

Agenda Item	10
Report No	SR/8/21

THE HIGHLAND COUNCIL

Committee: Isle of Skye and Raasay Area Committee

Date: 31st May 2021

Report Title: **Environmental Health Update**

Report By: Executive Chief Officer Communities and Place

1. **Purpose/Executive Summary**

1.1 This report is to provide Members with a local update on Environmental Health matters.

2. **Recommendations**

2.1 Members are asked to scrutinise:

- i. the background information on the Environmental Health team;
- ii. the type and volume of work being undertaken locally by team;
- iii. the ongoing challenges in responding to the Covid-19 pandemic and the other statutory duties undertaken by environmental health; and
- iv. the new report format and content

3. **Implications**

- 3.1 Resource – Covid grant from the Scottish Government of £218k was awarded to support the Environmental Health team with Covid duties in 2020/21. This can be carried forward and is used to cover the costs of additional temporary staff. A small increase in the budget was agreed in March to cover new stand by rota costs (£2k). A small increase in income targets of £3k was agreed in March from cost recovery on some licensing activity. The reduction in income from export health certificates is currently being monitored and will be reported to the strategic committee if a budget pressure emerges. These implications affect the service-wide budget for Environmental Health.
- 3.2 Legal – Environmental Health services are subject to a range of legislation and external regulation. To manage risks the team ensures resources are committed on areas of greatest public health significance with work being appropriately prioritised. Currently

not all timescales can be met with current resource levels and practice. New work is planned to improve performance on private water supplies.

Please note that in the report no reference is made to individuals or businesses to ensure compliance with Data Protection and not to impact on any ongoing investigations or court proceedings.

- 3.3 Community (Equality, Poverty and Rural) – The Environmental Health team provide services across urban and rural communities. Any policy changes are subject to equalities screening and adjustments where required and possible.
- 3.4 Climate Change / Carbon Clever – The increase in remote working over the past year has reduced business travel and associated carbon emissions.
- 3.5 Risk - The operational plan contains actions that control risk associated with item CMS1 in the risk register 'Consequences of serious food and water borne disease outbreak'.
- 3.6 Gaelic – There are no Gaelic implications arising from this report.

4. Background

- 4.1 Members will be aware that Environmental Health submits a general operational plan for member approval. The plan provides members with information on the objectives for the whole of Environmental Health including those areas not covered by the Communities and Place Directorate Service Plan. Weekly update meetings for all Environmental Health staff are currently held so that all staff are kept up to date with the latest on various situations; these meetings have also been helpful to maintain staff connection and morale over the past year.
- 4.2 Environmental Health carried out a wide range of statutory duties on behalf of the Council with the general remit to protect and improve public health. This includes:
 - a) Public Health Protection which includes private water supplies, nuisances, smoking in public places, port health, communicable disease investigation (e.g. Covid-19, Food-borne / waterborne disease, legionnaires Disease);
 - b) Food Safety covering food hygiene, food labelling, and food export certification;
 - c) Enforcement and advisory role for Health & Safety at Work legislation;
 - d) Private Sector Housing including sub-standard housing, improvement and repairs grants, closing and demolition orders, Houses in Multiple Occupation and housing defects;
 - e) Pollution Control which includes Noise Control and local Air Quality management;
 - f) Contaminated Land covering the regulatory role for contaminated land prevention through development control, advisory role to other council services on asset transfer and development;
 - g) Animal Health & Welfare which can include dealing with Foot & Mouth disease, Anthrax, Avian Flu and Bluetongue;

- h) Licensing duties which include a general enforcement role for activities licensed under the Civic Government legislation and an administrative and enforcement role for licensing of caravan sites, venison dealers, animal boarding establishments, pet shops, zoos, cinemas, riding establishments, theatres, sports grounds and dangerous wild animals;
- i) Dog Control, Pest Control, Litter education & enforcement, fly-tipping, waste duty of care, abandoned vehicles.

Appendix 1 gives a break-down of the volumes of activity above for the Skye and Raasay areas for the years 2018 to the first half of 2021.

5. Key Updates

5.1 Environmental Health structure:

Environmental Health operate three operational areas: North, Mid and West, with Skye and Raasay being part of the West Team. For these teams, one Senior Environmental Health Officer (SEHO) is responsible for the North Team and area, one SEHO for the West Team and area, and three SEHO's cover the Mid Team and area. In addition to having line management responsibilities for each area, each SEHO has a lead role for particular statutory environmental health duties as described in paragraph 4.2.

Due to the previous West Team SEHO leaving the Council, a new Senior EHO has now been appointed SEHO for the West area.

Appendix 2 details the latest team structure for Environmental Health.

5.2 Local Team:

The current local team for Skye and Raasay consists of 2 Environmental Health Officers (EHO) and 2 Technical Officers (TO). One TO mainly deals with housing issues including housing grants. The second post, a new fixed term TO from September 2020 through to June 2022, undertakes work on Private Water Supplies in the area.

5.3 Local Current Issues:

- a) Covid-19 response: The EHOs are continuing work on Covid 19 including:
 - support local businesses with advice on re-starting activities following lockdown;
 - educate and enforce the appropriate rules within the local businesses;
 - respond to enquiries and complaints received.This work is being done in conjunction with temporary Covid compliance officers employed within the team.
- b) Collaborative Working
 - Work recently undertaken on noise mitigation with the Roads Team to aid them in the undertaking of overnight essential road works in the middle of Portree.
- c) A number of concerns have been raised on dog fouling and dog control. These are being investigated and where appropriate, signage will be provided. Publicity on dog fouling is being considered Highland wide as a

project in the Summer of 2021. It should be noted that these complaints will be investigated by local staff, if resources permit, with support from Environmental Health Assistant Community Works Officers based in other offices. Historically, since the formation of Highland Council, Skye and Raasay have not had a dedicated dog warden and EHOs have covered this as part of their additional duties with support from other staff. Workforce pressures are reviewed on an ongoing basis and within the resources available.

- d) Potential prosecution for Breach of an Abatement Notice. The team have an ongoing Septic Tank complaint that had an Abatement Notice served in June 2020. The notice has not been complied with and the team are now moving forward with a report to the Procurator Fiscal.
- e) Noise issues. The team have several complaints awaiting action; these have been delayed due to the Covid situation. With lockdown having been eased earlier this month, the team will be moving these forward and undertaking monitoring so that appropriate investigations can be carried out.
- f) Foul Odours complaints. There has been a slight increase in these types of complaints throughout Covid. These include septic tank odours, foul water odours and cooking smells. There is currently a long-standing complaint at the south end of the island related to the last topic, whereby a change by the local takeaway has caused the neighbours to approach us for a resolution; this had been paused due to Covid. Investigations are to resume the week beginning 31st May and will be carried out as joint visits by the two EHOs.
- g) Increasing reports on sightings of rats are being responded to, with particular hot spots in Portree (behind Wentworth Street and in Viewfield Square) and Uig (Boyd Terrace area). Environmental Health are investigating the cause and considering actions to address the issue for local residents and businesses. In Uig, Housing undertook grounds maintenance and advice was given to householders / tenants; no further action has had to be taken here.
- h) Abandoned vehicles. There is currently an ongoing complaint on Raasay, regarding two vehicles at the top of Balachuirn, with a further two caravans and boat being allegedly abandoned further down the Balachuirn Glen. The Standard Operating Procedure is being undertaken. Assistant Community Works Officers from other offices will assist these investigations where possible. Members will appreciate the difficulties in the investigation and uplift of some abandoned vehicles. Environmental Health work with Police Scotland on the issue.
- i) Food enquiries. It should be noted that there has been a significant rise in the number of people registering as a food business; it is thought that the greater majority of these applications are by people undertaking baking and similar activities from home. This is unsurprising given the financial effects that Covid has had. In addition, there have been a few more Street Trader Food Vehicle applications that what is considered normal for this time of year. The team are addressing each enquiry and offering advice where possible.
- j) Private Water Supplies. There are 82 private water supplies in the area

classed as 'regulated' supplies that require sampling every year by the team. Prior to the TO being employed in September 2020, this work was previously undertaken by the EHOs. The employment of the new TO has allowed a more focused approach to the Private Water Supplies on the islands, and in addition has freed up more time for the EHOs to concentrate on other priority work. The TO undertakes sampling and Risk Assessment of the local regulated (business) supplies; they also assist the EHOs where necessary / directed. The environmental health management team are reviewing the longer-term options for staff resource related to private water supply statutory duties.

- k) Housing Grants / Complaints / Enquiries. The team continue to work with Lochalsh and Skye Housing Association to undertake the Grant Aid process. The majority of the grants handled are for Disabled Adaptions, with only one or two applications for Repairs Grants each financial year. The team have resumed undertaking inspections for grants and for poor housing condition reports.

5.4 Highland-Wide Issues:

- a) Food inspections – Programme Restart. Food Standards Scotland have issued a restart date of 1st September 2021 for Local Authorities to resume inspections of local business. The Lead SEHO for Food is currently working with specialist and area EHOs to devise a plan as to what businesses are to be inspected first. This will be risk based.

For the Skye and Raasay area there are over 500 food businesses currently listed on our database:

	Food Safety Type	TOTAL PREMISES
F01	Primary producers	38
F02	Manufacturers & packers	44
F04	Distributors/Transporters	8
F05	Supermarket/Hypermarket	1
F06	Smaller retailers	31
F07	Retailers-Others	38
F08	Restaurant/Café/Canteen	65
F09	Hotel/Guest House/B&B	99
F11	Take-away	16
F12	Caring Establishments	10
F13	School/College	18
F14	Mobile food unit	20
F15	Restaurants and caterers - Other	56
F16	Fishing Vessel	65

***GRAND TOTALS: 510

- b) Food Inspections – Approved Premises. These premises are currently being inspected to support EU Exports by the firms.
- c) Export Health Certificates - The team have been undertaking the provision of

these for EU exports since the start of the calendar year. There was not as big an uptake as initially anticipated; however, with lockdown easing here and abroad, the team suspect this may increase. Primarily at this stage, the main offices to be affected by this is Inverness and Fort William, with support from officers from all other areas. It should be noted that the team undertake this function not because the team are statutorily required to do so, but because it means the Council is supporting numerous local businesses and fishermen.

- d) Caravan sites. Ongoing work into the licensing of residential sites continues. In addition to this, a small team is now looking at the Aires model proposals (overnight stays).
- e) Covid Enforcement / Education. The team have had a rise in requests for help and advice, especially in the run up to 17th May and the reopening of the hospitality sector. Currently the team have a team of specialists set up, with one for each traditional geographical area of Highland to provide support and advice to local officers.
- f) Social Media. The team are currently working on increasing the use of the Council social media portals in order to get information out to the local public of the Highland Council area. A small team has been set up start the process of looking at the best way to move this forward post-Covid.

6. Going forward

- 6.1 The local team will continue to follow the priorities as set by the Environmental Health Operational Plan. In the first instance this will be the need to address the Covid compliance education / enforcement within the local area and businesses, and urgent public health issues (i.e. food complaints, statutory nuisance complaints, etc.).
- 6.2 The local team would welcome feedback on this report, especially surrounding the current local matters and the format in which these are presented.

Designation:

Date:

Authors:

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Alan Yates, Environmental Health Manager

Background Papers:

[Communities and Place, February 2021 - Ongoing covid-19 service impacts and adjustments](#)

Appendix 1

The table below details the reactive work undertaken by the Skye Office, for the Skye & Raasay area, since 2018. Please note that this is in addition to planned routine Statutory Performance Indicative work (i.e. food law inspections of food businesses, routine private water supply sampling of regulated supplies, etc.). In addition to this, due to maternity leave and staff changes there is an element of under-recording due to time constraints.

CATEGORY	Numbers Received			
	2018	2019	2020	2021*
Animal Health & Welfare	6	5	6	**
Dog fouling & general dog enquiries	2	0	2	3
Aggressive dogs/dog bites	3	2	2	1
Planning & general consultation	67	51	62	21
FOI request***	0	1	0	
Abandoned vehicles	11	5	13	4
Litter	1	1	2	
Accident reports	1	1	0	
H&S complaints***	9	3	2	
H&S request for info***	0	2	2	
Licensing enquiry	8	5	12	18
Licensing Consultation	58	45	37	21
Licensing complaint	2	2	2	1
Noise enquiry	0	2	1	2
Noise complaint	6	7	14	
Dirty house complaint	3	0	0	1
Foul Odours	1	1	0	
Cooking Odours	0	1	0	
Smoke Complaint	3	4	1	
General Nuisance - Other	7	4	8	
Light Nuisance	1	1	0	
Water Nuisance	0	1	0	
Choked/Defective Drain / Sewer	2	0	3	
Choked/Defective Septic Tank	4	5	8	2
Blue Green Algae Alert	1	0	0	
Fly-tipping	3	0	1	
Whale/animal carcase	4	0	0	
Public Health Incidents (pollution/flooding)	1	0	0	
National Assistance Burial enq	2	1	0	
Exhumation/re-internment enquiry	1	0	0	
Housing grant enquiry	Currently recorded on a different system so unable to report exact numbers. This is being reviewed			
Housing general enquiry				
Housing complaint - dampness				
Housing complaint - structural				
Housing complaint - other				
Housing visit for immigration	1	0	0	
Request for Housing Condition	As above			
Pest control enquiry/complaints	2	2	1	4
Food Premises Registration	4	15	8	37
Fishing Vessel Registration	-	-	64	4
Food safety enquiry	48	56	82	36
Fish/Shellfish Export Cert	0	0	0	1

Food (non Fish/Shellfish) Export cert	0	0	0	3
Approval/Lic/Auth application	0	1	0	1
Shellfish Registration Document	5	10	14	3
Shellfish sites closure	1	1	0	
Complaint - Food (Unfit)	4	9	4	
Complaint - Hygiene of Premises	4	6	5	2
Complaint - Food Standards (e.g. labelling)	0	0	2	
Infectious disease enquiry/rep	1	2	1	
Infectious disease notification	1	1	5	1
Covid Enquiries and Complaints	-	-	28	12
Ship Sanitation Certificate Request	0	0	0	1
Maritime Declaration of Health (Covid related boat declarations)	-	-	92	28
Private water supply enquiry	31	23	29	7
Private water supply request for sample	32	21	13	6
Private water supply other	4	3	2	1
Public water supply query/cmplt	0	0	2	

- * figures are only for first 5 months of the year; where no data, cell is left blank
- ** New Animal Health & Welfare Officer now employed so less EHO involvement
- *** Normally dealt with centrally or by specialist team out of local area
- not previously reported upon

Please note that the above is not wholly representative to the time each different Service Request can take. Significant incidents can take considerable time to investigate and conclude as often complex issues involved. For example, a prosecution can take the equivalent of 4-6 weeks of one officer's time to investigate including interviewing witnesses and then to prepare a detailed case for the Procurator Fiscal. Other incidents recorded can be as quick as a phone call.

Appendix 2

The diagram below shows the current EH Team Structure (correct as of May 2021)

