



### Committee and Date

**Health and Adult Social Care  
Overview and Scrutiny  
Committee**

**15<sup>th</sup> July 2019**

### Item

**Public**

## **The Contribution of Regulatory Services to Health and Wellbeing**

### **Responsible Officer**

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### **1.0 Summary**

- 1.1 This report provides an overview of how the Council's Regulatory Services contributes to the health and wellbeing of Shropshire's communities.

### **2.0 Recommendations**

- 2.1 Committee considers and comments on Regulatory Services' contribution to the health and wellbeing of Shropshire's communities.

### **3.0 Opportunities and risks**

- 3.1 Regulatory Services are an important operational arm in delivering public health outcomes. Regulatory Services Officers have broad ranging specialist, technical and legal skills and knowledge and offer real opportunities for significant public health improvements.
- 3.2 The impact of Regulatory Services work on Public Health outcome improvements is limited by the reduction in resource as a result of the financial savings. The service has insufficient resource to fulfil all its statutory duties and this has been reported through the corporate risk register.

### **4.0 Financial assessment**

- 4.1 The Service budget is £3.066m and the service receives £326,280 funding from the Public Health Grant.

### **5.0 Report**

- 5.1 Regulatory Services is a key partner in delivering the public health agenda. The service delivers a diverse range of statutory functions which the Council has a duty to provide. The Service aims to deliver the best outcomes for health by focusing on the most significant natural and built environment impacts.
- 5.2 The Service delivers environmental health functions, services which protect and enhance ecology and the natural environment, as well as some of the trading standards functions namely Animal Health, Feed Hygiene, Food Standards, Scam Prevention and Petroleum Licensing. A structure of the service with functions is

provided in Appendix 1.

- 5.3 The scope of Regulatory Services' work addresses the wider determinants of health, including food, housing standards, health and safety, air quality, pollution and environment, which make a fundamental contribution to public health. The service has a unique contribution through its primary focus on maintaining health and wellbeing rather than curing illness.

- 5.4 The service's key strategic objectives for 2019/2020 – 2021/2022 are:
- Clean Air
  - Residents' health and the use and enjoyment of their home is not affected by a statutory nuisance
  - Workplaces are safe
  - Historic land contamination does not cause ill health
  - Private Water Supplies are safe for residents and visitors to drink
  - Private Rented Sector Housing is safe for tenants
  - Human food chain is safe
  - The natural environment is protected and maximised for future generations
  - Farm animals and livestock are healthy, protected from cruelty and poor welfare and the spread of disease is prevented
  - Environmental Health statutory duties which benefit health are fulfilled
  - Empty properties are not detrimental to communities

## 6.0 Social Determinants of Health

- 6.1 Figure 1 below demonstrates the realms in which local government and specifically Regulatory Services can exert an influence to ultimately improve health inequalities and well-being.

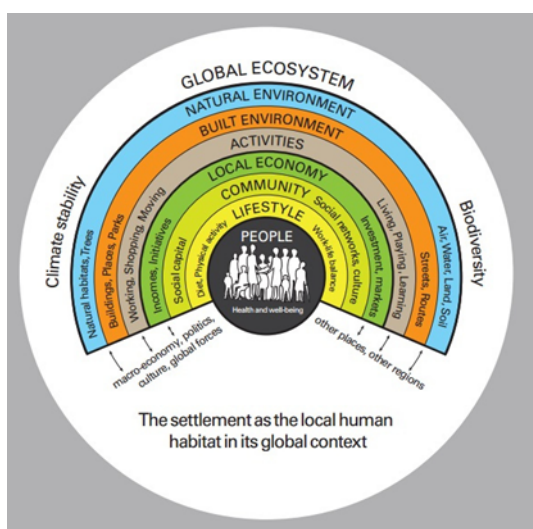


Fig 1: The Health Map: Barton & Grant 2006 developed from a concept by Dahlgren & Whitehead 1991

- 6.2 Focussing on these determinants of health and wellbeing rather than the medical causes of specific diseases, it is no exaggeration to say that without Regulatory Services, adults and children would die prematurely, would live in worse conditions and experience poorer environments in terms of air quality, food and water and dwelling conditions, would lead lives that made them ill sooner or more

often - and would experience less emotional, mental and physical well-being than they do now.

6.3 Regulatory Services has a multi-dimensional role in improving public health outcomes across all domains of public health and in particular:

- **The Wider Determinants of Health** - improvements against wider factors that affect health and wellbeing, and health inequalities
- **Health Protection** - the population's health is protected from major incidents and other threats, while reducing health inequalities

6.4 An overview of each of Regulatory Service's strategic objectives is reviewed below, highlighting some of the key performance indicators and how the work supports the Public Health Outcomes Framework. Performance data for 2018/19 is provided in Appendices 2 and 3. The service is responsible for the enforcement and implementation of over 100 pieces of legislation, the work is extremely diverse and therefore it is only possible to give a high-level overview of the work within this report. Further detailed information relating to any specific areas can be provided on request.

## 7.0 Clean Air

7.1 Poor air quality is a significant health issue. There is strong evidence associating air pollution with increased mortality and ill-health, including exacerbation of asthma, effects on lung function and increases in respiratory and cardiovascular hospital admissions. Older people, children and those with pre-existing illness are more vulnerable to the adverse health effects of air pollution. Children are particularly vulnerable due to smaller and less developed lungs and quicker breathing rate.

7.2 The Council has a statutory duty, under the Environment Act 1995, to monitor, assess and review Air Quality against legal limits and to take action to reduce poor air quality. There are two air quality management areas in Shropshire, one in Shrewsbury Town Centre and one in Bridgnorth Town Centre, which have been declared due to continued breaches of the national standards for the level of nitrogen dioxide.

7.3 Regulatory Services has been successful in securing DEFRA grant funding for an innovative project which will help to develop and implement air quality measures in Shrewsbury and Bridgnorth to benefit the health of those living, working and visiting our towns. The Council has been awarded £53,300 to test low cost Zephyr monitors and develop an air pollution map of levels of PM<sub>2.5</sub> and nitrogen dioxide. PM<sub>2.5</sub> is a term used to describe atmospheric particulate matter of less than 2.5 micrometres.

7.4 The project will help to develop evidence-based action to focus measures to get the air quality problem solved. The data will also help decision makers working across departments.

7.5 The Council also has a statutory duty to assess industrial installations under the Environmental Permitting Regulations 2016 to control pollution through permitting (Part B and A2). There are 109 permitted processes in Shropshire which are regulated because they could cause air pollution. This work controls pollutants such as petrol vapour release from petrol stations, dust from quarries and organic

compounds emitted by paint sprayers.

- 7.6 Regulatory Services Officers provide planning application consultation responses advising on the potential adverse effects from or to a proposed development due to pollutants such as noise, dust, smoke or odour to enable the Council to determine planning applications.
- 7.7 Regulatory Services' clean air work supports **Public Health Outcome 3.01 Fraction of mortality attributable to particulate air pollution**. The inclusion of this indicator in the Public Health Outcomes Framework enabled Directors of Public Health to prioritise action on air quality in their local area to reduce the health burden from air pollution. This work also supports the **wider determinants of health**.
- 8.0 Residents' health and the use and enjoyment of their home is not affected by a statutory nuisance**
- 8.1 In the 2017 Annual Report "Health Impacts of All Pollution", the Chief Medical Officer reported that noise stands second to poor air quality in terms of the burden of ill health caused by a single pollutant. Over 80 percent of people report being exposed to noise pollution in their homes. Links to ill health include sleep disturbance and stress, hypertension, cardiovascular disease and children's learning development
- 8.2 Shropshire Council has a statutory duty under the Environmental Protection Act 1990 to investigate nuisance complaints to determine whether a Statutory Nuisance exists. Where it does, the Council must serve an abatement notice to control it.
- 8.3 A statutory nuisance is something that causes a serious and unreasonable interference with someone's right to enjoy their property or damages their health. The most common complaint of statutory nuisance is noise from domestic properties of which there were 561 complaints in 2018/19.
- 8.4 Regarding noise from licensed premises, the prevention of public nuisance is a statutory licensing objective. The service assesses and advises on over 100 applications a year for premises licences and temporary events to avoid noise nuisance. We investigate noise complaints concerning licensed premises and premises holding events under a temporary event notice and use the licence review procedure to request conditions to achieve the objective of preventing public nuisance.
- 8.5 Regulatory Services Officers assess over 700 planning applications a year and provide advice on potential statutory nuisance impact from proposed developments.
- 8.6 The Service has been successful in securing funding from the Police and Crime Commissioner (PCC) for an Anti-Social Behaviour (ASB) Co-ordinator who is based in the ASB Harm Reduction Hub, in Shrewsbury Police Station. This role is key to ensuring co-ordinated partnership working for high risk cases, preventing duplication of effort and identifying cases which could otherwise fall between

services.

- 8.7 The statutory nuisance and anti-social behaviour work carried out by Regulatory Services contributes to **Public Health Outcome 1.14**: The rate of complaints about noise **and the wider determinants of health**.

## 9.0 Workplaces are safe

- 9.1 The Health and Safety Executive (HSE) has estimated that in 2016/17 workplace injuries and ill health cost society £15 billion. The HSE has also reported that 30.7 million working days were lost due to work-related illness and workplace injury in 2017/18.
- 9.2 Regulatory Services has an important role in tackling the wider determinants of health in relation to health and safety in the workplace and wider community. The Council has a statutory duty under Section 18 of the Health and Safety at Work etc Act 1974 to ensure it makes adequate provision for health and safety regulation in premises such as offices, shops, hotels, catering establishments and warehouses. A variety of regulations made under the Act build on this to protect the health and safety of everyone in the workplace by providing adequate working conditions and ensures that welfare facilities are provided for people at work.
- 9.3 Regulatory Services has set up a local Better Business for All (BBfA) programme in Shropshire which brings together businesses, the Growth Hub and regulators including the Fire Service, to improve and simplify the way regulatory compliance is delivered. Whilst regulations cannot be changed, the way they are delivered locally can be. The objectives of BBfA are to provide advice and support to business, increase business awareness of regulatory officers, ensure effective co-ordination across regulatory services, simplify the local regulatory system and processes and establish partnerships between regulatory services and local businesses. The programme includes all environmental health statutory functions including food safety, health and safety and environmental protection.
- 9.4 Regulatory Services is responsible for the licensing of Sports Grounds in Shropshire including Shrewsbury Town FC which has general safety certificate covering all aspects of safety during fixtures that are held at the club. For both Ludlow Racecourse and TNS football club, regulated stands are licensed in relation to safety where the capacity of each stand is above 500 people.
- 9.5 In 2018/19, the service received 176 accident notifications, 82 health and safety service requests and carried out 54 health and safety interventions. Regulatory Services has recently completed a preventative campaign to control Legionella in hot water systems in hotels throughout Shropshire. This is following an outbreak of Legionella associated with a hotel in Shropshire. Other examples of the teams' involvement have been to investigate the circumstances of a large food warehouse that collapsed.
- 9.7 Shropshire Council is the Petroleum Enforcement Authority covering petrol storage sites in Shropshire. Regulatory Services is responsible for issuing petrol storage certificates and ensuring safety at sites where petrol is stored in tanks both under and above ground where the petrol is dispensed in to vehicles with combustion engines. Visits aim to ensure compliance with both legislation and

industry guidance. In carrying out this function, the team provide advice and support to businesses on both the legislation and the nationally produced guidance. Advice and guidance are also provided in respect of the requirement for new build/ refurbished sites and decommissioning redundant tanks and petrol storage sites.

- 9.8 Regulatory Services work to ensure workplaces are safe contributes to **Public Health Outcome 1.09** Sickness absence **and the wider determinants of health.**

## **10.0 Historic land contamination does not cause ill health**

- 10.1 Regulatory Services has a range of responsibilities with respect to contaminated land, both to encourage its regeneration and prevent its harmful effects on public health. Land that is contaminated contains substances in, on or under the land that, in the concentrations present, represent a significant possibility of causing harm to human health or the environment. Contamination can be both natural or as a result of human activity including gas or chemical manufacture.
- 10.2 Most contaminated sites are identified through the planning process in which 'clean-up' conditions can be required.
- 10.3 A Regulatory Services Officer is undertaking a research dissertation project as part of an MSc degree to explore the levels of soil-bound Lead (Pb) surrounding the former Snailbeach Lead Mine, with particular reference to the former 'White Tip'. The former mine and 'White Tip' were subject to a sizeable reclamation and remediation project in the late 1980's to mid-1990's to make the derelict structures safe and reduce exposure to the large quantities of stockpiled-material. Given the mining legacy of site, it was identified that the former Snailbeach Mine and surrounding land contained raised levels of some heavy metals. The officer has taken a series of soil-samples around the former-lead mine site for the research project and is updating the dataset with a view to developing a better understanding of current metal concentrations in the Snailbeach.
- 10.5 The contaminated land work carried out by Regulatory Services contributes to **Health Protection.**

## **11.0 Private Water Supplies are safe to drink**

- 11.1 There are over 2000 private water supplies in Shropshire, providing drinking water from wells, boreholes and springs rather than from mains water supply to approximately 14,000 people. Many of those supplies are vulnerable to contamination by micro-organisms, particularly in spring and autumn and after rainfall. Gastro-intestinal infection can result, potentially with severe consequences particularly where those consuming the water are not regular private water supply drinkers or are very young or elderly or whose immune system has been compromised for some reason.
- 11.2 The Council has a duty to assess the risks from these supplies and advise the owners of the precautions to take to prevent illness. The service carries out a programme of sampling and risk assessment of private water supplies. Where a private water supply is found to be insufficient or where it serves more than one

home or any commercial premises, the Council may take formal action to ensure proper treatment or replacement of the supply.

11.3 Regulatory Services' private water supplies work contributes to **Health Protection**.

**12.0 Private Rented Sector Housing is safe for tenants**

- 12.1 The private rented housing sector includes some of the worst housing stock and is home to many of society's most hard-to-reach and vulnerable groups and is where some of the most deprived communities live. Warm and accessible housing in safe and well-connected neighbourhoods contributes to people's physical, mental and emotional wellbeing throughout their lives. The quality of housing in which a person or family live can have profound effect on their health.
- 12.2 Under the Housing Act 2004, Regulatory Services has a duty to provide private rented sector housing related services that aim to control, minimise and prevent poor housing conditions impacting on residents' health. The Council has a legal obligation to provide inspection services upon request and to license Homes in Multiple Occupation (HMOs) to ensure they are safe to inhabit.
- 12.3 HMOs, such as bedsits and shared houses, are licensed because they often have poorer physical and management standards than other privately rented properties. There are currently 61 licensed Houses in Multiple Occupation (HMO's) in Shropshire which is an increase of 45% since the change in legislation in October 2018 which previously excluded properties below three storeys.
- 12.4 Regulatory Services officers have powers under the Housing Act 2004 to tackle health hazards such as excess cold, falls or trip hazards due to poor design or stairs, damp and mould and electrical safety in the private rented sector. Where a risk to the health and safety of occupiers and visitors has been identified, the Council has a duty to provide guidance on remedying hazards in the private rented sector and to take appropriate enforcement where action is not taken.
- 12.5 The three most common hazards found in the private rented sector in Shropshire are crowding and space (37%), excess cold (21%) and damp and mould growth (13%).
- 12.6 This private sector rented housing work carried out by Regulatory Services contributes to **Public Health Outcome 1.17 Fuel Poverty and the Wider Determinants of Health**.

**13.0 Human Food Chain is Safe**

- 13.1 Each year around a million people are affected by foodborne disease in the UK, costing the economy approximately £1.5bn. The four major bacterial pathogens are Campylobacter, Salmonella, Listeria monocytogenes and Escherichia coli 0157.

- Regulatory Services inspect food business in Shropshire to check they meet the requirements of food hygiene law so that food is safe to eat. During an inspection,
- 13.2

the officer will check how hygienically food is handled, the physical condition of the premises and how the business manages ways of keeping food safe and will assess the level of confidence in standards being maintained in the future.

- 13.3 The service awards businesses ratings as part of the Food Standards Agency's (FSA) national Food Hygiene Rating Scheme and the ratings are subsequently published on the Food Standards Agency website for the public to view. This information allows consumers to make informed decision about where they choose to buy and eat food.

- 13.4 The service regulates and approves high risk manufacturing/processing plants and cold stores of meat, fish, egg and dairy products which supply other businesses. There are 56 approved premises in Shropshire.

- 13.5 Part of the role of Regulatory Services is to prevent mislabelling or misleading descriptions of food. Consumers have a right to know that the food they have bought matches the description on the label. Labelling of food is regulated to protect consumers who should have the correct information to make informed food choices based for example, on allergies.

- 13.6 Regulatory Services also ensures that human health is not put at undue risk through what is fed to animals by carrying out sampling and inspection of animal feed. Vital monitoring of farms, markets and collection centres is also carried out to ensure traceability of animals and disease control to protect the food chain.

- 13.7 In 2018/19, 1442 food hygiene interventions were carried out and 94% of food premises are broadly compliant with food hygiene legal standards.

- 13.8 Regulatory Services work to protect the human food chain contributes to **Health Protection**.

#### **14.0 The natural environment is protected and maximised for future generations**

- 14.1 There is strong evidence to suggest that green spaces have a beneficial impact on physical and mental wellbeing and cognitive function through both physical access and usage.

- 14.2 Shropshire Council has a duty to have regard to protecting and conserving biodiversity as part of its policy and decision making. Conserving biodiversity can include restoring or enhancing a population or habitat. Our work helps the council to protect and enhance important habitats and species when carrying out its work and provides advice on development plans. Shropshire has over 85 Special Sites of Scientific interest which are protected by law to conserve their wildlife or geology.

- 14.3 Regulatory Services Officers are also helping to shape the new GIS Green Infrastructure mapping system which the Council is producing as part of the Local Plan Review. Existing standards only consider the proportion of open space within a development and are not designed to assess how well the type and placement of open space fits into a wider green infrastructure network. There is a need to place a much greater emphasis on how open spaces form part of a larger functional network of green infrastructure. The new system will be used to assess



local community green space needs on a wider catchment area. A well-planned green infrastructure network addresses multiple issues, including physical and mental health, transport and air quality, climate change and biodiversity.

14.4 Regulatory Service's ecology team was highly commended at the 2019 Chartered Institute of Ecology and Environmental Management (CIEEM) Awards in the Planning Authority of the Year category. Shropshire has seen a rapid increase in the number of intensive livestock units which contribute to the already high background levels of airborne ammonia and nitrogen deposition which can affect wildlife sites. Officers worked with colleagues within the authority and external national organisations to ensure that effective interim planning guidance was produced on assessing the impacts of ammonia and nitrogen deposition on sites of special scientific interest, international and local wildlife sites – Shropshire Council is the first local authority in England to do so. This ambitious approach strives to improve the quality of planning applications, facilitating solutions in an ecologically-rich environment in line with new caselaw and existing legislation.

14.5 This work to protect and enhance the natural environment contributes to **Public Health Outcome 1.16: utilisation of outdoor space and the wider determinants of health.**

#### **15.0 Farm animals and livestock are healthy, protected from cruelty and poor welfare and the spread of disease is prevented**

15.1 Regulatory Services is responsible for ensuring that livestock bred, reared and sold in Shropshire satisfy minimum standards in terms of their welfare. There are approximately 3500 livestock farms, 6 large scale livestock markets and 4 Collection Centres in Shropshire accounting for approximately 2 million movements / sales in Shropshire. Controls and monitoring by the team take place to ensure that animals are healthy and are not suffering. The control of known animal diseases also ensures that livestock are healthy and also sustains the economic importance of farming in Shropshire through prevention of the spread of disease and ensuring suitable control of the movement and traceability of animals.

15.2 Regulatory Services work to protect the human food chain contributes to **Health Protection.**

#### **16.0 Environmental Health statutory duties which benefit health are fulfilled**

16.1 Regulatory Services has a diverse range of specialist functions which protect health. These include pest control, public health funerals, filthy and verminous premises, supporting people who self-neglect or hoard, disease control and emergency response amongst others.

16.2 Regulatory Services Officers can investigate and take action on behalf of the Council where there is infection or contamination which could present a significant risk to human health. This would include suspected cases or outbreaks of communicable diseases, such as Legionnaires' disease. Legal powers are available to prevent the spread of illness by stopping school children attending school, or employees the workplace. These interventions are essential to protect against the spread of communicable disease.

16.3 Regulatory Services Officers have daily and wide ranging contact with members of the public and businesses in Shropshire and offer added value services to support health and wellbeing. For example, when carrying out domestic nuisance visits, officers are able to identify and support victims of scams

16.4 These activities support **Health Protection**.

## 17.0 Conclusion

17.1 Regulatory Services contributes extensively to the health and wellbeing of Shropshire's communities through the delivery of a diverse range of statutory functions.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

### **Cabinet Member (Portfolio Holder)**

Councillor Gwilym Butler

### **Local Member**

### **Appendices**

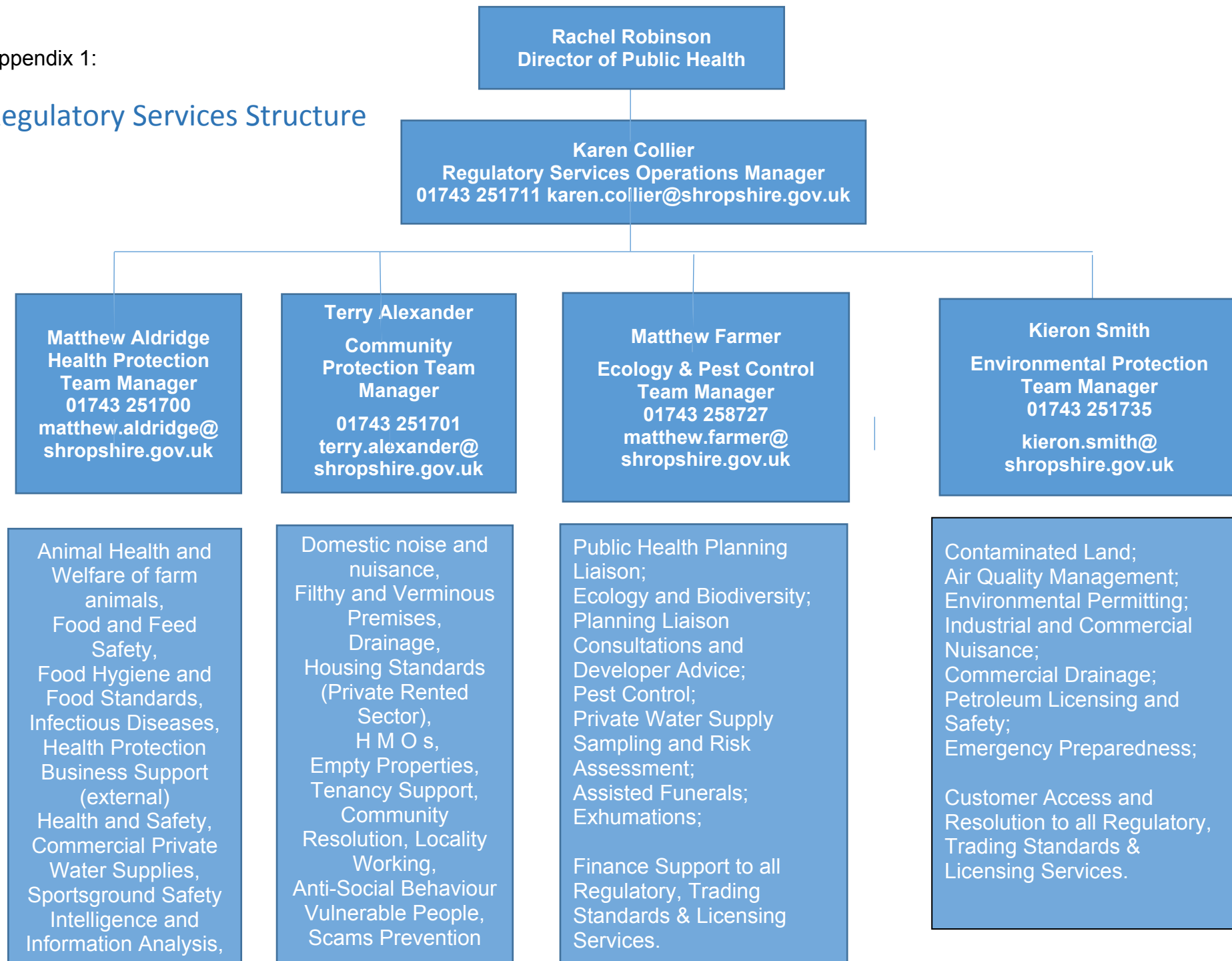
Appendix 1 – Service structure with key functions

Appendix 2 - Wider Determinants of Health Key Performance Indicators

Appendix 3 – Health Protection Key Performance Indicators

Appendix 1:

## Regulatory Services Structure



## Appendix 2: Wider Determinants of Health Key Performance Indicators

Wider Determinants of Health	Key Performance Indicators 2	2018/19 Performance
Air Quality	Number of Air Quality Management Areas	2
	Number of Permitted Processes Inspected (% of required programme completed)	72 (95%)
	Annual Screening Review Submitted to DEFRA	Y
	<b>Public Health Outcome 3:01</b>	3.7% (2017)
Statutory Nuisance	Number of domestic noise nuisance complaints received	561
	Number of domestic nuisance (other than noise) received	145
	Number of commercial noise nuisance complaints received	282
	Number of commercial nuisance (other than noise) complaints received	320
	CIEH noise survey completed on time	Due to be completed 31/7/19
	Number of anti-social behaviour risk assessment conferences	3
	<b>Public Health Outcome 1.14</b>	2.7 per 1000 population (modelled value for 2015/16)
Health and Safety	Number of Health and Safety Interventions	54
	Number of accidents reported	176
	Number of Health and Safety Service Requests	82
	LAE1 return completed	Y
	Number of petroleum inspections	35
	Sportsground Safety Certificate issued and reviewed on time	3
Private Rented Sector Housing	Number of service requests	316
	Number of serious hazards identified during inspection	99
	Number of serious hazards removed.	31 (out of 64 possible to resolve)
	Total number of HMOs licensed	61
	<b>Public Health Outcome 1.17 Fuel Poverty</b>	107
Ecology	Number of planning applications reviewed for ecology	2671
	<b>Public Health Outcome 1.16:</b> utilisation of outdoor space	16.5% (2015/16)

## Appendix 2: Health Protection Key Performance Indicators

Health Protection	Key Performance Indicators	2018/19 Performance
Contaminated Land	Planning Applications reviewed for contaminated land	240
	Number of Contaminated Land EIR	68
Food Chain	Number of interventions carried out (% of required programme completed)	1442 (54%)
	Number of food hygiene service requests	174
	Number of food outbreaks	1
	% of broadly compliant food premises	94%
	Food Standards Agency Performance Food Hygiene Indicator	0.82
	Food Standards Interventions carried out	415
	Feed Standards interventions carried out	83
Private Water Supplies	No of samples taken	454
	% of samples Pass	69%
	Number of risk assessment carried	232
	% of required programme completed	34%
	No of Section 18 notices issued	31
Animal Health	No of Section 18 notices revoked	23
	Animal Health risk rated interventions	108
	Animal Health non-risk Rated Intervention	233
Pest Control	AH Service requests	307
	Total No of treatment visits carried out (charged for service)	3774
Pest Control	No of service requests reporting rats/mice requiring action under Prevention of Damage by Pests Act 1949	240
Public Health Funerals	No of Public Health Act funerals carried out	15
Private Drainage	No of service requests	78
Filthy and Verminous Premises	No of service requests	19
Insecure Premises	Complaints of insecure buildings requiring action to secure against unauthorised access	15