

REGULATORY SERVICES PERFORMANCE REPORT 2023-24

1.0 HEADLINES

- 1.1 This paper updates members of the Planning, Protective Services and Licensing Committee on the progress which has been made to deliver the Regulatory Services Service Plan 2023/25, highlighting achievements and performance in 2023-24, and identifying additional priorities for the forthcoming year. The [Regulatory Services- Service Plan 2023-24](#) was approved by PPSL Committee on the 21 June 2023
- 1.2 Regulatory Services consists of the multifaceted areas of environmental health, animal health and welfare, licensing standards, private landlord registration and short-term let licensing. These statutory services aim to protect public health and public safety and secure compliance with legislation and standards. Environmental Health is the branch of public health which deals with all aspects of the natural and built environment that may affect public health, together with animal welfare and licensing duties.
- 1.3 Regulatory Services is significantly under resourced and there is a national shortage of qualified environmental health professionals. For much of the reporting period (1 April 23 to 31 March 2024), there were up to 9 vacancies across the service including 4 Environmental Health Officers, and another 3 operational staff. As a result, the service has had to focus resources on higher priority areas of work, at the expense of lower priority and other work that we are unable to deliver and undertook a demand reduction exercise to manage our reactive workload more effectively,

Notwithstanding, there has been good progress in delivering the service plan priorities and our key performance measures although the plans do not include all the statutory work that is expected of Regulatory Services. Special recognition should be given to the team for carrying out this work, under extreme pressure.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that Members of the Planning, Protective Services and Licensing Committee:
- (a) Consider and note the achievements and performance by Regulatory Services in 2023/24.
 - (b) note the Service is operating circumstances and recruitment difficulties, the continued need to direct resources to high priority activities, and to secure appropriate resources

3.0 REGULATORY SERVICES- SERVICE PLAN 2023-25

- 3.1 Regulatory Services is an enforcement service aimed at ensuring that the legislative standards are met by businesses and the public, as appropriate, across a wide range of disciplines. Our enforcement ethos is to work with others to secure these improvements through the provision of advice and information. Any enforcement is risk-based and proportionate to the risk to public health or safety, the risk of consumer detriment, non-compliance with statutory notices or where there is evidence of non-cooperation in meeting statutory requirements.

- 3.2 The Regulatory Service Work plan 2023-25 details the wide remit of the service, challenges and priorities and key performance targets for this period. Delivery of this overarching plan is dependent upon available resource and references a range of statutory plans including the Food Law Enforcement Plan, Health and Safety Law Enforcement Plan; Animal Health and Welfare Plan and NHS Highland/Argyll and Bute Council/Highland Council Joint Health Protection Plan.
- 3.3 Recruitment issues and operating with up to 20% of our qualified Environmental Health Officer resource for 23/24, has affected our performance and resulted in high risk priorities being targeted in the first instance. Due to the excellent work of the Regulatory Services team and their ongoing commitment, in difficult circumstances, there have been some significant achievements in 23/24, against the [Regulatory Services- Service Plan 2023-24](#). Appendix 2 provides a summary of progress against the plan activities.
- 3.4 We have not delivered all aspects of the plan, due to a high reactive workload, including an increase in service requests and incidents. As a result, resources have been redirected to respond to the reactive workload, at the expense of planned activities. However, it's worthy to highlight the following achievements

- i. Performance measures. Good performance against our key measures.

Key National Performance Measure	2023/24 Target	2023/24 Actual
Percentage of service requests resolved within 20 days- EH	75%	73%
Percentage of service requests resolved within 20 days- Regulatory Services	75%	88%
Percentage of planned high risk visits (e.g. food safety, animal health and welfare, licensing standards) completed	90%	90%

- ii. We have introduced a new management team, which is working well.
- iii. **Service design.** Completed and implemented a service redesign to address a range of issues with the previous operating model. It has reflected changes to service demands, new legislation, working practices (post COVID) and outcomes from staff engagement. It also future proofs the service embracing opportunities for new working arrangements and the use of technology. A new structure, which included minor changes to management arrangements, and the creation of a new Principal Officer role (replacing existing Lead Officer Roles), is in place and good progress is being made to provide a range of measures intended to deliver the review outcomes. The review was undertaken within the existing revenue budget.
- iv. Completed a demand reduction exercise to identify whether there are more efficient ways of responding to specific service requests and in some cases, find alternatives, and also not responding where the issue is low risk or outwith our remit, whilst providing appropriate information to enquirers. Reactive work detracts the team from planned activities and across the whole of Regulatory Services last year, we received in 4412 requests for service (excluding short-term let licensing and private landlord registration). This compares to 4555 for the same period in 23/24, although there was a 48% reduction in export health certificate requests and a 12% increase in the more resource intensive general environmental health service requests.
- v. Despite considerable efforts to recruit suitably qualified Environmental Health Officers to fill vacant posts, the Council have been unable to fill vacant posts, with some posts being vacant for 12-18 months. This situation is exacerbated by the national shortage of Environmental Health Officers in Scotland, increased competition to recruit to vacancies by other local authorities (some of which offer higher salaries) and a reducing number of young people entering the profession. Whilst we are actively participating in national work with the Society of Chief Officers of Environmental Health in Scotland, Royal Environmental Health Institute of Scotland (REHIS),

Scottish Government and educational establishments, any outcomes are unlikely to be evident in the short-term.

- vi. Given the national shortage of qualified Environmental Health officers and inability to recruit, we developed a new career pathway for environmental health. This enables individuals, with suitable training, to be appointed and to undergo a structured training program/qualifications to progress from Graduate to Regulatory Services Officer to Environmental Health Officer, whilst carrying out an operational workload. We have recruited 2 new employees through this route as Regulatory Services Officer and discussions are ongoing with an existing employee to embark on this career pathway.
- vii. Food Safety. Reinstated a food control program focussing resources on the approved sector (i.e. manufacturers and exporters) and premises that serve vulnerable groups such as schools, hospitals and care homes. However, we have not restarted food interventions to general food premises
- viii. Health and Safety, Proactive inspection programme in three areas: bather safety in swimming pools; the risk of infection from animal contact establishments; and a sample of 20 spa pools and hot tubs. Seven enforcement notices have been served to address non-compliance.
- ix. Public Health, work continues in reviewing the National Guidance for investigating lead failures in relation to water supplies and implementing any changes required. We have reviewed and replaced as necessary, all signs and advice regarding Blue Green algae blooms in inland lochs. Recent appointment of the Principle EHO Public Health to the vacant post we enable us to review and prioritise actions from the Joint Health Protection Plan, investigations into cases of infectious disease in conjunction with NHS Highland.
- x. Private Water supplies: Implemented our PWS Improvement Action Plan and completed 129 risk assessments and carried out monitoring and sampling visits across 449 of our 764 regulated private water supplies (increase in regulated supplies from 562). These visits led to 308 investigations where results failed to meet prescribed drinking water quality standards. The number of monitoring visits has fallen this year slightly (from 500 in 2022) as we targeted an increase in risk assessments from 10% to 18%, but performance was affected by due to staff illness and absence.
- xi. Housing related activities. Resources in the Landlord Registration team were reduced to 50% despite repeated attempts to recruit. We continued to process registration and Houses in Multiple Occupation Licence applications. Area teams continue to respond to potential Statutory Nuisances as they relate to Housing conditions. In addition recent changes to the Repairing Standard in relation to lead pipework in contact with water supplies has meant increases in enquiries.
- xii. Animal Health and Welfare; Completed the review of the Animal Health Disease Plans and implemented appropriate measures locally, in response to the national avian influenza outbreak. Promotion of the new Scottish Kept Bird Register, which came into place on 1/9/2024 and required all keepers of birds with access to the outside environment to register their keeping of birds, irrespective of numbers kept.
- xiii. Licensing Standards. Completed 100% of their high risk inspection program of licensed liquor premises, responded to 777 occasional and extended licence applications, issued 144 welcome packs to new licensees, and responded to 1781 service requests
- xiv. Short-term let licensing. The tourism sector is critical to the economy of Argyll and Bute and this has led to a large volume of short-term let licences. Implementation of the Scottish Government scheme has been difficult and this has involved the reaction

of a new team and given the temporary nature of this work, recruitment has been problematic. At the time of writing the report, there are over 3200 applications and the team have carried out excellent work, with 1013 licences issued.

- xv. Incidents: Responded to a variety of incidents including the investigation of a fatality at a leisure centre, major injury to an employee, hazardous substance consent, contaminated land issues and the national avian influenza outbreak affecting wild and domesticated birds. In Argyll and Bute, there were no reported outbreaks associated with domestic or commercial poultry
- xvi. Growing our own: Developed a new career pathway to Environmental Health whereby suitably qualified officers can be recruited into a Regulatory Services role and provided with appropriate training to become an Environmental Health Officer. Been successful in establishing a new EH management team in 2024 with the internal promotion to the Environmental Health Manager (West) post, and other employees taking up promoted, different or acting-up, posts within Regulatory Services. However, our recruitment difficulties are demonstrated by our inability to attract a suitably qualified candidate for the post of Graduate Environmental Health Officer, with a starting salary of £31,990 and a commitment to provide support and specialist training to attain the professional REHIS post graduate Diploma in Environmental Health, to become a qualified EHO

3.5 Challenges and issues facing Regulatory Services for 2024/25 are:

3.5.1 The service is not adequately resourced to undertake all its statutory responsibilities and work is assessed in a **risk-based, proportionate approach having regard to public health**. This is reflected in the service plans and priorities, exacerbated by recruitment difficulties in attracting qualified officers and high levels of vacancies, and external audits (Food Standards Scotland 2016, Scottish Government Drinking Water Quality Regulator 2022).

3.5.2 **Managing risks:** Regulatory Services continues to be under-resourced to deliver the Councils full statutory duties across environmental health and animal health and welfare. **Our enforcement policy targets resources on high risk priorities, and intelligence-directed activities and this will continue.** Whilst, a pragmatic approach to protecting public health, it does expose the Council to reputational damage as there is statutory work not being carried out and this potentially increases the risks of non-compliance and incidents, places a greater emphasis on businesses to manage their businesses safely, and public concerns that environmental health no longer respond to various issues, with an expectation that they consider their own civil actions. External audits will identify that the Council have insufficient resource to deliver statutory duties across Regulatory Services

3.5.3 Recruitment and resources:

Our aim is to recruit to our vacant posts and achieve a full staffing complement. We have implemented a new career structure, redesigned posts and are working with our HR colleagues, to identify innovative ways of tackling this historic issue.

Work is planned to identify the resource gap that exists between the current service and an appropriately resourced service, as this is unknown. In food safety(which is currently under-resourced by 3 FTE), we have calculated that we require an additional 5.5 FTE professional posts, above our current full complement and budget, Review existing vacancies and identify whether there is an alternative way of delivering services within the existing budget. For example, in private water supplies, appointment of new officers at a lower level post to complete training for risk assessment work; appointing an additional temporary member of staff to assist in addressing the increase in supplies funded from an increase in income

- 3.5.4 **Service redesign:** To continue to work towards delivering all actions identified through service redesign and meet the 11 outcomes. This includes actions relating to communication, bedding in the new management and Principal Officer remits. Better use of digital systems and identifying ways of finding additional capacity, through improving our effectiveness through new ways of working and use of digital technology
- 3.5.5 **National shortage.** Participate in national discussions to address the shortage of qualified environmental health professionals and support local and national initiatives to promote environmental health as “a career of choice”. This includes promotion within schools and recruitment of a Student EHO, subject to the availability of a degree course, and internal resources to train them during their period of workplace attendance.

The decision by the University of the West of Scotland not to accept new students into Year 1 of the BSc (Hons) degree course in Environmental Health (the only one in Scotland) in 2024/25 and 25/26 poses a significant risk to the profession and has delayed our ability to recruit a Student EHO, from the local community, that we could sponsor and support to become an EHO in the future.

- 3.5.6 **Short-term let licensing:** There are considerable challenges in assessing more than 3200 applications, due to resourcing difficulties and workload. All applications not determined within 12 months, are deemed granted, and the service is presently developing its strategy to deal with deemed licences and have communicated with the sector that applicants can continue operating meantime. Specific actions include the review our STL policy to take account of revisions to legislation, the deemed grant process and continue to determine the remaining, and new, applications for licence. Further work requires to be carried out to develop an enforcement program for licensed premises and to participate in consideration of potential Short-term let Planning Control Areas

4.0 CONCLUSION

- 4.1 The Council's Regulatory Service continues to deliver its statutory duties with a continued focus on high risk work and intelligence- led interventions, at the expense of other statutory work. This manages public health risks but risks placing a greater emphasis on businesses to manage their businesses safely, and public concerns that environmental health no longer respond to various issues. Improvements can only be achieved through recruitment to vacant posts and additional funding.
- 4.2 The team worked hard in 2023/24 to deliver service priorities, as well as responding to high levels of unplanned work, and carrying out a service review

5.0 IMPLICATIONS

- 5.1 Policy – consistent with Council policies for protecting public health, better regulation and safer communities
- 5.2 Financial – Service operating within budget
- 5.3 Legal – statutory service under the Building (Scotland) Act 2003 and associated legislation.
- 5.4 HR – there are significant recruitment issues affecting the service at a local and national context.
- 5.5 Fairer Scotland Duty - the Fairer Scotland Duty,
- 5.5.1 Equalities - all activities comply with all Equal Opportunities/Fairer Scotland Duty policies and obligations.
 - 5.5.2 Socio-economic Duty - all activities have complied with the council's socio-economic duty.
 - 5.5.3 Islands – interventions have been delivered across the Argyll and Bute area, including island communities.
- 5.6 Climate Change – work of service supports climate change and net zero
- 5.7 Risk – Council is not meeting its full range of Regulatory Services statutory duties and is

managed in a risk-based targeted, proportionate approach. This increases the risk of external government audits identifying that the services are not fully resourced, reputational damage, and responding to incidents, rather than prevention

5.8 Customer Service – service seeks to meet the Councils customer standards is a front-facing regulatory service

5.9 Rights of the Child (UNCRC) – none

Executive Director with overall responsibility for Development and Economic Growth:

Kirsty Flanagan

Policy Leads for Regulatory Services: Councillor Green.

02/10/2024

For further information contact:

Alan Morrison, Regulatory Services and Building Standards Manager alan.morrison@argyll-bute.gov.uk.

Fergus Murray, Head of Development and Economic Growth: fergus.murray@argyll-bute.gov.uk.

APPENDICES

Appendix 1: Key achievements and service activities

Appendix 2: Progress report against Regulatory Services Service Plan 2023-25

Appendix 1: Key achievements and service activities

764 (Type A) 2565 (Type B) private water supplies with 129 risk assessments complete and 849 samples taken



Received in service of 4200 service requests in 23/24, with 87% responded to within 20 working days

Carried out a redesign of Regulatory Services

Issued 64 environmental health licences in 2023/24 across a range of activities including Houses in Multiple Occupation, caravan sites, venison dealers, and animal welfare establishments.

Regulatory Services

4E's enforcement policy (engage, educate, encourage and enforce) secures improvements to standards but X formal enforcement Notices issued in reporting period, and two cases submitted to the Crown Office.

Administers registration scheme for 3349 private landlords and just under 5000 let properties



Received 3200 short-term let applications and issued 1032 licences

Local Air Quality Assessment confirmed that air quality in Argyll and Bute is well below prescribed standards

Achieved 90% of all high risk planned interventions in 2023/24



Regulate standards across 2515 food businesses

Issued 433 Export health certificates and provided attestations to local businesses, to enable food consignments to be exported to EU and beyond

Successful growing our own policy with 3 employees promoted to other acting up or permanent roles

Appendix 2: Progress report against Regulatory Services Service Plan 2023-25



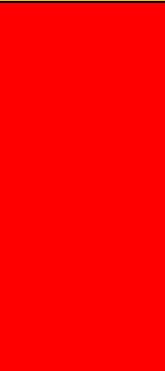

	Priority	Progress report August 2024	Status
1	<u>General management</u> Continue general review of approach to work to improve effectiveness and efficiency (redesign). Including:	Positive progress being made to deliver this outcome	
	Service Management: To recruit an Environmental Health Manager (West) and build a new management team.	Recruited to Environmental Health Manager (West) post and new management team working well	
	Recruiting to vacant posts	Significant issues recruiting qualified EHO's, not assisted by national shortage (3 EHO vacancies with one since April 2023)	
	Workforce planning: Continued focus on workforce planning and how to recruit, retain and develop our own workforce to combat the national shortage of environmental health and other regulatory professional staff.	Introduced new career pathway to Environmental Health Officer to reflect national shortage of Environmental Health Officers through recruitment of suitable qualified candidates to Regulatory Services Officer post and career development to EHO. Presently 2 new employees employed in this route. Continued resourcing and recruitment issues. Good evidence of "growing our own" in all posts, with exception of EHO	
	Service redesign. Complete the redesign of regulatory services to provide a service reflecting available resources, support succession planning, workforce development; demand management, and appropriate to meet future challenges	Service redesign complete and Implementation Plan in place. Revised structure in place as of 12 August 2024	
	Performance: Review and develop improved methods of monitoring performance across all areas of work as part of the development of the performance framework, linked to resources;	Performance review ongoing but model agreed to review and prioritise workload across the service	
	Supporting Procedures: Clear & consistent work procedures to improve efficiency and avoid duplication of effort;	Revised procedures to be taken forward in 24/25 as part of new arrangements, post service review	
	ICT & Business Support: Continual improvement in use of digital technology to reduce administrative burdens and free up officer resources (e.g. MS365; remote inspections will reduce travelling etc) through better use of digital technology. Specific projects include the migration of electronic document management system, better use of MS365, continued transfer from paper-based or site-specific files to electronic documents;	Electronic Document Management program and transition of MS365 ongoing. Linked to office rationalisation, data cleansing work ongoing. Introduced new Enterprise system to support officers manage their workloads more effectively.	

	Officer Development: build capacity by improving learning and development process for officers; and the successful training of graduate environmental health officers and authorised food safety officers	New career conversation process introduced to support professional and personal development across Regulatory Services. Recruitment difficulties in recruiting graduate EHO/Food Safety Officer but to be pursued in 24/25	
	Outcomes: Continue to demonstrate benefits and improve profile of work undertaken with greater use of opportunities of case management system reporting.	Ongoing but outcomes not yet achieved due to delays in EDMS project	
	Savings & Income: Increase income & identify further commercial opportunities and savings as part of Councils financial strategy	Post EU Exit, there has been a significant reduction in Export Health Certificate work, and income, because of businesses changing their operating models. Shortfall of £100K annually. Benchmarking of fee and charges planned for 24/25 as part of budget process	
	Where resource permits, work with other Council teams and external housing organisations/partners (e.g. Under One Roof, Shelter, Building Standards, Housing etc) to provide opportunities to engage with homeowners and landlords on housing standards and signpost to available support	Lack of resource to develop this but this matter is incorporated within the Councils Housing Emergency Action Plan	
2	<u>Health & Safety at Work Enforcement</u>		
	To develop and deliver our Health and Safety Law Enforcement Workplan 2023-25.	Health and Safety Law Enforcement Plan 23-25 approved by PPSL Committee on 23/09/2023 meets the requirements of LAC67/2 (rev 12), tailored around our available resource. Work in progress to develop the plan	
	To devise and deliver a programme of health and safety interventions based upon Local Authority Circular (LAC67/2) (rev12), and the list of national priorities published by the HSE. The programme shall consist of work to deliver those national priorities set by HSE, work to deliver local priorities and an inspection programme that meets the requirements of the National Local Authority Enforcement Code. All pro-active health and safety work is targeted in accordance with the HSE priorities or where local intelligence identifies any health and safety related issue.	Certain work-related incidents are reportable under the Reporting of Incidents, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). Reports are screened according to approved criteria and those occasioning serious harm or indicating a significant breach of duty are selected for investigation. In 2023-2024 there were 23 reports received, of which 5 were selected for investigation.	
	To resource and provide an effective response to serious work-related incidents, including, where necessary, preparing and submitting reports to the Crown Office Procurator Fiscal Service	Work-related deaths are also investigated by Police Scotland, and our inspectors work closely with the Police and the Crown Office from the outset in these cases. One report was submitted to the COPFS in the period to date, relating to a workplace transport incident. The outcome of that report is not yet known. Incidents currently under investigation include: a fatality at a leisure centre; and a	

		fatality involving an off-road vehicle.	
	To provide appropriate advice and information to employers and other duty-holders on securing the health, safety, and welfare at work of their employees and the health and safety of other persons affected by the conduct of their undertakings.	Advice on health and safety at work is provided on the Council's website. ² b) Inspectors respond to requests for advice from employers and other duty-holders. c) On 17th August 2019, 24-year-old Kieran Cowan died after the unsafe boat hired to him capsized in previously forecast strong winds and high waves on Loch Awe. In January 2023, Clifford Davies and Janet Lightbown, the partners in Loch Awe Boats, were jointly fined £10,000 when they pled guilty to a breach of section 3(1) of the 1974 Act resulting in the death of Mr Cowan. ³ The investigation by Argyll and Bute Council found that customers had been exposed to risks through hiring out a boat which failed to comply with the stability and safety requirements of the Hire Boat Code. Because of this incident, health and safety inspectors have been scrutinising safety documents and procedures submitted with boat hire licence applications and providing advice to the Licensing team to improve the protection of boat-hirers, most of whom will be unfamiliar with boats. Particular attention is being paid to the suitability and use of personal flotation devices provided to members of the public.	
	To maintain the competence of the appointed health and safety inspectors to identify and intervene on matters of evident concern when undertaking other regulatory visits to premises. Key projects include: <ul style="list-style-type: none"> • Building safety hazards arising from fragile roofs and unsafe shop signs; • Infection hazards from animal contact in the commercial leisure sector; • Safety of inflatable amusement devices; • Gas safety in catering premises; • Carbon monoxide from solid fuel catering appliances; and • <i>Legionella</i> control in spa pools in commercial use. 	Regular in-house training is provided to inspectors, and they can attend external courses and webinars which are appropriate to their duties. An emphasis is put on the skills required for criminal investigations and reporting to the Crown Office. Inspectors are expected to deal with matters of evident concern relating to workplace health and safety when conducting other duties in premises for which the Council is the enforcing authority. Examples of cases dealt with include: <ol style="list-style-type: none"> a. exposed 415V electrical conductors in linen cupboards in an hotel exposing employees to the risk of electric shock, burns and electrocution; b. damaged asbestos pipe lagging in an hotel basement exposing employees to asbestos fibres; c. an unguarded industrial fan used to ventilate a shop exposing members of the public, and particularly children, to the risk of amputation; d. unguarded planetary mixers in a catering premises exposing workers to the risk of serious personal injury; e. failure to maintain gas installations in a safe condition in catering premises, exposing employees to the risk of exposure to carbon monoxide. 16 improvement notices, 5 immediate prohibition notices, and 2 deferred prohibition notices were served in the period to August 2024. 1 prohibition and 1 improvement notice remain under appeal to the Employment Tribunal.	

3.	<u>Licensing enforcement and administration</u>		
	To deliver the licensing scheme for short term let accommodation.	hort term let licensing regime is in place, together with STL Policy, which was revised by Council in September 2023. New team in place to deliver this scheme, although there have been resourcing issues in recruiting suitable qualified staff to these roles. Significant challenge to process and determine more than 3020 applications.	
	To review the arrangements for maintain a public register for all licences administered by Regulatory Services and develop a new suite of on-line public registers for all such licences	New in-house Oracle information management system in place to support the STL regime and to produce the statutory public register which is available via the website . An initial review of all licences issued by Regulatory Services and public registers is planned in Q3/4 of 24/25. Public Registers of Licences issued by Environmental Health and Animal Health are available on the Councils Website.	
	To complete the review of all Council licensing functions with the aim of improving their effectiveness and identify any efficiencies	Review of licensing functions across Regulatory Services has been reprogrammed for 25/26, given significant challenges in meeting demand from STL licensing regime	
4,	<u>Private Water Supplies</u>		
	Review the charging fees for private water supply related work.	Fees and charges to be reviewed in 2024/25 on recruitment of the Principal EHO post, which has been vacant for 12 months pending outcome of service redesign	
	Continue to use a risk-based system approach to the prioritising of the PWS monitoring and refocusing our risk assessment programme on regulated /commercial supplies.	Risk assessment program has been focussed on regulated/commercial supplies but progress in delivering the plan has been delayed due to staff absence and vacancies. One existing part time post has been provided with additional hours and two new Regulatory Services Officers have been recently appointed, training is ongoing, and this will improve performance over 24/25	
	Deliver the PWS Improvement Action plan which was developed to address the outcomes of the DWQR Supervisory visit in 2022	This plan was developed and resulted in an increase to completed risk assessments from 55 (total up to 2022) to 129 (total to July 2023) this is a significant increase over the year but was accompanied by a reduction in sampling work (96% of supplies (500/552 supplies) in 2022, and 58% (449/764 supplies) in 2024. It should also be noted that the total number of supplies also increased in 2023 from 552 to 764 regulated supplies. Positive progress agreed with DWQR, and plan extended for 24/26 regarding RA activity at expense of sampling.	
	The impact of legislative changes in 2017 and statutory obligations on the Council to monitor and regulate private water supplies in its area has placed additional workload and resource requirements on the team. A review of workload and resources to be completed in 2024 to identify the resources needed to meet our obligations and provide a sustainable workforce going forward.	Additional temporary, sampling post agreed for 2024/5 to progress sampling as well as enable continued focus on risk assessments, following absences in wider team. Further review planned for 25/26 to consider routine workload following additional supplies being identified to cover both long-term lets and an increase in STL's notified due to licensing requirements.	

	Continue to work in partnership with NHS Highlands concerning reports of illness with links to PWS.	Effective arrangements are in place between Council and NHS Highland, through our Joint Health Protection Plan 24/26	
	Advise, educate, and promote the private water supply grant funding scheme so that supplies are improved to provider safer drinking water.	This work is ongoing and continues although uptake has slowed. In 2023/4 25 grant applications were received for carrying out improvements, 9 applications were approved to go ahead and 6 were paid out. Since 2006 over £2.2m has been paid for improvement to PWS within Argyll and Bute.	
	Review the Council's PWS Grant Policy to look at the eligibility criteria for hardship and consider enhanced funding for supplies that experience prolonged water scarcity and/or lead contamination	This work has been delayed due to vacant lead officer post. Successful recruitment was carried out in August 24 and the work will be reprogrammed into work plan for 24/25	
	Complete digitisation of all PWS paper files onto the environmental health electronic document management system. Review the existing PWS registers to enable production of a single Register, and update PWS layers on GIS to reflect properties served and NGR types	Digitation of PWS files is ongoing as is the review of the public register. Identification of a suitable scanning company is required and had been anticipated to take place at some offices that had undergone our modern workspace changes, but this has not yet occurred	
5	<u>Food Control</u>		
	To secure Committee approval for our Food Law Enforcement Workplan for 2023-2025 and implement measures to deliver it.	Food Control Law Enforcement Plan 2023-25 approved by PPSL Committee on 18/10/2023. Work in progress to develop the plan	
	Continue to work with Food Standards Scotland on the review of the approach to Food Control following the pandemic. The Service is also engaged in an emergent national Scottish Authorities Food Enforcement Rebuild (SAFER) project to redesign the approach to Food Control applying limited resources to maximum effect and in the longer term to provide assurance in public health protection, with sufficient and sustainable resources to deliver the required work. The review may include a novel approach to publication of inspection information	Scottish Local authorities, including Argyll and Bute Council, continue to work with Food Standards Scotland to support work on the Scottish Authorities Food Enforcement Rebuild (SAFER) project. There is no update to provide meantime and FSS continue to lead this project	
	Review demand from export food business for export health certification and attestations to identify resourcing requirements and the financial implications from new business trading models which are focussing on commercial hubs established post EU Exit.	Demand for export health certificates has fallen significantly post EU Exit as businesses have changed their operating models. The larger export companies are using the benefits from commercial hubs rather than seeking certificate from each local authority. The impact from Argyll and Bute has been exacerbated by Loch Fyne Oysters decision to move their smokery process outwith the area. To illustrate this situation, in 2021/22, Argyll and Bute issued 1470 export health certificates with total income of £137,817.70. For the same period in 23/24, 433 export health certificates were issued with an income to the Council of £40,639.20	

<p><u>Food Control – Inspection Priorities</u></p> <p>It must be noted that investigations, or enforcement action, significant to public health will take priority over the targets specified below.</p> <p>Priority 1: High Risk Food Program To undertake Official Control Verification completing verification of all *Critical Control Points, *Operational Prerequisite Programmes, *Traceability, *Authenticity and *Integrity arrangements within all Approved and other High-Risk Food Business Operators. (Target 95%)</p>	<p>Priority 1: High Risk Food Program We have implemented in a programme of visits to all premises requiring official controls, and in addition have commenced a programme of high-risk premises serving the most vulnerable groups. This project started in March 2024 and is planned to finish September. There was a delay due to loss of some resources however, posts have been advertised and are in the process of being filled/filled.</p> <table border="1" data-bbox="913 363 1850 596"> <tr> <td></td> <td>Approved Food Premises (Priority 1)</td> <td>Other High Risk Food Premises (Vulnerable Group Project and other intelligence lead inspections)</td> </tr> <tr> <td>No of high risks interventions planned</td> <td>49</td> <td>27</td> </tr> <tr> <td>No carried out</td> <td>39</td> <td>27</td> </tr> </table>		Approved Food Premises (Priority 1)	Other High Risk Food Premises (Vulnerable Group Project and other intelligence lead inspections)	No of high risks interventions planned	49	27	No carried out	39	27	
	Approved Food Premises (Priority 1)	Other High Risk Food Premises (Vulnerable Group Project and other intelligence lead inspections)									
No of high risks interventions planned	49	27									
No carried out	39	27									
<p>Priority 2: Mid-range Risk Food Program (Intelligence Informed) To establish based on intelligence an inspection programme applied to medium risk Food Business operators which may require a formal intervention and integrate them into an inspection program to be carried out by authorised officers of the Council or appointed contractor.</p>	<p>Priority 2: Interventions work ongoing but limited due to resourcing, to food businesses providing to vulnerable groups (schools and residential homes for eth elderly) work ongoing but limited due to resourcing, to food businesses providing to vulnerable groups (schools and residential homes for the elderly)</p>										
<p>Priority 3 Mid-Range Food Programme (Assurance Informed) To establish based on representative and randomised sampling an inspection programme applied to medium risk Food Business Operators which may require a formal intervention and to integrate them into an inspection program to be carried out by authorised officers of the Council or appointed contractors and which will provide on the basis of a sample of FBOs an indication of the state of compliance of all FBOs under the Council’s jurisdiction.</p>	<p>Priority 3 - this work has not yet commenced but remains in the programme for Q4 2024, Q1 2025</p>										
<p>Priority 4: Low Risk & Unrated Food Business Operators (Intelligence Driven) Ensure that all low risk and unrated or new food hygiene premises are allocated with an appropriate risk and intervention</p>	<p>Priority 4 - This work remains ongoing; procedures have been agreed for desktop assessments as appropriate and to amend administrative processes to enable more efficient processing of registration forms. This process we allow officers to target interventions as necessary more effectively. There remains approx. 500 unrated FLRS premises, distributed equally over the last 5 years the project to reduce this number had reduced the historic ones but resource issues have meant recent numbers have increased.</p>										

	Continue to engage with partners in Scottish Government and Industry to ensure EH Service is structured and financed to best facilitate the needs of the export market and appropriate arrangements are in place for imported food.	Ongoing, including participating in a Scottish wide time recording exercise for food control, discussions on the SAFER project, chairing the OCV Working Group,	
	Deliver a Food Sampling plan focussed upon the Official verification of High Risk FBOs	Food sampling plan commenced in 2023 and continues into 2024. We also participation in the national FSS priority sampling topics. Samples that highlight results indicating non-compliance issues are followed up with the originating business with actions taken as appropriate.	
6	<u>General Public Health Protection</u>		
	Implement and deliver the priorities defined in the Joint Health Protection Plan 23/25, working in conjunction with other partners and through our statutory work	Health Protection Plan was approved by Argyll and Bute Council on the 19 April 2023. Plan also approved by Highland Council and NHS Highland	
	Assess the adequacy of public health controls at airports and ports across Argyll and Bute	Review of port and airport health arrangements delayed due to vacancy. Review to be progress in 24/25	
	Review the Councils temporary mortuary arrangements in Tiree to identify whether there is a continued need to provide this facility	Review of temporary mortuary facilities in Tiree to be undertaken in 24/25	
	Review and update of all risk assessments in regard of Blue Green Algae (BGA) affected water bodies and update as appropriate. Review of effectiveness of the 2022 project that used semi-permanent signage as a route to inform the public more widely of issues relating to BGA	Review of blue-green algae arrangements delayed pending national review of standards. Work to be progressed early 2025 but operational response in place to respond to any blue-green algae incidents, and semi-permanent signage in place at high-risk lochs across Argyll and Bute. All signage for 2024 reviewed and replaced as necessary and notifications recorded for risk assessment, with additional temporary signage provided as appropriate.	
7	<u>Environmental Protection</u>		
	Local Air Quality Management: Continue to monitor and review nitrogen dioxide levels at locations where members of the public might be regularly exposed and where there is the potential for poor air quality because of traffic emissions Prepare and submit the Annual Progress Report to the Scottish Government	Local Air Quality progress report submitted to Scottish Government in June 2024 and concluded that air quality in Argyll and Bute remains good.	

	Establish a strategic approach to LAQM	Strategic AQR Group to be convened late 2024	
	Respond to concerns and enquiries regarding local air quality impacts	Arrangements in place to highlight local air quality issues relating to planning applications.	
	Review Air Quality impact reports submitted to support planning applications	Continue to highlight potential air quality impact within Planning and Development control	
	Participate in National initiatives to improve air quality	Ongoing	
Land Contamination			
	a) Continue to liaise within Development Management to ensure land contamination issues are appropriately considered.	Ongoing liaison with development management colleagues and weekly planning lists regularly reviewed	
	b) Review weekly planning lists for developments with potential land contamination issues.	Site investigation reports are reviewed as part of assessment to determine whether investigations are adequate to discharge planning conditions. There is currently a backlog of investigations to assess. Given the extent of this work, the Council have had to outsource this work to an external consultant, to meet demand. This option is unsustainable as the costs are unbudgeted and options are being considered.	
	c) Review land contamination investigation and assessment reports submitted to support redevelopment.	Project ongoing to digitise historic land uses through a Temporary Environmental Protection Information Officer. Project on target to be completed by 30/10/24 and funded jointly by environmental health and development management.	
	d) Update and improve information on historic land use; creation of a potentially contaminated land database (GIS layer)	Ongoing liaison with developers at an early pre-planning application stage	
	e) Liaise with developers or their agents regarding potential land contamination as early in the development process as possible	Ongoing liaison between SEPA and Council	

	f) Continue to liaise with SEPA regarding water environment impact and assessment	Ongoing investigations into a potentially contaminated site within our area.									
	a) Respond to concerns and enquiries regarding land contamination	Ongoing									
	b) Consider potential land contamination concerns in terms of formal Part IIA investigation	Ongoing									
	g) Review the Council's Contaminated Land Strategy	Review of contaminated land strategy planned for February 2025									
	h) Maintain the Council's Contaminated Land Register	Councils Part IIA register is maintained and there are no properties or sites currently on the register.									
General Environmental Protection											
	Liaise with and support environmental health on issues such as burning, environmental noise, vibration, dust, vapours	<p>a) Measures in place to respond to issues and support teams.</p> <p>b) Demand reduction exercise undertaken to review our response to service enquiry types and free-up resources from this resource-heavy reactive work.</p> <table border="1"> <thead> <tr> <th></th> <th>Total (1/4/23-31/3/24)</th> <th>% responded to within 20 working days (target is 75%)</th> <th>% responded to and completed</th> </tr> </thead> <tbody> <tr> <td>Number of service requests received</td> <td>2335</td> <td>73%</td> <td>99%</td> </tr> </tbody> </table>		Total (1/4/23-31/3/24)	% responded to within 20 working days (target is 75%)	% responded to and completed	Number of service requests received	2335	73%	99%	
	Total (1/4/23-31/3/24)	% responded to within 20 working days (target is 75%)	% responded to and completed								
Number of service requests received	2335	73%	99%								
	Support Service Management Team on National environmental issues such as relevant National consultations and preparation of briefing notes on National initiatives (e.g. Deposit return scheme)	Ongoing									
	Support Service Management Team on local environmental issues such as Health Protection, Energy and Renewables, Pollution incidents	Ongoing									
	Liaise with GSS and SEPA on the investigation and monitoring of pollution incidents and complaints (e.g. vapour, fumes, and fuel leaks)	Ongoing									
8	<u>Short-term let licencing</u>	Note: There are considerable challenges in assessing more than 3200 applications, due to resourcing difficulties and workload. All applications not determined within 12 months, are deemed granted, and the service is presently developing its strategy to deal with deemed licences.									

		Notwithstanding this, they require formally assessment, but the “deemed” process allows hosts to continue operating this business.	
	a) Deliver and promote the short-term let licensing scheme across Argyll and Bute Council and determine all applications for licence	a) Arrangements in place to deliver the short-term let licensing regime. To date, there has been 3200 applications received by the Council and 1032 granted	
	b) Review and develop procedures and systems relating to the licensing scheme	b) Policies and procedures have been reviewed. Formal review of STL Policy approved by Council in September 2023. A further review is ongoing to reflect changes to legislation and the deemed grant policy	
	c) Effective engagement with hosts, consultee, stakeholders, and other agencies (e.g. Association of Scottish Self Caterers, Wild Argyll etc.)	c) There is ongoing liaison with other agencies and the sector	
	d) Support the work of the Council and Loch Lomond and the Trossachs National Park to consider the need for Short Term Let Planning Control Areas.	d) All STL applications have been digitised and are available to planning authorities in assessing the appropriateness or necessity for short term let planning control areas.	
9	<u>Private landlord registration</u>		
	a) To determine applications for renewal or new private landlord registration applications	Arrangement in place to determine registrations for renewals or new landlords or let properties. There are presently 3349 private landlords (that are either registered or have submitted an application to renew) and 235 new landlord applications providing just under 5000 properties for let across Argyll and Bute (some landlord jointly own a property and others have multiple properties)	
	b) To provide advice and assistance to landlords seeking to register, and tenants raising concerns, in respect of the operation of the scheme and signpost to additional assistance as appropriate.	This work is ongoing	
	c) Develop a procedure for ensuring complaints regarding private lets are investigated and actioned appropriately including the ability to make reports to the first-tier tribunal and design of a tenant's information pack/leaflet for circumstances where our direct intervention is not appropriate	Advice is provided to those who contact the team, signposting to other departments is also carried out. Delay in tenants' information pack production due to vacant post.	

	d) Investigate unregistered landlords and those with incomplete registrations to ensure compliance. Take enforcement action as appropriate against those who are non-compliant, including refusal of registration application referrals to Housing and Property Chamber.	The service has been unable to recruit a Registration Assistant for 12 months despite repeated attempts. As a result, this action has been paused meantime, unless their intelligence identifies the need for urgent intervention. Tacit approval of longstanding applications that contain <3 premises has commenced, given landlords are entitled to let premises unless a decision is made and a suggested tacit approval at 1 year exists, but has not yet been commenced. These are marked in our system pending further intelligence	
10	<u>Licensing Standards (Liquor)</u>		
	a) To deliver the Argyll and Bute Councils Licensing Standards Workplan for 23-25	b) Service plan for 23/24 achieved and 24/25 plan in place	
	c) Take appropriate action(s) in response of service requests and applications for new licences, renewals and for occasion and extended hours.	a) This work is inbuilt into the work program for licensing standards officers and over the year, a total of 112 licensed premises were inspected, 777 applications for occasional and extended licences were considered together with 1781 service requests responded to	
	d) Support the work of Safety Advisory Groups to secure safe and successful events.	b) Licensing Standards Officers continue to support events and the work of the Safety Advisory Groups, for the larger events	
11	<u>Animal Health and Welfare</u>		
	a) The proportionate and effectiveness enforcement of animal health and welfare across Argyll and Bute to secure compliance.	This is an inherent part of the animal health and welfare services enforcement policy	
	b) Working with stakeholders, deliver the Councils Animal Health and Welfare Framework Service Plan for 23-25	Animal Health and Welfare Framework Service Plan 23/25 was approved by PPL Committee on the 20/09/2023 and measures are in place to deliver this, including liaison with other agencies including Animal Health and Plant Agency.	
	c) Continue to maintain an overview of the potential impact of the proposed new Scottish Veterinary Service on animal health and welfare services within local authorities.	The Scottish Government have confirmed that they will not be progressing with the Scottish Veterinary Service at this time.	
	d) Provide support, through advice and enforcement, to agricultural industry and wider communities on animal disease issues, including avian influenza	Ongoing provision of support and enforcement actions	
	e) Review the Councils animal health disease outbreak plans and arrangements to improve our level of preparedness.	The review of the Councils animal health disease plan and specific plans is complete (e.g. avian influenza, blue tongue etc) to align them to the West of Scotland Regional Resilience animal disease plans.	

		<p>Note: The mobile anthrax incinerator which we provided for our use, and for other local authorities, has been decommissioned as it has not been possible to source a gas safety engineer qualified to assess the incinerator.</p>	
--	--	---	--