2013/2014, the team gave 9 Scams Awareness Training Sessions to 164 carers of vulnerable adults, with a further 15 Scams Awareness Presentations to 446 members of various community groups.
- 1.13 The team also signed up to the National Scams Hub Project in December 2013. The project, based in East Sussex Trading Standards, uses various sources of intelligence to identify individuals who are being targeted by scam mail.
- 1.14 Details of 180 individuals identified by the East Sussex project as residing in Perth and Kinross were referred to the team, and initial contacts were established with 20 victims in the period to 31 March 2013. In one case, the victim had sent in excess of £50,000 to fake lotteries and clairvoyants since 2006.
- 1.15 Working in partnership with Social Work, Police Scotland and Adult Protection, each individual identified as being resident in Perth and Kinross will be contacted to help prevent them suffering from the kind of financial abuse and distress that the perpetrators of scams cause.
- 1.16 New Psychoactive Substances (NPS - sometimes confusingly called 'legal highs') are becoming a worrying product readily available from both the internet and retail outlets. NPS mimic the effects of illegal drugs, but are outwith the control of the Misuse of Drugs Act. Because of this, Trading Standards Officers from Perth & Kinross Council, Angus Council and Police Scotland met to explore what other avenues of legislative enforcement could be used to tackle this issue. A joint visit with Police Scotland was carried out on premises in Perth, with an inspection being made and advice given to the trader. At this time, no contraventions of any legislation was established.
- 1.17 The T in the Park festival imposes a ban on NPS being brought into the site and, as part of their routine inspections during the event in 2014, Trading Standard Officers ensured that all retail units on site were abiding by that policy.
- 1.18 As part of the ongoing Scottish Government enhanced tobacco enforcement programme, 27 test purchases of tobacco were carried out from retailers, using underage volunteers. In 4 cases, cigarettes were sold to the volunteers. Written warnings were issued to these businesses. In addition, 59 advisory visits were carried out to retailers to offer assistance in meeting legislative requirements for tobacco sales. The team also offered all relevant traders (sellers of age restricted products) advice packs with detailed advice on underage sales of products such as fireworks, tobacco, spray paints, knives and DVDs during these visits.
- 1.19 In April 2013, a prohibition on the use of automatic tobacco vending machines was introduced, and a new requirement controlling the public display of tobacco products in retail premises was initiated (i.e. cigarettes etc can no longer be visibly displayed). Prior to the introduction of the ban, 75 premises in Perth and Kinross were known to have had a tobacco vending machine. Action was taken to ensure that each of these premises complied

with the ban. Visits were also made to ensure that all larger shops (such as supermarkets) were in compliance with the tobacco display ban.

- 1.20 To help residents to deal effectively with unwanted 'doorstep traders', Trading Standards distributed 'No Cold Calling' stickers to display on their doors. In 2013/14, approximately 4,000 of these stickers were distributed to residents of Perth and Kinross via Council offices, Police Scotland, as well as during talks and presentations from staff. Residents were encouraged to report those traders who ignore the stickers to Trading Standards as recent legal opinion states that if a trader does so it may be a criminal offence under the Consumer Protection from Unfair Trading Regulations.
- 1.21 The team also improved liaison with other trading standards services across the UK via Memex, the secure intelligence sharing database. Information gained is now being used to alert consumers and local businesses of scams and rogue traders operating in the area. 84 intelligence logs have been submitted to the Memex system since September 2013.
- 1.22 Trading Standards are now issuing regular Tweets via the Council Twitter feed using their own hashtag, '#TS\_Alert'. Trading Standards have issued 9 locally generated tweets and re-tweeted numerous alerts from other sources (such as other Trading Standards services). In addition, 29 media releases have been published highlighting issues which could potentially have affected residents of Perth & Kinross.
- 1.23 Perth and Kinross Council was the first Scottish Authority to make use of the Neighbourhood Watch portal (Neighbourhood Alert), allowing email alerts to be sent to subscribers in the area (similar to Twitter but with larger content). This almost immediate real-time method of sending local alerts is used when there is an urgent need to disseminate information about ongoing local scams or rogue traders. This allows relatives and carers of vulnerable persons to receive the alerts on that person's behalf. Trading Standards issued 7 of these "urgent" alerts via the alert portal in 2013/14.
- 1.24 The team participated in the Safe Taysiders initiative, giving presentations on safety of consumer products, such as toys, to over 1,900 primary school pupils attending 70 schools.
- 1.25 Trading Standards continues to manage and promote a publicly available list of trusted traders, which the public can use to access services with confidence. The Better Business Partnership continues to grow in terms of new members with 14 new member applications received in 2013/14. The scheme now has a total of 261 registered members. The team has been working with IT colleagues to develop a new webpage for the scheme in order to enhance facilities for users. When the webpage is complete, users will be able to search for particular trade sectors within geographic areas e.g. joiners based within 5 miles of the user's home. It was felt that this approach would help to promote businesses local to the user.
- 1.26 The team also continually examine the internet to identify online traders operating from Perth and Kinross. Advice is given, where appropriate, to

locally based businesses regarding online trading and specific requirements such as Weights and Measures, Safety, Pricing, and Trade Descriptions. This helps ensure these businesses are meeting relevant safety and consumer protection requirements.

## **Animal Welfare**

- 1.27 The Animal Welfare team was formed in 2012 by combining the activities of the existing animal health officer and dog control officers to increase the capacity available to enforce both animal health and dog control legislation.
- 1.28 In 2013/14 the team dealt with
- 556 dog fouling complaints
  - 206 enquiries about stray dogs
  - 161 complaints regarding barking dogs
  - 3 dangerous dog alerts and 63 alerts requiring investigation under Control of Dogs legislation
  - Service of 7 Dog Control notices
  - Service of 6 Fixed Penalty Notices for fouling offences
  - 71 requests for dog waste bins.
  - 44 talks to schools under the 'Safe and Sound Scheme' which teaches children appropriate techniques, to be safe around dogs
  - 322 service requests related to livestock, of which 198 were complaints which required investigation
  - 80 visits to livestock premises
- 1.29 The team launched a new strategy to tackle the problem of dog fouling. Centred around the message, ' If They Don't Bin It - Drop Them In It', the campaign is attempting to encourage those affected by fouling in their area to assist the enforcement officers by providing as much information as possible to help identify the offenders and targets "hot spot" areas identified via public complaints.
- 1.30 Eye-catching posters bearing the new message are now displayed in the Hotspot area for a period of approximately 1 week with increased 'overt' patrols carried out when possible and practical. Information received is collated and follow-up action instigated – e.g. warning letters to alleged offenders (where insufficient evidence to issue a Fixed penalty Notice is available) or targeted covert patrols (if information is received but no offenders are identified). The new approach was launched on 10 February 2014 and 2 areas were targeted in the 2013/14 period.
- 1.31 Although very little useful information has been received so far about specific offenders, the initiative has been well received in areas receiving the increased attention, and appears to have an at least temporary effect, by reducing the complaint levels in the targeted area.
- 1.32 Without specific 'intelligence', it is extremely difficult, time-consuming and costly for enforcement officers to ensure that they can be in the correct place

at the correct time to catch an unidentified offender 'in the act' of allowing their dog to foul our streets and parks.

- 1.33 Following training and supply of equipment from the Dogs Trust, officers are now able to carry out free microchipping of dogs at the various events they attend. Microchipping is a permanent way of identifying dogs – during 2013/14, the officers chipped 195 dogs.
- 1.34 The team investigated and co-ordinated a response to the escape of a number of wild boar from a licensed Dangerous Wild Animals premises. This led to a warning being issued to the licence holder that further breaches could jeopardise future licence applications.

### **Food Safety**

- 1.35 The Food Safety team is responsible for the delivery of a Food Law enforcement service. This service meets the requirements of the Food Standards Agency in Scotland's "Framework Agreement on Local Authority Food Law Enforcement" to protect and promote the health, safety and wellbeing of communities. This team's remit covers all aspects of food hygiene and food standards legislation as well as investigating food poisoning and communicable diseases.
- 1.36 Food hygiene inspections continue to be targeted at implementing the Food Standard Agency in Scotland's Guidance on E Coli O157 – Control of Cross Contamination. This has resulted in longer inspection times for officers visiting food businesses. Prioritised inspections are targeted at those businesses which pose the greatest contamination risk, due to the handling of raw meat and vegetables alongside ready to eat foods.
- 1.37 In 2013/14, the activities of the team included the following:
- 1.38 493 programmed food hygiene visits to food businesses, to ensure the safety and quality of the food served to the public, of which;
- 129 inspections required a revisit
  - 16 inspections resulted in the service of enforcement notices
  - 5 inspections resulted in voluntary closure by businesses until hygiene standards were improved
  - 1 Remedial Action Notice was issued to suspend a manufacturing process until product shelf life trials had been verified
  - 98% of food businesses were accredited as a Pass (i.e. Satisfactory) on the publicly available Food Hygiene Information System.
- 1.39 227 programmed food standards inspections were carried out to examine compliance with microbiological safety, compositional requirements and labelling of foodstuffs. A total of 266 food samples were submitted for microbiological examination or chemical analysis. These gave the following results

- 6 out of 102 food samples submitted for chemical analysis were unsatisfactory (for compositional reasons )
  - 7 out of 164 food samples submitted for microbiological examination were unsatisfactory (due to unhygienic handling or inadequate temperature control).
- 1.40 All unsatisfactory samples were investigated and the necessary improvements were actioned by the businesses concerned.
- 1.41 The team also worked closely with NHS Tayside to carry out 61 infectious disease investigations (based on notifications from the Health Board). This was to identify likely causes of infection, and manage the potential risk of spread of disease, for infections such as Salmonella, E Coli O157, Dysentery and Cryptosporidium.
- 1.42 In June 2014, the Food Safety team gained the UK Government's Customer Service Excellence Award for the 15<sup>th</sup> consecutive year. The team received no "partial compliances" or "non compliances" against the 57 elements of the award criteria, and was commended for "achieving beyond the standard" in four areas of compliance.
- 1.43 The Food Safety team continued to work with MEAD (the Multi Ethnic Access Development Project), to support the large number of ethnic minority food businesses in the area, as communication issues can be a barrier to full engagement and understanding of legal requirements. Further expansion of the range of advice available is planned, to include Scam awareness and zero waste issues. The team were awarded a Silver Securing the Future Award in May 2013 for their joint work with the MEAD on this project.

### **Health and Safety Enforcement**

- 1.44 This team is responsible for ensuring the safety of employees and customers, by enforcing the Health and Safety at Work Etc Act in service industries which represent over 50% of the businesses in Perth and Kinross.
- 1.45 The team carried out 186 inspections of work premises of which;
- 6 inspections resulted in a revisit
  - 3 Improvement Notices were issued
  - 14 serious accident notifications were investigated, one of which has a pending report to the Procurator Fiscal
- 1.46 The team dealt with 124 enquiries on work safety related topics for example tattoo licensing, gas safety certification, swimming pools.

### **Environmental Health**

- 1.47 The Environmental Health team's aim is to deliver an Environmental Health enforcement service to improve, protect and maintain the health and well-being of the communities in Perth and Kinross through action on the physical environment and people's life circumstances

1.48 During 2013/14:

- 766 planning application consultations were examined and commented on, in order to prevent or minimise the potential for future environmental nuisance. Aspects of potential nuisance considered included :
  - Potential for noise pollution – 451
  - Potential for odour issues – 137
  - Potential for air pollution issues – 54
  - Potential for light pollution issues – 38
  - Potential for contaminated land issues – 332
  - Potential for private water supply issues - 171
  - Potential for vibration issues – 25
  - Potential for dust issues – 17
- 192 pest control complaints and enquiries were received, resulting in 75 requests for remedial action (predominantly in respect of rat or mouse infestations) to be carried out by the Council's pest control contractor.
- 1,774 service requests were dealt with in relation to disrepair, dampness and other conditions in relation to private housing conditions, public health concerns about drainage and refuse, smoke complaints, noise nuisance and housing grants for disabled adaptations.
- 31 funerals were organised and funded in terms of the National Assistance Act 1948. It is the duty of the Council to make and fund such arrangements where the deceased person does not have family, friends or there is insufficient funding to organise a burial or cremation for that person.
- Disabled adaptations – 203 properties were adapted to meet the needs of disabled residents, funded through the Council's Private Sector Housing Grant scheme and managed by the Environmental Health team.
- 88 air monitoring diffusion tubes were replaced on a monthly basis in Perth city centre, Dunkeld, Auchterarder, Kinross, Glenfarg and Crieff. These were submitted to the Public Analyst for analysis. These tubes are used to monitor air quality in the area, in respect of Nitrogen dioxide (NO<sub>2</sub>), in addition to 2 real time monitors which record NO<sub>2</sub> and particulates (PM<sub>10</sub>)
- Crieff High Street was declared as an Air Quality Management Area (AQMA) in February 2014, due to measured exceedances of both NO<sub>2</sub> and particulates. An Air Quality Action Plan is now being devised to address these matters.
- A successful bid to the Scottish Government to implement air quality action plan measures for Perth city resulted in funding of £230,000 being obtained. This enabled the instigation of various air quality improvement



projects including social marketing campaigns in Scone/Bridgend which saw an increase in use of bus transport by 12% as well as air quality and travel planning lessons to 300 local pupils. However, proposals to create a Perth Freight Consolidation Centre using EU funding were not realised due to lack of commercial interest. An alternative Logistics Service Centre continues to be promoted to local entrepreneurs.

- A questionnaire was issued and up to date information received from 23 farms in Perth and Kinross known to accommodate approximately 3,586 migrant workers, on an annual basis. The majority of farms were identified as registered with known agencies (e.g. HOPS Labour Solutions, Concordia etc.) who undertook their own inspections of the living accommodation provided. The few unregistered premises identified will be inspected by officers from the EH team during the summer of 2015.
- 10 temporary Gypsy/Traveller encampments were dealt with, the majority of which moved on informally within a reasonable time period
- Officers assisted colleagues in Planning and Regeneration and Housing and Community Care Services in The “Empty Homes Initiative” which deals with bringing small flats back into use and creating houses in multiple occupation (HMO) from larger properties. As part of this initiative officers inputs have resulted in the creation of 30 additional bed spaces for future tenants (flats-12, HMOs-16)
- As part of the Services workforce planning programme, two officers completed the Diploma in Acoustics via distance learning with the Institute of Acoustics. This provides the Service with specialised noise control officers for scrutiny of planning applications with complex noise issues, and for noise control in general.

### **Land Quality (Contaminated Land)**

1.49 The Land Quality team implements the Council's strategy to deal with areas of land that may have, become contaminated from their past uses (eg former industrial sites). The Council has a statutory duty in terms of Part II A of the Environment Protection Act 1990 to inspect its area to identify those sites that have the highest potential for causing harm to human health and the environment. Approximately 1,700 sites in Perth and Kinross have been risk assessed in order to apply a classification scheme for prioritisation. These sites are then dealt with as follows

- Phase 1 – a detailed desktop study is carried out which looks at any archived information on the site's former uses, to form an assessment of the contamination potential.
- Phase 2 – an invasive site investigation (trial pits, boreholes and sampling) is carried out to determine the presence, nature and extent of any contamination

- Phase 3 – Where appropriate, remediation works are carried out to remove any threat to human health or the environment
- 1.50 In 2013/14, six Phase 1 reports were completed in terms of Part II A (Charles Street, Alyth Gasworks (No 1 Site), Glenearn Road, Abernethy Gasworks, Aberfeldy Gasworks and Bramblebank Works). A further Phase 1 report was carried out for Property Services (Fonab Business Park). Of these seven, five were identified as high or medium-high priorities which would require Phase 2 investigation, and two as low priority which require no further action at this time.
  - 1.51 Two Phase 2 investigations out of the five identified as necessary were carried out for Part II A work at Charles Street and Glenearn Road in Perth– (see 1.44 and 1.45 below). Works at both these sites have identified issues which are ongoing. The remaining three investigations will be put into the team’s forward plan for future investigation.
  - 1.52 A further three Phase 2 investigations were carried out for Property Services at 3 sites – Rosebank Roads Depot, Auchterarder: Brioch Place, Crieff and Mornity Industrial Estate, Alyth. These sites were not identified as being problematic at this time.
  - 1.53 Smaller scale investigations were carried out at proposed allotment sites at the Former Falconry Centre, Kinross, north of St Margaret’s Hospital, Auchterarder, and Kinloch Terrace, Perth. Again these sites were not identified as being problematic at this time.
  - 1.54 One of the phase 2 investigations necessary as a result of the initial Phase 1 review (deemed to be high risk) was carried out at a former gasworks in the centre of Perth. In January 2014, seven boreholes were drilled to depths ranging from 3m to 75m. Soil samples were collected from each of the boreholes and submitted for laboratory analysis. Each of the boreholes was installed to allow for ground water and ground gas monitoring. The results have revealed contamination associated with the former gasworks across the site, although the depth at which much of this contamination is present reduces the level of risk. Surface contamination has been identified in the drying area at the back of the Scott Street flats; remedial work will be required in this area. Monitoring and reporting will continue into 2014/15
  - 1.55 The second Phase 2 investigation (deemed to be high risk) was carried out at 7 properties on a site at Glenearn Road in Perth. In February 2014 four boreholes were advanced across the site at depths ranging from 3.2m to 10m. In addition 2 soil samples were collected from the banking to the south of the site using a hand auger. Contaminants were identified in the soil and this led on to a programme of groundwater and ground gas monitoring in 2014/15. Monitoring and reporting will continue into 2014/15.
  - 1.56 The land quality team was awarded a Bronze Securing the Future Award, a Bronze CoSLA Award and a Gold Award in the Making Clackmannanshire Better Awards for the Resource Sharing Group (RSG), a partnership with Fife and Clackmannanshire Councils to share staff and equipment, to avoid

expensive consultancy costs. Using the RSG for site works has realised savings of approximately £41,000 compared to hiring external consultants for the same works.

### **Drinking Water Quality**

- 1.57 The Water Team is responsible for duties detailed in legislation governing the quality of private water supplies (supplies other than those provided by Scottish Water). As well as being a source of acute gastro - intestinal conditions such as Campylobacter, Salmonella, E Coli O157 and Cryptosporidium, long term consumption of water contaminated with harmful metals or minerals can cause chronic illness. Over 20% of the samples taken fail to meet bacterial standards. Minimising sources of contamination and ensuring suitable disinfection treatment is fitted, protects the health and wellbeing of those people served by a private water supply, the area.
- 1.58 There are over 1,500 private water supplies in Perth & Kinross. The Water Team has statutory duties for over 260 Type A supplies, which serve commercial or public use premises, or serve large numbers of dwellings (at least 20 houses). This protects visitors to the area, as many of these supplies serve holiday accommodation. These supplies are subject to a mandatory annual sampling programme.
- 1.59 Public health is further protected by sampling and risk assessments carried out on 1,250 Type B private water supplies, that serve domestic properties. These are not part of the statutory sampling programme, however the team responds to requests from consumers for a number of reasons (concerns over water quality, suspected contamination, property sales etc.).
- 1.60 Any owner or occupier of premises served by a private supply can apply to the Water Team to obtain Scottish Government funded grants to the value of up to £800 per property for improvements to their supply.
- 1.61 In 2013/14 the team:
- carried out 10 risk assessments on new Type A (highest risk) supplies and 37 on Type B (smaller domestic) supplies
  - took statutory samples from 309 Type A supplies and a further 362 samples from Type B supplies
  - completed 46 grant applications to improve the quality of water supplies to over 90 properties, resulting in grant payments to local residents totalling over £72,000
  - dealt with 637 enquiries from the public regarding water supplies
  - Assisted and coordinated the Mansfield Estates grant application to improve water quality for over 150 people served by the Logiealmond supply. These comprehensive works are due to complete in late 2014
  - Tested and monitored water quality at major events throughout Perth & Kinross including, T in the Park, Rewind and the Scottish Game Fair.

## **2. PROPOSALS**

- 2.1 The teams in Regulatory Services seek to improve their performance and impact, through development of their team plans. Key areas for activity during 2014/15 are as follows.
- 2.2 Workforce Planning - The Council requires to have sufficient numbers of suitably qualified, professional staff to be authorised to carry out the variety of functions within Regulatory Services. This is to ensure that the Council fulfils its statutory duties appropriately and to the satisfaction of regulators of our services, such as Scottish Government, Drinking Water Quality Regulator Food Standards Agency in Scotland or the Health and Safety Executive.
- 2.3 In response to this challenge, the team is developing a 'grow your own' approach. Five technical level officers within Regulatory Services are currently working towards gaining the Msc Degree in Environmental Health via a distance learning programme with the University of Derby. A further three officers will be enrolled on the programme in 2015. The Msc will give these officers the appropriate qualification to become an Environmental Health Officer.
- 2.4 In addition, a Trading Standards Technician is studying for the Diploma in Consumer Affairs and Trading Standards, via the Trading Standards Institute Academy. This will give the officer the appropriate qualification to become a Trading Standards Officer.
- 2.5 Successful completion of these courses of study will maximise the opportunity to recruit from within the organisation should professional vacancies arise in the future.
- 2.6 The strongly established ethos of the Customer Service Excellence (CSE) standard is now firmly embedded in the work of the food safety team. This will be used as a benchmark for other areas of Regulatory Services to achieve the CSE standard across the entire Regulatory Services team. Customer focussed consultation, based on the CSE criteria will be devised and rolled out across all the teams in Regulatory Services during 2014/15.
- 2.7 Following the declaration of Crieff High Street as an AQMA in February 2014 by the Environmental Committee (Report No 14/11 refers), the Council's air quality consultants will be modelling various scenarios to try to identify potential pollution reduction measures, prior to full public consultation on a future action plan, by the middle of 2015. A cross service working group from the Environment Service will be set up to devise the action plan proposals.
- 2.8 The work with ethnic minority businesses and MEAD will continue, and training sessions will be expanded to include other regulatory service areas such as scam awareness and zero waste initiatives.
- 2.9 Trading Standards will continue to work with and support scam victims reported via the scam hub project. They will also seek to educate other

organisations to identify potential scam victims for referral to the team, including postal workers and banks.

- 2.10 Trading Standards will continue to support the Scottish Government's enhanced tobacco enforcement programme, with underage test purchases and advisory visits in relation to the sale of tobacco. This will build on previous years' work, but with the emphasis on issuing fixed penalty notices to repeat offenders. In addition there is a further requirement for all retailers to remove tobacco and smoking related products from public display by April 2015. This will require Trading Standards staff to engage with the retail trade to achieve compliance by the due date (premises with floor area in excess of 280 sq metres already have to comply such as larger supermarkets).
- 2.11 Trading Standards, with other partners, will continue to explore what enforcement avenues may exist for the control of New Psychoactive Substances (NPS). Partners will include Police Scotland, other Trading Standards Services (via the SCOTTS Safety Group), the Crown Office and substance misuse services. They will also closely follow the 'Guidance for Local Authorities on Taking Action Against 'Head Shops' Selling New Psychoactive Substances'. Trading Standards will also participate with the Scottish Government and UK Government Home Office NPS reviews and monitor any developments and guidance.
- 2.12 The Animal welfare team will extend the promotion of the "If they don't bin it – drop them in it" campaign against dog owners who don't pick up after their pets. In addition, it is proposed to introduce a more detailed method of complaint recording to allow easier identification of fouling "hotspots" by consistently and accurately recording locations where fouling is happening.
- 2.13 The Environmental Health team will prepare a draft policy on Perth & Kinross Council's approach to the management of temporary Gypsy Traveller encampments in conjunction with community planning colleagues. Once completed, the policy will be fully consulted on prior to implementation.
- 2.14 Officers from Regulatory Services will support the planning and delivery processes for all major events in Perth & Kinross in 2014/15, such as T in the Park (subject to Planning and Licencing approval) and Rewind Festival.

### **3. CONCLUSION AND RECOMMENDATIONS**

- 3.1 The Committee is asked to:
  - (i) Endorse the activities of the Environment Services' Regulatory Services in protecting communities within Perth and Kinross.
  - (ii) Note the key areas for development in 2014/15

## Author

Name	Designation	Contact Details
James Dixon	Regulatory Services Manager	Tel. 01738 476471 Email – <a href="mailto:jjdixon@pkc.gov.uk">jjdixon@pkc.gov.uk</a>

## Approved

Name	Designation	Date
Jim Valentine	Executive Director (Environment)	5 January 2015

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>None</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>Yes</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>Yes</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

#### 1.1 This report contributes to the local outcomes of:

- Our Communities and people experiencing inequalities will have improved quality of life, life chances and health
- Our people will have improved health and wellbeing
- Our area will have a sustainable natural and built environment

#### Corporate Plan

#### 1.2 The Council's Corporate Plan 2013 – 2018 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:

- i. Giving every child the best start in life;
- ii. Developing educated, responsible and informed citizens;
- iii. Promoting a prosperous, inclusive and sustainable economy;
- iv. Supporting people to lead independent, healthy and active lives; and
- v. Creating a safe and sustainable place for future generations.

#### 1.3 This report contributes to all objectives.

## **2. Resource Implications**

### Financial

- 2.1 There are no financial implications arising directly from this report.

## **3. Assessments**

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 The proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome: Assessed as not relevant for the purposes of the EqIA.

### Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.4 In respect of this proposal no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt

### Sustainability

- 3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development.

There are no sustainability issues associated with the proposals within this report.

### Legal and Governance

- 3.6 The Head of Legal Services has been consulted in the preparation of this report.

### Risk

- 3.7 There are no corporate risks associated with the proposals contained within this report.



#### **4. Consultation**

##### Internal

- 4.1 The Head of Legal Services and the Head of Democratic Services have been consulted on the content of this report and are in agreement with the proposals.

#### **5. Communication**

- 5.1 Communication will be on-going with relevant internal and external stakeholders.

#### **2. BACKGROUND PAPERS**

No background papers were relied upon

#### **3. APPENDICES**

Appendix 1 – Regulatory Services Structure



# The Environment Service

## Regulatory Services



