

TONBRIDGE & MALLING BOROUGH COUNCIL
LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

02 March 2015

**Joint Report of the Director of Planning Housing and Environmental Health and
Director of Street Scene and Leisure**

Part 1- Public

Matters for Information

1 SERVICE OF STATUTORY NOTICES

The following notices have been served since the last Advisory Board.

1.1 Environmental Protection Act 1990

1.1.1 Bell Lane, Burham, Rochester, Kent ME1 3SY.

Two Abatement Notices relating to noise from barking dogs.

1.1.2 Shipborne Road, Tonbridge, Kent TN10 3ER .

One Abatement Notice relating to noise from barking dogs.

1.1.3 Kingfisher Road Larkfield, Aylesford, Kent ME20 6RG.

One Abatement Notice in respect of accumulation of refuse.

1.1.4 Drytec 42-46 Morley Road, Tonbridge Kent TN9 1RA,

Two Abatement Notices relating to the likely recurrence of nuisance from odour.

1.2 Control of Pollution Act 1974.

1.2.1 Preston Hall, London Road Aylesford Kent ME20 7NJ

One notice to control noise from construction site.

1.3 Local Government Miscellaneous Provisions Act 1976

1.3.1 Kingfisher Road, Larkfield, Aylesford, Kent ME20 6RG

Two Notices requiring information regarding interest in property.

1.4 Private Water Supply Regulations 2009.

1.4.1 Old Soar Road, Plaxtol, Kent TN15 0QX

Notices served due to a potential danger to human health due to lack of maintenance and demonstrated failures to meet the statutory bacteriological standards in the private water supply. Improvement works specified.

1.4.2 Long Mill Lane, Plaxtol, Kent. TN15 0RA

Notices served due to a potential danger to human health due to lack of maintenance, inadequate treatment and demonstrated failures to meet the bacteriological standards in the private water supply. Improvement works specified.

1.5 Street Scene

Enforcement notices since the previous Advisory Board report on 2 September 2014:

1.5.1 Fly-Tipping Incidents

Twelve notices under section 108 of the EPA, requesting information from persons believed to be associated with fly-tipping incidents, have been issued.

1.5.2 Littering Offences

Sixty nine Fixed Penalty Notices for littering offences at various locations around the borough have been issued.

1.5.3 Dog Fouling Offences

Six Fixed Penalty Notices for dog fouling offences have been issued.

1.5.4 Dog Control Order Offences

One Fixed Penalty Notice for a Dog Control Order offence has been issued.

1.5.5 Waste Carrier Offences

Six Fixed Penalty Notices for Waste Carriers offences have been issued.

1.6 Food Safety & Hygiene (England) Regulations 2013

1.6.1 Oriental Masterchef, 14 Avebury Avenue, Tonbridge, Kent TN9 1TN

One hygiene improvement notice for failure to fit insect-proof screens to external doors permitting flying insects to contaminate food.

1.6.2 Tony's Chippy, 62 High Street, Borough Green, Kent TN15 8BJ

Two hygiene improvement notices for failure to pest proof the external door to prevent entry of pests and for failure to provide adequate hot running water to the wash up sink to enable cleaning and disinfection.

1.6.3 The Duke of Wellington, The Street, Ryarsh, Kent ME19 5LS

Six hygiene improvement notices (three on each partner) for failure to pest proof the premises to prevent entry of pests, failure to review and maintain a food safety management system and failure to maintain the kitchen floor covering in good repair to facilitate cleaning.

1.6.4 Italia Mia, 1-3 Church Walk, East Malling, Kent ME19 6AG

Three hygiene improvement notices for failure to maintain the cellar floor surface in a sound condition that is easy to clean, failure to adequately supervise and instruct and/or train food handlers in food hygiene matters and failure to pest proof the premises.

1.6.5 Favorite Chicken & Ribs, 24 Holborough Road, Snodland, Kent ME6 5NJ

Three hygiene improvement notices for failure to provide an adequate hot water supply to the wash up sink, failure to train staff in food hygiene matters and failure to carry out a documented food safety management system for the milk shake machine.

1.6.6 Grand Appetito, 160 High Street, Tonbridge, Kent TN9 1BB

Hygiene Emergency Prohibition Notice served for failure to provide a sufficient supply of hot water for hand washing, cleaning and washing of food contact equipment posing an imminent risk to public health.

Two hygiene improvement notices served for failure to provide a permanent supply of running hot water to the wash hand basins and sinks in the kitchen and failure to train food handlers in food hygiene matters.

1.6.7 Beaney's Medway Bakery, 32 High Street, Snodland, Kent ME6 5DA

One hygiene improvement notice to repair a leak to enable the wash hand basin to be used.

1.7 Health and Safety at Work etc Act 1974

1.7.1 Italia Mia, 1-3 Church Walk, East Malling, Kent ME19 6AG

Two health and safety improvement notices for failure to maintain gas appliances and electrical systems.

1.7.2 Bull Inn, 1 High Street, West Malling, Kent ME19 6QH

One health and safety improvement notice for failure to maintain the gas cooker in the kitchen.

1.8 Legal Implications

1.8.1 These Notices were served in accordance with the provisions of the legislation under which they were served.

1.9 Financial and Value for Money Considerations

1.9.1 The Council will pursue the recovery of debts associated with works carried out in default. Debts not recovered will remain as a charge against the premises in the usual manner.

1.10 Risk Assessment

1.10.1 The notices are reasonable and proportionate enforcement action in accordance with the PHEH Enforcement Policy.

Background papers:

Nil

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