

TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

08 December 2020

Report of the Director of Planning, Housing & Environmental Health

Part 1- Public

Matters for Information

1 IMPACT OF COVID-19 PANDEMIC ON THE ENVIRONMENTAL HEALTH SERVICE

Summary

This report updates Members on the impact the Covid-19 pandemic has had on both the Environmental Protection and the Food & Safety teams within the Environmental Health service. It links back to the agreed First Year addendum to the Corporate Strategy.

1.1 Background

1.1.1 The Environmental Protection team and the Food & Safety team have both been impacted on by the Covid-19 pandemic in terms of their workloads, changes to work undertaken and current priorities.

1.1.2 At its meeting on the 3 June 2020, Cabinet approved a First Year Addendum to the Corporate Strategy in response to the Covid-19 pandemic. The Addendum identified a number of themes/activities and, within each, identified specific service areas to be reviewed, with an aim to re-orientate and then recover these services. Cabinet also agreed that progress with these themes/activities be monitored through updates to relevant Advisory Boards and Committees.

1.1.3 Included within the Addendum are themes/activities related to Environmental Health specifically as below:

- **Review** - Review implications of COVID-19 for businesses and review AQ monitoring data from lockdown period.
- **Re-orientate** - Ensure guidance on reorienting business (for example to a takeaway food business or utilising different working practices) is available and up to date in line with Government guidance. Use knowledge of borough's businesses to carry out targeted engagement. Respond to likely changes in DEFRA/FSA/HSE guidance and requirements by updating approaches. Bring forward a revised Air Quality Management Action Plan (AQMAP), in line with Climate Change strategy and other key policy documents.

- **Recover** - Implement updated approaches to managing EH issues. Deliver AQMAP.

1.2 Environmental Protection Team

1.2.1 The requests for service received by the Environmental Protection (EP) Team has increased dramatically throughout the pandemic. The table below illustrates the numbers of requests for service by categories from 16 March to 16 November in each of the given years.

Service Request Category	2018	2019	2020	Comments
Accumulations	33	30	37	Complaints regarding accumulations including commercial and residential premises.
Drainage	5	7	1	Blocked, leaking or overflowing private drains, private sewers and septic tanks
Noise (Domestic)	55	64	143	Domestic noise including amplified music, DIY
Noise (Dogs)	84	70	60	Noise from barking
Noise (Other)	84	84	81	Sources include intruder alarms, licensed premises, commercial/industrial, construction
Pollution (Bonfires)	33	22	81	
Pollution (Other)	29	36	56	e.g. odour (ex Drytec), grit, dust and artificial light

Tonbridge Odour complaints (excluding tweets)	61	47	57	
TOTAL	384	360	516	

- 1.2.2 Members will note a 43% overall increase in requests for service in 2020 compared to the previous year. More specifically domestic noise complaints saw a 123% increase in the same period with bonfire complaints seeing a 268% increase. These increases were at a difficult time for the team in terms of being able to respond with timely advisory letters, visits, noise monitoring equipment especially at the beginning of the pandemic thus leading to more challenging conversations with both complainants and those being complained about. It was clear at the beginning of the pandemic that we almost had a “perfect storm” for noise and bonfire complaint work with more residents having to stay at home, windows open due to the warm weather, a focus on DIY and gardening, suspension of garden waste services and the anxiety for many of the pandemic and lockdown.
- 1.2.3 For obvious reasons during the first lockdown the team were not able to set up noise monitoring equipment in resident’s homes, so a backlog of cases built which is now being cleared. One of the impacts on the time to get back on track is the need to review all recording data which can be time consuming.
- 1.2.4 The EP team have had a vacant Environmental Health Officer (EHO) post since November 2019 after some difficulties in recruitment. Given the workload above and that a number of staff also became part of the Community Hub food parcel rota it is fair to say that the team has faced and handled extremely well considerable pressure during the last eight months. I am pleased to report that we have now recruited an EHO and that Officer should start in January 2021.
- 1.2.5 Clearly the one of the impacts of the lockdown is expected to be improved air quality through less traffic on the roads. It is too early to report on this across Tonbridge & Malling and we will bring a report to this Board when those results are available.
- 1.2.6 The AQMAP was brought to the last meeting of this Board and approved for consultation. Officers are currently finalising this consultation and we expect this will take place early in 2021 and the outcome will be reported back to a future meeting of this Board.

1.3 Food & Safety Team

- 1.3.1 Since the first national lockdown on 23 March the Food and Safety Team have been involved in many aspects of the COVID response.
- 1.3.2 Initially as businesses were required to close, the Food Standards Agency (FSA) wrote to all local authorities deferring all planned food hygiene interventions until 17 April, requesting that a risk based approach to the delivery of official food safety controls be undertaken. Priority was given to urgent reactive work such as food poisoning outbreaks and our highest risk businesses. Later in April an update was provided deferring all planned food hygiene interventions for up to 12 weeks (until 11 July) to coincide with business closures, reducing footfall into businesses that were still open to help prevent the spread of COVID and acknowledging the public health role of many Environmental Health teams.
- 1.3.3 During this 12 week period there was a focus on our highest risk businesses including those with a food hygiene rating of 0-2 and those businesses that diversified into offering takeaway food. Officers were also involved in answering COVID complaints and queries, drafting and providing business advice and assisting significantly with the wider TMBC community hub including supporting with food some of the most vulnerable residents.
- 1.3.4 As the 12 week period came to a close the FSA gave a further direction on their expectation of local authorities for the period up to the 30 September. This period covered the relaxation of business closures and the 'Eat out to Help out' scheme that ran through August. The FSA granted a temporary deviation to all local authorities to inspect businesses at frequencies stated in the FSA Food Law Code of Practice. Again high risk businesses were still to be visited but our medium and lower risk priority inspections could initially be dealt with using a desktop assessment and then only visiting those that required it.
- 1.3.5 At the end of September the FSA provided direction to local authorities until January 2021. At this stage local authorities were asked to visit businesses across the risk categories that were due or overdue for inspection, but gave some flexibility in approach where resources may have been diverted to deal with the pandemic. Officers have continued to inspect businesses where they are able to try and keep our inspection programme on target.
- 1.3.6 Since March 2020 there has been a noticeable increase in new food business registrations, mainly people registering their domestic kitchens. We have received 131 new food registration from the period 23 March-16 November. Over the same period last year we received 89.
- 1.3.7 As business closure restrictions were introduced as part of the first and second national lockdowns and as businesses re-opened, complaints about Covid compliance levels increased. Joint working with TMBC Licensing, Police Licensing and Kent Trading Standards colleagues continues. The team jointly enforce business closure restrictions with Trading Standards and prior to

lockdown 2 the other legislation relating to closing times, seated service in pubs, wearing of face coverings by employees in businesses etc. It is fair to say that the pace of legislation and frequent changes to that legislation has been at a scale never experienced before and it has been a challenge for all involved with interpretation, enforcement and provision of advice.

- 1.3.8 Officers were involved with online forums to assist businesses in the borough understand the COVID legislation and the implications for their business.
- 1.3.9 Since the first lockdown the team has received 152 complaints from Kent Police either relating to business closures or restrictions. The Food and Safety Team have directly received a further 129 COVID related complaints or requests for COVID advice and guidance from residents and businesses.
- 1.3.10 Officers from the Food and Safety Team have been involved in pro-active and reactive visits in the borough during the evenings with our Licensing and Police colleagues in response to complaints and intelligence received.
- 1.3.11 Joint working with Trading Standards has resulted in two Prohibition Notices being issued under the second lockdown for businesses trading when they should be closed.
- 1.3.12 More recently the team have become involved with the Kent Local Tracing Partnership. Members may be aware that it has been proven that bringing “track and trace” more local has increased positive outcomes. From 26th November 2020, Kent County Council (KCC) Public Health will be leading on the Kent Local Tracing Partnership where they will link with districts to try to reach residents who have tested positive for Covid-19 to trace recent close contacts to try and interrupt the spread of the virus. Districts will provide support in two main ways: checking our systems/databases across all services for contact information where this is missing/incorrect/not proving successful; and directly visiting residents who are not responding to the contact being made or where no contact details have been obtained. Processes and risk assessments are currently being developed by KCC and will need to be agreed by districts. Within the team procedures are being developed and IT support is being given to enable efficient searching of systems/databases. A weekend rota is also being established to cover what will be a seven day a week operation where speed of response is clearly important.

1.4 Legal Implications

- 1.4.1 As mentioned above the pace of legislative change during this period of time has been significant.

1.5 Financial and Value for Money Considerations

- 1.5.1 There have been various sources of funding via Government and Kent County Council (some still to be agreed) that allow the funding of additional overtime, evening and weekend cover for Officers in relation to covid-19 enforcement and

the local tracing partnership. We are continually monitoring the need for any backfill of Officers or additional resources and again the funding received would allow this to be adequately funded.

1.6 Risk Assessment

- 1.6.1 All service risk assessments have been thoroughly revised in light of the coronavirus pandemic. They are regularly reviewed to ensure they remain relevant and fit for purpose.
- 1.6.2 Officers will only undertake visits as part of the Kent Local Tracing Partnership once a robust, agreed risk assessment is in place.

Background papers:

Nil

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