

14 March 2023 at 7.00 pm  
Council Chamber, Argyle Road, Sevenoaks

Published: 06.03.23

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# Cleaner & Greener Advisory Committee

## Membership:

Chairman, Cllr. McArthur; Vice-Chairman, Cllr. Roy  
Cllrs. Andrews, Barnett, Bayley, Dr. Canet, Collins, G. Darrington, Griffiths, Harrison, and Raikes

## Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. <b>Minutes</b> To agree the minutes of the meeting of the Committee held on 6 December 2022, as a correct record.	(Pages 1 - 4)	
2. <b>Declarations of Interest</b> Any interests not already registered.		
3. <b>Actions from Previous Meeting (if any)</b>		
4. <b>Update from Portfolio Holder</b>		
5. <b>Referral from Cabinet or the Audit committee (if any)</b>		
6. <b>Pre-Application Fees - Review</b>	(Pages 5 - 12)	Sharon Bamborough Tel: 01732 227325
7. <b>Environmental Protection Service Plan</b>	(Pages 13 - 58)	Nick Chapman Tel: 01732 227167
8. <b>Active Travel and Net Zero 2030 Update</b>	(Pages 59 - 64)	Margaret Carr Tel: 01732 227341 Emma Henshall Tel: 01732 227358
9. <b>Work Plan</b>	(Pages 65 - 66)	

## EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk).

**CLEANER & GREENER ADVISORY COMMITTEE**

Minutes of the meeting held on 6 December 2022 commencing at 7.00 pm

Present: Cllr. McArthur (Chairman)

Cllr. Roy (Vice Chairman)

Cllrs. Bayley, Dr. Canet, Collins, Griffiths, Harrison, and Raikes

Apologies for absence were received from Cllrs. Andrews and Barnett

Cllrs. Glynnis Darrington and Dickins were also present via a virtual media platform that did not constitute attendance as recognised by the Local Government Act 1972.

26. Minutes

Resolved: That the minutes of the meeting held on 18 October 2022 be approved and signed by the Chairman as a correct record.

27. Declarations of Interest

There were none.

28. Actions from Previous Meeting

There were none.

29. Update from Portfolio Holder

The Portfolio Holder, and Chairman, provided an update on the services within her portfolio. The bid to the Heritage Lottery Fund regarding Brabourne Lakes was unsuccessful. It had received positive feedback, and would be altered for resubmission in February 2023. Investigations into beginning desilting works prior to the bid decision were underway.

The CCTV Hub had received praise from the police for helping apprehend two prolific shoplifters in Sevenoaks town.

The new waste collection rounds had begun successfully, despite issues at the start of the process, and were creating savings in time, fuel, and emissions. A report on the new collection rounds would be presented to a future meeting of the Committee.

The Lord Lieutenant of Kent would present a tree at Bradbourne Lakes to the Council as part of the Queen's Green Canopy project in January.

30. Referral from Cabinet or the Audit committee

There were none.

31. Budget 2023/24: Review of Service Dashboards and Service Change Impact Assessments (SCIAs)

The Head of Finance presented the report which set out updates to the 2023/24 budget process within the existing financial strategy. SDC was not immune from the financial challenges affecting the country therefore this budget process was expected to be particularly challenging.

No changes had been made to future assumptions at the stage which would be reviewed during the budget process, as usual. However, due to the April 2022 pay award being higher than previously assumed and an annual savings target of £100,000 already included, an annual budget gap of £735,000 was currently reported.

The report presented growth and savings/additional income proposals that had been identified which needed to be considered. It requested further suggestions from Members before finalising the budget for 2023/24. Informed by the latest information from Government and discussions with Cabinet, it was proposed that the Council once again sets a balanced 10-year budget and continues to aim to be financially self-sufficient.

The Committee considered the growth and savings/additional income proposals identified in Appendices E & F to the report and the Supplementary Agenda. Further consideration was given to possible savings by reviewing current methods used for the collection of refuse and recycling, such as reducing the number of black sacks provided for free by the Council. They further discussed the generation of profits from EV chargers, and heard that work was already underway in this respect.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved that:

(a) it be recommended to Cabinet that the growth proposals (SCIA's 6, 7, 8, 9, 14, and 20) and savings/additional income proposals (SCIA's 15, 16, 17, and 18) identified in Appendices E & F to the report and the Supplementary Agenda applicable to this Advisory Committee, be considered; and that

(b) No further income or growth proposals were identified.

32. Scrap Metal Dealer Licence Fees 2023/24

## Cleaner &amp; Greener Advisory Committee - 6 December 2022

The Head of Licensing Partnership presented the report, which set out the proposed fees for applications for Scrap Metal licences. They explained the fees were set out on a cost recovery basis, and provided the authority with the funding needed to administer the legislation and ensure compliance. The 5% increase in fees would come into effect in April 2023.

Resolved: That it be recommended to Cabinet that the fees as below be approved:

Type of Application	2022/2023 Current Fee	2023/2024 Proposed Fee
Site Licence - Grant (3 years)	£507	£532
Site Licence - Renewal (3 years)	£428	£449
Collectors Licence Grant/Renewal (3 years)	£309	£324
Minor administrative change to licence	£34	£36
Variation - change of site manager	£184	£193
Variation from collector to site licence	£219	£230
Variation from site to collector licence	£142	£149

### 33. Mill Pond Capital Works

The Head of Direct Services presented the report, which outlined the capital work plan for Mill Pond, Sevenoaks. He explained that the Council were working on alternatives for the pond, as the pollution was likely to reoccur, but in the meantime the Council had a statutory duty to maintain it, as the landowner.

In response to questions, he outlined some of the alternatives, such as extending the Thames Water culvert, and possible uses of the area. He further explained some of the work that had been undertaken to reduce pollution in the pond, including clearing out excess pipework, and installing cages to trap paper waste. However, he emphasised that the system had been designed to overflow into the pond during emergency situations, and that these measures were insufficient to prevent future pollution.

## Agenda Item 1

### Cleaner & Greener Advisory Committee - 6 December 2022

Resolved: That it be recommended to Cabinet that the Mill Pond Capital Works plan be considered, and support for a capital bid be developed as part of the 2023/24 budget setting process.

#### 34. Work Plan

The Work Plan was noted, with the following addition:

##### 14 March 2023

- Local Walking and Cycling Infrastructure Plan (LCWIP)

THE MEETING WAS CONCLUDED AT 8.05 PM

CHAIRMAN

**LICENSING - PRE-APPLICATION ADVICE CHARGES REVIEW AND INTRODUCTION OF OTHER ADMIN FEES**

**Cleaner and Greener Advisory Committee - 14 March 2023**

**Report of:** Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

**Status:** For Decision

**Also considered by:**

- Cabinet 15 March 2023

**Key Decision:** No

**Executive Summary:**

- To replace the existing pre-application advice fees (Appendix A) with the proposed fees set out in Appendix B
- To introduce some new admin fees included in Appendix B

**This report supports the Key Aim of:** Supporting and developing the local economy and providing value for money.

**Portfolio Holder:** Cllr. Margot McArthur

**Contact Officer:** Sharon Bamborough , Ext. 7325

**Recommendation to Cleaner & Greener Advisory Committee & Cabinet:**

- Members are asked to approve the restructured fees for Licensing pre-application advice
- Members are asked to approve the introduction of some new smaller admin fees to cover the resourcing cost of providing the service requested

**Reason for recommendation:**

- Having had 3 years in use, the existing fee structure for pre-application advice is considered too complex by officers and applicants alike, leading to a low take up of the service. By simplifying the fee structure it is hoped it will become more attractive to potential applicants and will encourage the officers to promote it
- We need to introduce some small admin charges for services being increasingly requested in order to cover the resourcing cost.

## Agenda Item 6

### Introduction and Background

- 1 The pre-application advice service exists to offer applicants a value-for-money option of coming to experienced officers and being provided very clear advice on how to complete an application, what to apply for etc. but the service has been underused by applicants. Feedback indicates that this is due to the fee structure being perceived as too complex, leading to the service not being promoted by officers across the partnership as well as potential applicants not understanding what level of advice they need. As a result, there has been minimal take up of the service.
- 2 By re-structuring the fees for pre-application advice it is hoped that this will lead to a better take up of the service.
- 3 In addition to the re-structure of the officer led pre-app advice, the 'check and send' fees are to be increased as they have not been reviewed since introduction in 2019. This element of the service has worked well and applicants have used it regularly. We are also introducing a new fee for similar work on temporary event notices.
- 4 In regard to the introduction of some new small admin charges, this has been driven by increasing demands on our processing team to:
  - Update / amend records with new contact details on lottery registrations ,
  - to raise replacement invoices in circumstances where the licence holder hasn't advised on change of details but insists on having an invoice to pay the annual fee due

### Available Options

- 5 To approve the amended & new charges as set out in Appendix B.
- 6 To reject the proposed fees and continue to provide discretionary services at the existing rates. However, due to resourcing pressures, this option is not considered viable.

### Preferred option

- 7 That the restructured and new fees set out in Appendix B be approved to come into effect 1<sup>st</sup> April 2023.

### Key Implications

#### Financial

There are no specific financial implications resulting from the matters considered in this report, as the intent is to cover costs of this discretionary service

### Legal Implications and Risk Assessment Statement.

Section 93 of the Local Government Act 2003 introduced a general power for Best Value authorities to charge for discretionary services subject to having regard to the statutory guidance issued by the Secretary of State. The power came into force on 18 November 2003 and at the same time the ODPM (Office of the Deputy Prime Minister) issued guidance for local authorities on how to use this power: 'General power for Best Value Authorities to Charge for Discretionary Services - Guidance on the Power in the Local Government Act 2003'.

The Guidance on the Power in Section 93 of the Local Government Act 2003 sets out the underlying principles for the introduction of charges for Page 73 Agenda Item 8 discretionary services. It stipulates that such charges must not provide a new source of income and should only cover the cost of provision, i.e. not make a profit. Charges must be based on principles set out in the Chartered Institute of Public Finance and Accountancy's (CIPFA) Best Value Accounting Code of Practice. A charge can only be made if the recipient agrees to the service.

### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.]

### Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment

### **Conclusions**

It is envisioned that if the new pre-application advice fees set out in Appendix B are approved, this will lead to an increase in the number of customers using the pre-application advice service, which is considered to be a good value option for those applicants who cannot afford solicitors & agents.

In respect of the increase of fees for check and send, and the introduction of some other small admin charges, it is considered that resourcing costs will be better covered, because as a principle, Licensing should be self-financing.

## Agenda Item 6

### **Appendices**

Appendix A - existing pre-application advice charges

Appendix B - proposed new charges for pre-application advice and other admin

### **Background Papers**

Original report to Cabinet in November 2019 to introduction pre-application advice charges ([Public Pack](#))[Agenda Document for Cabinet, 07/11/2019 19:15](#) ([sevenoaks.gov.uk](http://sevenoaks.gov.uk))

**Richard Morris**

**Deputy Chief Executive and Chief Officer - Planning & Regulatory Services**

**Fees for Licensing pre-application advice**

<b>Small Application-</b> Up to one hour of advice regarding small licence applications, <b>Excludes events – see below</b>	£66
<b>Medium Application-</b> Up to 2 hours advice for medium size applications including a site visit <b>Excludes event – see below</b>	£138
<b>Large Application-</b> Up to 4 hours advice for large applications including multiple (if necessary) site visits <b>Excludes events – see below</b>	£258
<b>Events up to 1000 capacity:</b> Category A - up to 3 hours advice for extra large public events includes the cost of specialist officers and site visits	£354
<b>Events between 1001 and up to 1999 capacity - Category B –</b> up to 7 hours advice for extra large public events includes the cost of specialist officers and site visits	£498
<b>Events between 2000 and up to 4999 capacity – Category C –</b> up to up to 14 hours advice for extra large public events includes the cost of specialist officers and site visits	£690
<b>Extra large events - 5000 people or more - Category D -</b> up to 21 hours advice for extra large public events includes the cost of specialist officers and site visits	£1026

**Check and send**

Licensing Act 2003 – transfer of licence <i>or</i> variation of designated premises supervisor – include assistance completing form and advising on statutory requirements and the statutory fee ( <i>currently £23</i> )	£55 (each)
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We will offer a paid pre-application advice service for certain types of premises licence applications (alcohol, entertainment, gambling) where an applicant or agent can meet with an administrator or licensing officer to go through the application form and process. In all cases the advice and guidance ends once the application is submitted to us for consideration.

**Why use this service?**

- Peace of mind - from application to photos we make sure everything's right first time.

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- Reduced administration - as we will distribute copies to responsible authorities

**Special Note: Using this process does not guarantee an application will be granted.** What it does is ensure that it will be processed promptly and that where appropriate the application contains all of the information and conditions that the council would expect to be in place to satisfy the responsible authorities.

### **Types of pre-application advice**

The types of pre-application advice we can provide are:

#### **1. Pre-application consultation**

We will do a pre-submission validation check of your application form and give advice on the legislation, our policy and (where appropriate) the kind of conditions you might want to offer in the operating schedule. This will be helpful for applicants to:

- gain an understanding of potential issues that may arise from their application
- consider any appropriate conditions and/or comments that may alleviate concerns of consultees or responsible authorities
- understand any policy implications arising from their application
- understand the likelihood of their application being successful

#### **2. Check and send**

We will meet with you to do a pre-submission validation check to ensure there are no errors or omissions that may result in an application being rejected as invalid. We will certify any photographs (if applicable) and facilitate you submitting an online application which will distribute your application to consultees/responsible authorities (where applicable).

**APPENDIX B**

**PRE-APPLICATION ADVICE BY OFFICERS**

<b>Covers applications for:</b> <b>Licensing Act 2003</b> <ul style="list-style-type: none"> <li>• new premises licences</li> <li>• full variations of premises licence</li> <li>• new club premises certificate (CPC)</li> <li>• variation of CPC</li> <li>• provisional statement</li> </ul> <b>Gambling Act 2005</b> <ul style="list-style-type: none"> <li>• new and variation applications</li> </ul>	<b>Fee</b>
Up to one hour of advice regarding licence applications, including assistance in completing form (hourly rate)	£75.00
site visit (to give advice) – up to one hour	£100.00
<b>Licensing Act 2003</b> - Minor variations – up to 30 mins advice on applications (including assessment as to whether suitable as a minor, suggestion on wording of proposed conditions, help completing application etc)	£35.00
<b>Application assistance (check and send) by Hub team</b>	
<b>Licensing Act 2003</b>	
In depth assistance in completing application forms and advice on correct documentation for: <ul style="list-style-type: none"> <li>• Transfer</li> <li>• Variation of Designated premises supervisor</li> <li>• Personal licence</li> </ul>	<b>Fee</b> £40.00 (incl. VAT)
In depth assistance in completing Temporary event notices and advice on limits etc	£15.00 (incl. VAT)
<b>Other admin charges</b>	
Upon request of licence holder, amend and re-issue invoice for statutory annual fee	£10.00
Upon request of licence holder, amend contact details for lottery registration	£10.00

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**ENVIRONMENTAL PROTECTION SERVICE PLAN 2023/2024**

**Cleaner & Greener Committee - 14<sup>th</sup> March 2023**

**Report of:** Chief Officer - Planning & Regulatory Services

**Status:** For Comment.

**Also considered by:**

- Cabinet 16<sup>th</sup> March 2023
- Council 25<sup>th</sup> April 2023

**Key Decision:** No

**This report supports the Key Aim of:** Meeting a statutory duty of the council.

**Portfolio Holder:** Cllr. McArthur

**Contact Officers:** Colin Alden, Ext. 7186, Nick Chapman, Ext. 7167

**Recommendation to Cleaner & Greener Committee:**

Recommend that Cabinet approves adoption of the service plan.

**Recommendation to Cabinet:**

Recommend that Council approves adoption of the service plan.

**Recommendation to Council:**

Recommend that Council adopts the Environmental Protection Service Plan 2023-2024.

**Reason for recommendation:** This Environmental Protection Service Plan outlines how the Environmental Health Team intends to meet and discharge its statutory obligations in respect of Statutory Nuisance, Animal Welfare and Licensing and Environmental Permitting Regulation.

## Agenda Item 7

### Introduction and Background

- 1 This Service Plan details the work undertaken by the Environmental Protection Team. It also provides an overview of current demand on and performance of the team with details of service improvements and innovation since the dissolution of the Environmental Health Partnership with Dartford Borough Council in July 2021. The plan has an overview of future challenges, including new areas of work, areas of increased demand and new statutory duties.
- 2 The Environmental Protection Team aims to improve the lives of those who live, work and spend their leisure time within the Sevenoaks Council areas also to protect the environment and public health with this service plan.
- 3 The objectives of the plan outline how the aims of the team are implemented and how those objectives link to the Council Plan on environment, economy, housing and community safety. The service plan also has strong links to Better Together - A Community Plan for Sevenoaks District 2022-2032.
- 4 This is the first Environmental Protection Service Plan produced since the dissolution of the Environmental Health Partnership at the end of June 2021. It identifies current workloads and our priorities going forward. This has been a steep learning curve for three new members of staff with staff development being a key element of the service plan to allow for specialist functions to be undertaken and an element of resilience incorporated into the team structure. The team has worked hard to meet our objectives with the flexibility to address seasonal demand and increasing numbers of service requests. Current data indicates that in 2022/2023 customer service requests may exceed 2600.
- 5 The service plan includes a breakdown of service requests in our key areas since 2019. It can be seen that the team's work is very diverse and often undertaken in partnership with other council departments and external agencies.
- 6 New and emerging issues that this service plan will address includes unlicensed animal activities, an increase in stray and abandoned dogs, increased concern for animal welfare, illegal waste sites and dump sites, new requirements of the Environment Act 2021 on PM<sub>2.5</sub>, lack of suitably qualified EP officers and the challenge of net zero and Carbon reduction. This increase in workload is being addressed within existing resources as incorporated within the service plan.
- 7 The demands on service and emerging issues identified have required service improvements and innovation in a number of ways. We are

developing our own talent by identifying necessary, specialist training and experience for individual officers to enable them to eventually become our required subject matter experts across contaminated land, air quality, private water supplies and acoustics.

- 8 We are expanding the use of electronic inspections with the use of the 'Safety Culture App' on the iPad to save time, improve accuracy and providing greater efficiency in animal licensing and risk assessment of private water supplies but are also exploring the benefits of expanding its use in Environmental Permitting and service request investigation.
- 9 We are acquiring new noise nuisance recorders to replace existing sound level meters that are reaching the end of their operational lifespan. This includes associated analysis software. Other software improvements are the expansion of our use of Enterprise for Uniform for more powerful functionality and launch of NoiseApp 2 with additional features to aid service request investigation.
- 10 Process redesign has ensured wherever possible that administration tasks have been moved from Environmental Protection Team officers to our Technical Administrators generating additional capacity. We are working to the knowledge and experience of these officers so that, with the support of experienced Environmental Protection officers, they are able to respond to basic enquiries and requests allowing improved response to customers.
- 11 The Environmental Protection Team receive a large number of complaints associated with social housing and whilst we work closely with some providers, we believe there is an opportunity through the provision of proactive information, advice and guidance to reduce the number of complaints we receive. Working with these organisations should allow operational efficiencies.
- 12 We have developed a customer feedback survey to identify trends and help drive improvements. We continue to utilise our website as a source of information for residents and businesses. The work of the Environmental Protection team is subject to scrutiny by senior management, councillors, internal auditors, DEFRA, Drinking Water Inspectorate and the Local Government and Social Care Ombudsman. We therefore ensure that all officers delivering environmental protection interventions meet an appropriate qualification criterion and demonstrate knowledge and competency across a number of skill sets.

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### **Key Implications**

#### Financial

Minimal cost as undertaken within existing resources.

#### Legal Implications and Risk Assessment Statement.

The Environmental Protection Plan is a document that sets out how several statutory and non-statutory duties will be met within the wider legal framework of the district council.

#### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

#### Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment

### **Appendices**

Appendix A - Environmental Protection Service Plan 2023/2024

**Richard Morris**

**Deputy Chief Executive and Chief Officer - Planning and Regulatory Services**



# Environmental Protection Service Plan 2023/2024

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# 1. Introduction

This service plan details the work being undertaken by the Environmental Protection Team. It should be read in conjunction with the current versions of:

- The Environmental Health Policy 2022
- Environmental Health Service Plan 2022/2023 & 2023/2024

The service plan is intended to provide the following information:

- An overview of current demand on and performance of the Environmental Protection Team
- Details of service improvements and innovations made following the dissolution of the Environmental Health Partnership with Dartford Borough Council in July 2021
- An overview of future challenges facing the Environmental Protection Team including new areas of work, areas of increased demand and new statutory duties.
- An overview of our ambitions for the Environmental Protection Team including the use of new technology, development of staff and smarter working.

# 2. Service Aims and Objectives

## 2.1. Aim

The Environmental Protection Team aims to improve the lives of those who live, work and spend their leisure within the Sevenoaks Council areas. We aim to protect the environment and public health through education, persuasion and enforcement in relation to:

- Air Pollution
- Statutory Nuisance (including noise)
- Contaminated land
- Protection of public health
- Private water supplies
- Accumulations of waste
- Anti-social behaviour
- Environmental Permits
- Pests (primarily rats & mice)
- Animal control & welfare
- Animal licensing

## 2.2. Objectives

- To investigate all allegations of statutory nuisance using appropriate monitoring techniques and procedures within a reasonable time scale. To make decisions

and determinations of cases as quickly as possible. To ensure that customers are kept informed during investigations and understand decisions made.

- To utilise legislative powers, education and persuasion to improve the environment and reduce anti-social behaviour.
- To protect the health of the public through the use of legislation to reduce infestations of rats and mice, accumulations of waste and defective drainage.
- To proactively identify steps and measures to protect residents, businesses and visitors from new sources of noise, poor air quality, contaminated land and other public health factors through the planning and licensing consultation processes.
- Monitor air quality in areas of identified pollution and develop methodologies and actions to reduce exposure and/ or pollution levels.
- Implement an appropriate inspection regime of all industrial premises with an Environmental Permit issued by the Local Authority
- Risk assess all Private Water Supplies at suitable frequencies and implement an appropriate water sampling and testing regime to protect supply users.
- Operate a best value service for the collection, kennelling, return and disposal of stray dogs which maintains high animal welfare standards and minimises the need to destroy dogs.
- Inspect and license all relevant animal activities (as defined by regulations), zoos and dangerous wild animals within our area.
- To promote good animal welfare standards and work with partners to minimise harm to animals.

### 2.3. Links to Corporate Objectives and Plans

#### 2.3.1. The Council Plan

##### Environment

- Support high standards for new development, including design, safety, connectivity to services and transport and neighbourhood links; open up our countryside so people enjoy our footpaths and bridle paths more. Health will be a major consideration in our Local Plan.

##### Economy

- Support new and existing businesses through our “Team Around the Business” approach, excellent customer service and supporting local employers to promote mental and physical wellbeing at work.

##### Housing

- Protect the strong local identities of our neighbourhoods, ensuring residents will be safe, healthy and proud of the area in which they live and work.

##### Community Safety

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- Build strong and connected neighbourhoods where residents feel proud of where they live and have a sense of belonging.
- Protect our residents by making sure that all of our policies, partnerships and teams are working together to safeguard people and communities.

### 2.3.2. Better Together- A Community Plan for Sevenoaks District 2022-2032

#### Our Place:

- Prioritise environmentally sound policies that enhance biodiversity alongside new development

#### Our Economy:

- Support market towns, high streets and villages to thrive by encouraging new businesses and enterprises, alongside sustainable, quality public and private investment
- Work closely with our businesses to create suitable employment opportunities for people who find it hard to get into work

#### Our Communities:

- Address anti-social behaviour within our communities, focusing particularly on the most vulnerable to ensure they are appropriately supported.

#### Our Environment

- Develop a Net Zero Action Plan which will set out a roadmap to achieving our carbon reduction targets for the Council and the district.
- Work with partners to increase the number of electric vehicle charging points across the district to promote the use of more environmentally friendly vehicles.
- To promote active travel to work, with a specific focus on co-benefits for climate change.
- Ensure the design and location of new development takes account of the need to improve air quality through the Local Plan in line with Sevenoaks District Council's Air Quality Action Plan.

### 2.4. Current performance indicators for Environmental Protection

PI Code	Indicator	Annual Target
LPI EH6	% of Animal License applications processed within 10 weeks	90%
MPI EH7	Average time taken (days) to provide a meaningful response to service requests (5 days). (excl Lic/Tens/Planning; inc Noise and FOI)	90%
MPI EH9	TENS timely response (within 3 working days)	85%

PI Code	Indicator	Annual Target
MPI EH14	% of Planning Applications provided with relevant comments within 21 days Consultations timely response within 21 days	90%
	Licensing applications timely response (within 28 days)	100%
	Available data captured from Air Quality Monitoring Stations	90%
	NO <sub>2</sub> Diffusion Tubes changes as per National Schedule	90%

### 2.5. Other data reported for Environmental Protection

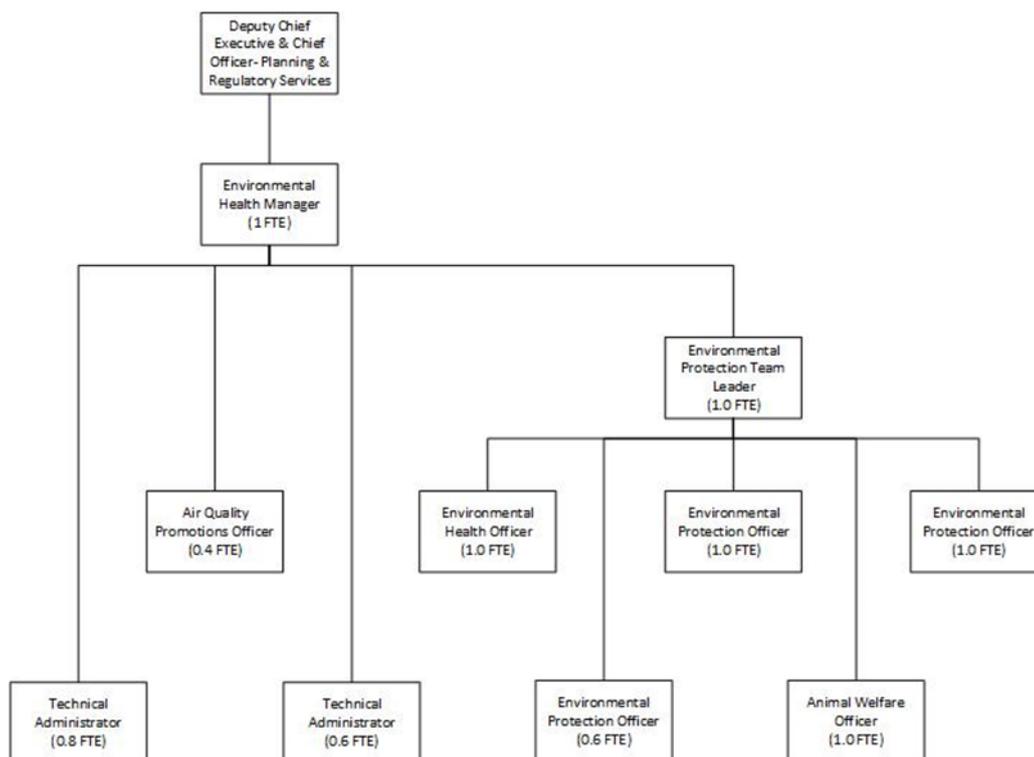
Code	Indicator	Period
Data EH 001	Total number of dogs received at kennels	Month
Data EH15	Number of stray dogs returned to their owner within 7 months	Month
Data_ EH 012	Number of service requests - dangerous dog incidents	Month
Data_ EH 002a	Total number of service requests (EP)	Month
Data_ EH 006	Number of Noise complaints (all types)	Month
Data_ EH 006a	No. of Animal licenses processed	Month
Data_EH 013	Number of FOI requests received by team	Month
	Environmental Permits	Year

## 3. Structure of the Environmental Protection Team

The Environmental Protection Team carryout a number of specialist functions and duties within Environmental Health. The EP team reports via the Environmental Protection Team Leader to the Environmental Health Manager who in turn reports to the Deputy Chief Executive and Chief Officer for Planning and Regulatory Services.

A structure chart for the Environmental Protection team is shown below:

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### 3.1. Allocated Staffing Resources

The staffing resources of the Environmental Protection team is currently provided by 6 specialist officers and 2 part time technical administrators (equivalent to 6.7 full time equivalent).

Role	FTE
Environmental Protection Team Leader (EPTL)	1.0
Environmental Health Officer (EHO)	1.0
Environmental Protection Officer (EPO)	2.6
Air Quality Promotions Officer (AQPO)	0.4
Animal Welfare Officer (AWO)	1.0
Technical Administrators (TO)	0.7
<b>TOTAL</b>	<b>6.7</b>

These staffing resources are allocated across the service functions as follows:

### 3.2. Allocated Budget

The Environmental Health Manager is responsible for ensuring that the Environmental Health Service (including Environmental Protection) is delivered within allocated budgets.

The budget allocated to Environmental Protection includes funding for the provision of:

- Staff (including training and development costs)

- Specialist equipment for the investigation of complaints
- The Animal Welfare Vehicle (for the collection of stray dogs)
- Maintenance of 2 Air Quality Stations
- Data analysis of air quality data
- Stray dog kennelling contract

### 3.3. Staff Development Plan

The District Council places significant importance on the development and training of staff to ensure that quality services are delivered to our customers.

The Environmental Protection Team Leader is responsible for ensuring that Environmental Protection Team Officers are appropriately qualified and receive regular training to maintain their level of competency and continuous professional development.

The team undertakes regular training as part of team meetings to ensure that knowledge and interpretation of legislation and guidance is maintained.

Training needs are reviewed during the annual performance appraisals and regular 1:1s.

All staff maintain a training and development file containing evidence of formal qualifications and CPD certificates from external and internal course attended, together with details of agreed, planned training for the forthcoming year.

Whilst some training is relatively low cost and in some cases free, there can be a significant cost associated with the specialist training required in areas such as acoustics, contaminated land, air quality, animal welfare and licensing and private water supplies.

## 4. Current Service Demand

The Environmental Protection Team undertake a variety of proactive and reactive functions on behalf of Sevenoaks District Council.

These duties cover a wide range of specialist disciplines governed by varying legislation and our officers are required to maintain sufficient technical competencies in order to ensure that we adequately discharge the duties

Many of the functions undertaken by the team are mandated by legislation/ statute but the team also undertake a number of discretionary duties which have been adopted to address concerns and priorities of the public, councillors and senior management.

Demand for services provided by Environmental Protection continues to be extremely high. The Covid-19 Pandemic lockdowns resulted in a spike (7% jump) in customer service requests made to the team (2550 in 2020/2021 vs 2374 in 2019/2020). Whilst levels subsided slightly in 2021/2022 current data indicates that in 2022/2023 customer service requests may exceed 2600.

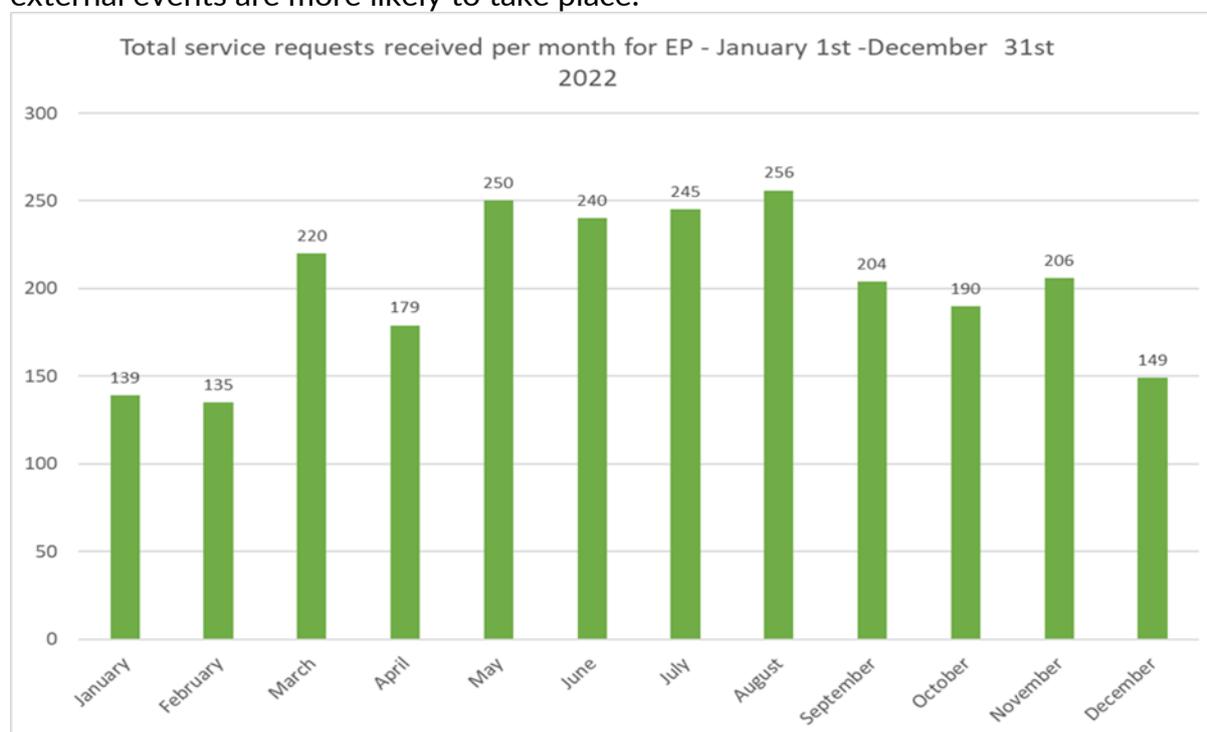
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	Number of EP Service Requests received
2019/2020	2374
2020/2021	2550
2021/2022	2465
2022/2023	2029 (up to Dec 2022)

### 4.1. Seasonal Demand

The Environmental Protection Team experiences significant seasonal variation in demand. We receive significantly more service requests during the spring and summer than during the autumn and winter. Peak demand occurs between June and August each year with the lowest demand received around the Christmas holiday period.

Seasonal demand is driven by noise service requests. Residents are far more likely to be affected by noise during warmer periods when they may have their windows open and external events are more likely to take place.



### 4.2. Statutory Nuisance and Public Health Complaints

Local Authorities have a statutory duty to investigate complaints of statutory nuisance (as defined by section 79/80 of the Environmental Protection Act 1990). The District Council also has a number of duties conveyed by the Building Act 1984, Public Health Act 1936, and Prevention of Damage by Pests Act 1949. The Environmental Protection Team discharges these requirements on behalf of the District Council.

Complaints are logged on Uniform as Service Requests and are then allocated to individual officers for investigation. The assigned officer will impartially investigate the complaint and determine if the matter falls within the statutory legislative framework.

Officers will also consider the use of discretionary powers to address reported issues.

#### 4.2.1. Noise Nuisances

The Environmental Protection Team have adopted procedures for the investigation and enforcement of noise complaints. These comply with the Environmental Health Enforcement Policy and reflect current best practice in nuisance complaint investigation.

Customers can raise service requests either directly with the District Council (via Customer Solutions, Out of Hours via CCTV or directly with Environmental Health) or can create a NoiseApp account and make an instant record of the noises they are experiencing.

Once a noise service request has been raised, our officers will contact the customer (normally by telephone) within 5 working days to discuss the complaint. If as a result of this conversation we determine that an investigation is required we will write to the customer and the alleged offender to explain our investigation processes and normally offer the customer complaining about the noise use of the NoiseApp (if they do not already have access).

NoiseApp recordings will generally be monitored for a defined period (between 2-4 weeks) and if evidence of an ongoing and persistent problem is identified we will undertake additional monitoring by officer visit or use of a noise nuisance recorder.

Our professional officers will analyse the data captured using the NoiseApp, Diary Sheets, Noise Nuisance Recorder and during visit to determine if a statutory nuisance is occurring and if it is, we will issue an abatement notice (legal duty).

#### Categorisation of Noise Nuisance Complaints

The Environmental Protection Team breaks down complaints about noise into various sub categories:

Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
NOIALM	Noise - Alarms	46	36	13	12
NOIANI	Noise - Other Animals	7	11	8	9
NOIDIY	Noise - DIY	11	1	10	12
NOIDOG	Noise - Dog	73	28	89	84
NOIFIR	Noise - Fireworks	1	65	8	2
NOILOW	Noise - Low Frequency	4	2	2	
NOIMAC	Noise - Machinery	64	1	80	57
NOIMUS	Noise - Loud Music	114	137	109	107

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Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
NOIOTH	Noise - Other	55	134	72	38
NOIPAR	Noise - Party	25	95	27	20
NOIPEO	Noise - People	37	34	1	26
NOIPLA	Noise - Plant (Construction Equip)	11	53	45	3
NOIRAI	Noise - Railway	1	2	4	0
NOISHO	Noise - Shooting	1	1	3	0
NOISTR	Noise - In the street	8	8	6	1
NOITV	Noise - TV/Radio	4	2	5	5
NOIUNS	Noise - Other/Unspecified	9	10	3	0
NOIVR	Noise - Vehicle Repairs	1	0	1	1
<b>TOTAL</b>		<b>472</b>	<b>620</b>	<b>486</b>	<b>377</b>

### The NoiseApp

The Environmental Protection Team use the NoiseApp to assist them with the collection of evidence to assess statutory noise nuisance. The NoiseApp is a mobile application developed by RH Environmental which allows a customer to create an electronic diary of noise incidents they are experiencing. In addition, for each report, the customer is encouraged to upload a short recording (taken by their device) to demonstrate the complaint.

Information obtained using the NoiseApp is considered more accurate than that obtained via traditional paper diary sheets. Customers using the NoiseApp are compelled to complete mandatory fields before submitting their report and the recordings allow more accurate assessment of noise being reported. The system uploads reports almost instantaneously allowing assessment of complaints to take place more quickly.

In order to ensure that all customers can maintain access to the service offered we continue to offer paper diary sheets where required. We also maintain an Android based tablet which can be loaned to customers as required to enable them access to the NoiseApp.

The NoiseApp has been popular and well used by the majority of customers. In 2022/2023 (to date) there have been 218 NoiseApp users submitting a total of 3385 noise recordings/ reports.

In 2022, we undertook a review of how the NoiseApp was being used by customers. As a result we modified our existing procedures to allow customers to raise service requests directly from the NoiseApp (previously they were sent an automatic email

requesting that they contact the District Council through usual channels). We also changed responsibility for managing NoiseApp cases to our Technical Administrators. These changes have increased our ability to respond quickly to complaints from customers and have resulted in improved customer service to NoiseApp users.

### **Noise Nuisance Recorders/ Sound Level Meters**

The Environmental Protection Team maintains four sound level meters. Two of these units have the ability to undertake 1/3 octave analysis and fast fourier transform (FFT) which allows them to be used for complex noise investigations. The other two units can only be used as simple noise nuisance recorders. Officers can deploy these units into customers' homes (normally for a period of 1-2 weeks) in order to collect evidence of noise

Our sound level meters are specialist pieces of equipment and are expensive to purchase and maintain. Every 2 years they require calibration by a professional company to ensure the measurements they collect are sufficiently robust for court purposes.

Noise data obtained using the sound level meters is analysed using specialist software and can be played back through speakers or headphones. Recordings are suitable for evidential purposes.

Our current sound level meters are reaching the end of their operational life expectancy and are becoming unserviceable. In the next 12 months, we will be undertaking a procurement exercise to replace our existing units.

### **Brands Hatch Noise Management Plan**

In March 2008 Sevenoaks District Council and MotorSport Vision (MSV), the operators of Brands Hatch motor racing circuit agreed a Noise Management Plan (NMP).

The NMP is treated as a voluntary, working document that is subject to review and change over time in response to noise monitoring and complaints.

The plan is considered to be a balance between the needs of the circuit operator to ensure that the circuit remains a viable enterprise and the need to reduce/ minimise the noise impact of activities on the community of West Kingsdown.

Compliance with the NMP is considered 'best working practice' in minimising noise disturbance from the circuit conducting its normal day to day activities.

The NMP was fully reviewed in 2022 and officers continue to monitor compliance with the plan on an annual basis.

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### 4.2.2. Bonfire Service Requests

Smoke from a bonfire can constitute an actionable statutory nuisance (the District Council has a duty to investigate such complaints) and where dark smoke is emitted from a fire associated with a commercial activity, may constitute an offence under the Clean Air Act 1991.

In addition, where bonfire smoke has an unreasonable and detrimental effect on the quality of life of those in the locality and is of a persistent or continuing nature we have powers under the Anti-Social Behaviour Crime and Policing Act 2014 to prevent them from occurring.

Approximately half of the bonfire service requests received by the District Council are about irregular/ "one off" small scale domestic bonfires often comprising green waste. In accordance with our enforcement policy we normally deal with such cases on an informal basis through the provision of advice.

The remainder of bonfire service requests relate to fires on commercial/ industrial sites and whenever possible we will undertake robust enforcement action to prevent their recurrence.

Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
BNDOM	Bonfire - Domestic	70	203	67	33
BONOTH	Bonfire - Other	43	112	62	34
	<b>TOTAL</b>	<b>113</b>	<b>315</b>	<b>129</b>	<b>67</b>

### 4.2.3. Accumulations of Rubbish/ Waste

The District Council has multiple enforcement powers and duties in respect of accumulations of rubbish and waste. These powers are shared across several teams of the District Council depending on the nature of the waste, where it is located and how it has been deposited.

- Environmental Health- are responsible for the investigation of accumulations which pose a risk to public health (because they attract rats/ mice or flies), those that constitute a statutory nuisance (odour) of which are considered detrimental to the amenity of an area.
- Environmental Enforcement- deal with waste crime including incidents of fly tipping and or illegal waste activities
- Planning Enforcement- deal with 'untidy sites'.

The EP team have a variety of regulatory powers depending on the impact of the accumulation including:

- S79/80 of the Environmental Protection Act 1990- where the accumulation is causing odour or flies

- The Prevention of Damage by Pests Act 1949- where an accumulation is likely to attract rats or mice
- S43 of the Anti-Social Behaviour Crime and Policing Act 2014- where an accumulation is detrimental to the amenity of an area.

Following the introduction of the Anti-Social Behaviour Crime and Policing Act 2014 the EP Team now has significantly wider powers to address accumulations of waste on private land and consequently enforcement within this area has dramatically increased and we have been successful in clearing plots of land.

Our powers under s43 of the ASBCPA2014 are discretionary and the Councils do not have a statutory duty to utilise them.

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
EPACPC	Accumulations (Commercial Premises)	19	23	18	12
EPACPD	Accumulations (Domestic Premises)	58	67	40	38
	<b>TOTAL</b>	<b>77</b>	<b>90</b>	<b>58</b>	<b>50</b>

#### 4.2.4. Odour Nuisance

Odour from a commercial property or activity can be a statutory nuisance under the Environmental Protection Act 1990 and the Council has a legal duty to investigate such complaints. Such complaints normally relate to cooking odour from restaurant extract systems or chemical odours from nail bars.

The majority of service requests received by the District Council relate to odour from domestic properties (normally cooking odour) but legislation explicitly excludes us from taking action to address these issues

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
ODRAGR	Odour - Agricultural	1	0	1	2
ODRCOM	Odour - Commercial	2	4	10	5
ODRDOM	Odour - Domestic	24	18	22	15
ODRIND	Odour - Industrial	9	12	5	3
ODRUNS	Odour - From unknown source	8	10	4	7
	<b>TOTAL</b>	<b>44</b>	<b>44</b>	<b>42</b>	<b>32</b>

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### 4.2.5. Drainage Complaints

The Environmental Health Team ensures that rural drainage systems and private drains do not cause a risk to public health. We do this by ensuring that they are of sufficient capacity to treat sewage discharged to them and making sure that they are maintained such that they do not overflow.

Drainage complaints are often extremely difficult to investigate. Systems are often located on third party land and can be geographically large extending over several hundred meters. Investigation of drainage systems present health and safety challenges and so are resource intensive to inspect.

In addition to the District Council, the Environment Agency have duties to ensure that rural drainage systems do not cause groundwater pollution.

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
DRAIN	Drainage	30	29	30	16

### 4.2.6. Light Nuisance

In 2005, light (from artificial sources) was added to the schedule of potential statutory nuisances under the Environmental Protection Act 1990. The legislation is primarily designed to deal with the impact of overpowered and poorly directed security lighting but we also regularly receive complaints about architectural lighting systems.

Light Nuisance investigations can only be properly investigated after dark as they require the investigating officer to visit the customer's home to assess the problem. Investigating officers will make arrangements with the customer being affected to attend their property after dark in order to make an assessment and if a statutory nuisance is witnessed are legally required to issue a statutory notice.

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
EPLGHT	Light	17	23	9	14

### 4.2.7. Pest Complaints

A local authority has a duty to take steps to ensure that as far as is practicable their area remains free from rats and mice. Whilst the District Council offers paid for treatments through Direct Services many residents believe that that their neighbours are responsible for the rats or mice they have seen and in these cases an officer from Environmental Protection will need to investigate.

Pest Control investigations are often very resource intensive. Rats can travel over large geographical areas and consequently can affect multiple residents and properties. The only way to fully investigate such issue is via site visits to multiple addresses. Such visits can be difficult to coordinate efficiently.

Whilst mice infestations can be limited to a single property issues often extend between residential properties making investigation and enforcement difficult.

In addition to complaints about rats and mice we receive a small number of enquiries regarding unidentified insects, ants, bedbugs and flies.

Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
EPAMIC	Mice (Neighbour Complaint)	2	1	4	2
EPARAT	Rats (Neighbour Complaint)	49	119	91	55
EPOPC	All other pest complaints	10	13	7	6
	<b>TOTAL</b>	<b>61</b>	<b>133</b>	<b>102</b>	<b>63</b>

#### 4.2.8. Invasive Plants

Invasive plants include Japanese Knotweed and Giant Hogweed. The Council does not have a statutory duty to take legal action to require the destruction of such plants unless a land owner/ occupier is deemed to be encouraging their spread.

The Environment Agency and Natural England have primary responsibility but the Environmental Protection Team can use discretionary powers under the Anti-Social Behaviour Crime and Policing Act 2014.

Within the Sevenoaks District we most commonly receive complaints about Japanese Knotweed.

Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
EPWEED	Weeds	6	11	7	11

#### 4.2.9. Anti-social behaviour from Dogs

The District Council continues to receive a large number of service requests relating to what are commonly referred to as 'dangerous dogs'. Often these complaints relate to dogs which have either attacked another animal, or which have bitten or threatened to bite a human.

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The Police are solely responsible for investigating complaints about dogs being dangerously out of control in a public place (an offence under the Dangerous Dogs Act) and the enforcement and seizure of banned breeds.

Whilst the District Council does not have a statutory duty to do so, our Animal Welfare Officer (AWO) will investigate less serious incidents (not considered criminal offences by the police). Generally these incidents will be where a dog has attacked another dog (or other domestic animal), is regularly straying or it appears aggressive within the confines of a domestic garden.

The AWO will investigate the circumstances of each complaint received to determine if the owner had sufficient control of their animal at the time of the incident, if the dog was under sufficient control and what steps if any could have prevented the incident or mitigated the impact. The AWO cannot assist an injured party to recover costs incurred for veterinary treatment.

Where we determine that a dog owner caused (through their action or inaction) an incident which was detrimental to the amenity of the public we will utilise the powers available to us under the Anti-Social Behaviour Crime and Policing Act 2014.

Anti-social behaviour associated with dogs is very emotive and often it is difficult for the District Council to resolve a complaint to the satisfaction of the customer.

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
DGVIC	Dog - Vicious/Dangerous	71	121	115	61

### 4.2.10. Animal Welfare

The District Council is at its discretion entitled to investigate and enforce complaints about Animal Welfare under the Animal Welfare Act 2006. At the District Council we have therefore appropriately authorised the Animal Welfare Officer to act as an Animal Welfare Inspector.

Traditionally, the District Council referred almost all animal welfare complaints to the RSPCA as the experts in this field. In recent years however, they appear to have less capacity and resources to investigate welfare complaints and so more issues are referred back to the Local Authority.

In 2022/2023 we have seen a significant increase in the number of animal welfare related service requests. Analysis of the relevant service requests suggests that this increase is driven by inexperienced animal owners (who perhaps purchased a pet for the 1<sup>st</sup> time during lockdown), and increased concerns about specific welfare cases publicised on social media.

Whilst we usually deal with animal welfare issues through discussion and negotiation with the owner, in 2022 it was necessary for the AWO to issue legal improvement notices for the first time requiring that animal owners improve the welfare conditions for their animals.

Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
ANWEL	Animal Welfare	21	21	12	24
DGWEL	Dog - Welfare	35	33	34	71
	<b>TOTAL</b>	<b>56</b>	<b>54</b>	<b>46</b>	<b>95</b>

#### 4.3. Legal Action/ Enforcement Notices

Whilst the majority of complaints investigated by the EP Team are resolved without legal action becoming necessary, we do have a number of statutory and discretionary powers which allow us to take legal action to resolve a complaint.

These powers vary depending on the type of incident being investigated. The EP Team adhere to the Environmental Health Enforcement Policy and relevant investigation specific procedures when determining what action to take.

The table below shows that enforcement action taken by the EP team has remained relatively consistent over the past three years despite increasing numbers of complaints.

Type of Notice	Description	2020	2021	2022
s79/80 Environmental Protection Act 1990	Statutory nuisances (mainly noise)	2	6	3
Community Protection Notice	Anti-social behaviour from accumulations/ dogs/ odour/ noise etc	6	1	5
s43 Anti-Social Behaviour Crime and Policing Act 2014				
s59 Building Act 1984	Drainage Issues	0	0	2
s4 Prevention of Damage by Pests Act 1949	Control of Rats and Mice	0	0	1
s60 Control of Pollution Act 1974	Noise from construction sites	0	1	0
s16 Local Government Miscellaneous Provisions Act	Request for property information	0	0	0
Microchipping of Dogs Regulations 2015		5	2	3
	<b>TOTAL</b>	<b>13</b>	<b>10</b>	<b>14</b>

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Where a recipient of a legal notice fails to comply with its requirements the District Council can take further action to secure compliance. In 2022 we have seen an increase in the number of enforcement actions taken by the EP Team (as per the table below):

	<b>2020</b>	<b>2021</b>	<b>2022</b>
Works in Default	0	0	1
Fixed Penalty Notice	0	0	1
Prosecution	0	0	0
Forfeiture Order	0	0	0
Criminal Behaviour Order	0	0	0

### 4.3.1. Other Actions

Prior to issuing a Community Protection Notice under s43 of the Anti-Social Behaviour Crime and Policing Act 2014, we are required to have first issued a Community Protection Notice Warning (CPW) Letter. A CPW is not a notice but can be considered to have an enhanced status over a standard letter.

Consequently compliance with CPWs is very high, reducing the number of cases where it becomes necessary to serve a notice.

The number of CPWs issued to residents and businesses has remained fairly static over the past 3 years.

	<b>2020</b>	<b>2021</b>	<b>2022</b>
Community Protection Notice Warnings	6	4	7

### 4.4. Service Request Performance

The Environmental Protection Team is resourced to meet the normal demands of the service and its customers. The team is set up to provide a high quality, customer focussed service and we pride ourselves on contacting each and every customer that raises a service request with us. Whenever possible we aim to make this meaningful contact within 5 working days.

All cases are triaged and prioritised on the basis of public health need and so the vast majority of our service requests receive a meaningful response well within this time scale.

In 2022, our performance indicator was changed to provide a clearer indication of the actual response times experienced by our customers.

	<b>PI</b>	<b>2020</b>	<b>2021</b>	<b>PI</b>	<b>2022</b>
MPI EH7	90% of Service Requests responded to	86%	77%	Average number of days to	4

	PI	2020	2021	PI	2022
	within 7 working days (excluding TENS + Planning)			provide a meaningful response to service request (5 days)	

#### 4.5. Air Quality

Part IV of the Environment Act 1995, places a statutory duty on local authorities to periodically review and assess the air quality within their area. Where it appears that the air quality objectives will not be met by the designated target dates, local authorities must declare an Air Quality Management Area (AQMA) and develop action plans in pursuit of those objectives.

The Environmental Protection Team are responsible for delivering these statutory duties on behalf of the District Council.

##### Air Quality Monitoring in Sevenoaks

The District Council currently maintains two ‘real time’ air quality stations located at:

Reference	Location	Parameters monitored
CM1	Bat and Ball Junction, Sevenoaks	NO <sub>2</sub> , PM <sub>10</sub>
CM2	Greatness Park, Sevenoaks	NO <sub>2</sub> , PM <sub>10</sub> , Ozone

These air quality stations require regular calibration and maintenance and the EP Team maintain a contract with a specialist engineering company for this purpose.

In addition, every fortnight the NO<sub>2</sub> and PM<sub>10</sub> analysers require calibration and we have an agreement with Imperial College London for them to do this on our behalf.

In addition to the Air Quality Stations, we maintain a network of approximately 60 passive diffusion tubes. These are located throughout the areas of poorest air quality (see AQMAs below) and are exposed to the air over the period of a month in order to measure NO<sub>2</sub>. Each month, the diffusion tube is replaced and the monthly results are used to calculate annual NO<sub>2</sub> levels at each given location.

The diffusion tube changeover is conducted in house by an EP Officer.

##### Air Quality Reporting

Data captured by our Air Quality Station is published at [www.londonair.org.uk](http://www.londonair.org.uk).

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Each year, the Environmental Protection Team also produce an Annual Status Report within which we publish air quality data from the previous calendar year. This report is reviewed by DEFRA and once agreed is made available on our website.

In 2021 as part of our work to develop a new Air Quality Action Plan, we commissioned a specialist consultancy to undertake a detailed review of our existing Air Quality Management Areas (AQMAs). This work identified that 4 of our previous 9 AQMAs could be removed and following discussions with DEFRA this revocation took place in July 2022.

In autumn 2022 a further review was undertaken to assess the AQMA within the Swanley area. This work identified that the Swanley AQMA remained necessary.

### **Action Planning**

When a Local Authority declares an AQMA it is required to develop a plan of measurements and actions to improve air quality and/ or reduce pollution exposure.

In 2022, the Environmental Protection Team developed, consulted upon and published a new Air Quality Action Plan, which will operate until 2027.

This new AQAP is ambitious and forward thinking. It was developed in conjunction with colleagues in Planning Policy and Net Zero and draws together key learning from those areas to tie air quality into key infrastructure and carbon neutral policies and strategies already in development.

### **Air Quality Promotion**

Following the return of Environmental Health to Sevenoaks following the dissolution of the Environmental Health partnership with Dartford Borough Council, it was identified that a gap existed in the EP Team's ability to influence and bring about positive change in air quality.

Whilst there had always been a desire to undertake activities to promote green travel, reduce emissions from private vehicles and raise awareness of health impacts associated with poor air quality, officers within the team traditionally lacked the necessary skillsets to achieve these aims.

To address this, we created a new 'Air Quality Promotions Officer' role with the specific remit of developing campaigns, promotions and resources that would help improve air quality or reduce exposure to poor air quality. This post was successfully filled in January 2022.

## **4.6. Contaminated Land**

The Environmental Protection Team discharges the District Council's statutory duties in respect of contaminated land within the district.

Every Local Authority is required to produce, publish and adopt a Strategy detailing how it will discharge its requirements under Part IIA of the Environmental Protection Act 1990. This legislation requires each Council to inspect land within their areas with the purpose of identifying contaminated land.

Sevenoaks District Council adopted its revised strategy in April 2022. This is published on the council's website and sets out how contaminated land will be identified and remediated when necessary.

The current strategy predominantly requires remediation through the development management process as Contaminated Land is a material consideration in the consideration of a planning application. The Environmental Protection Team provides specialist technical advice to the planning department to ensure that requirements of the National Planning Policy Framework are met.

### Contaminated Land Searches

The District Council regularly receives requests for information on specific sites (often during property transactions). These requests require officers to undertake a detailed review of a site's previous history and former use, using historic documentation, GIS system details and officer knowledge.

Local Authorities are able to charge for the provision of this information but Sevenoaks District Council do not currently do so.

Currently, in order to respond to these enquiries, our officers must manually interrogate the historic mapping and geological information held on GIS to determine previous site usage and contamination risk. This information is then conveyed by either telephone or email to the enquirer.

Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
CNTLND	Contaminated Land	28	20	30	16

## 4.7. Environmental Permitting of Industrial Processes

The District Council has a statutory duty to issue and regulate Environmental Permits for some industrial processes as designated by the Environmental Permitting Regulations.

Officers within the Environmental Protection Team draft and issue these legally binding permits that limit emissions from specific polluting processes. Our officers then undertake periodic inspections of the activities including their plant and equipment, records and operational procedures to determine the risk that they pose to the environment.

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Operators of these regulated processes are required to pay a local authority a fee upon application and then annual subsistence fees to maintain their Environmental Permit. These fees are set on an annual basis by DEFRA and a Local Authority has no ability or remit to vary them.

Currently within the district we have 21 active Environmental Permits.

Process type	Number
Petrol Stations (PVR 1)	2
Petrol Stations (PVR 2)	4
Dry Cleaners	9
Cement Batchers	2
Mineral Dryer	1
Concrete Crusher	2
Wood Process	1
<b>TOTAL</b>	<b>21</b>

### 4.8. Private Water Supplies

Environmental Protection regulate Private Water Supplies (PWS) as defined by the Private Water Supplies (England) Regulations 2016 on behalf of the District Council. All PWS in our area must be regularly Risk Assessed and sampled at a frequency depending on the nature of the supply, volume of water used and identified risks.

There are currently 7 known PWS located in the Sevenoaks district which can be categorised as follows:

<b>Nature of supply</b>	<b>Location</b>	<b>Approx. number of supply users</b>
Borehole	Eynsford	500 residents
Private Distribution System	Halstead	200 office users+400 residents
Spring	Westerham	50 office users +200 residents
Spring	Sevenoaks	20 office users +60 residents
Borehole	Kemsing	50 residents
Borehole	Otford	8 residents
Private Distribution System	Otford	11 residents

#### Private Water Supply Sampling

The District Council is required to periodically sample PWS at a frequency determined by the nature of the supply (i.e. commercial or domestic) and the volume of water

supplied. Risk assessments are then used to determine which chemical and microbiological parameters may be present within each individual supply.

Within the district, we have one supply that is at theoretical risk from radiological contamination from radon gas.

Water samples are collected from customer’s taps and then sent to a specialist laboratory for analysis. Water samples can only be taken by UCAS accredited samplers and we currently have 2 qualified officers within the Environmental Protection Team.

Following the return of Environmental Health to Sevenoaks we are fully compliant with the sampling regime required by the Drinking Water Inspectorate.

PI	2022
100% of samples due to be taken (number required informed by risk assessment)	100%

### Private Water Supply Risk Assessment

The EP Team are required to risk assess each of our PWS’s every 5 years. This process requires us to undertake a full audit of the supplies operation and hazards, which may introduce contamination including the source, distribution network and treatment.

In 2022, our officers Risk Assessed 2 of our 7 PWS including the largest and most complex. In order to facilitate the risk assessment process we developed electronic inspection forms based upon the Drinking Water Inspectorate’s risk assessment templates which allowed information collected during the inspection to be imputed directly into a clear and easily accessible report.

Unfortunately, one of these risk assessments identified a number of serious hazards that posed a risk to those consuming the drinking water on the supply and as a result it was necessary for us to issue a notice requiring remedial works to ensure that the water was safe to drink. Following the service of the legal notice, our officer has worked closely with the supply owner to ensure that they focus of putting in place the necessary steps and measures to enable us to withdraw this legal action at the earliest opportunity.

### Private Water Supply Regulation

Unfortunately, it is occasionally necessary for the officers to intervene to ensure that drinking water provided via a PWS remains safe to drink. Within the past year it has been necessary for officers to take legal action to secure the safety of drinking water at two supplies within the district.

In addition, we have had to work with a further supply manager to ensure that a safe water supply has been maintained throughout a series of network failures.

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### 4.9. Planning Application Consultations

The Environmental Protection Team operate as consultees for Sevenoaks District Council on planning applications.

We provide specialist assessment and advice in respect of environmental issues including air quality, acoustics, odour control and contaminated land to our planning colleagues. This work often includes assessing submissions from specialist consultants on behalf of developers, liaison with consultants as to appropriate assessment standards, rebuttal of evidence and information and attendance at Planning Committees and attend planning inquiries and hearings as an expert witness.

Not all officers within the Environmental Protection Team are at present sufficiently experienced to make comments across all aspects of planning applications. This has affected the EP Teams performance in this area. The Environmental Protection Team Leader is working hard to address this issue and we are providing specialist training to officers so that they gain the relevant skills and knowledge needed.

Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
CONPLN	Consultation - Planning	253	350	398	236
CONREC	Re-consultation Planning	1	6	15	57
	<b>TOTAL</b>	<b>254</b>	<b>356</b>	<b>413</b>	<b>293</b>

#### Performance

	PI	2019/20	2020/21	2021/22	2022/23 to Dec
MPI EH14	85% Planning Applications Consultations timely response (within 21 days)	73%	81%	31%	64%

### 4.10. Licensing Application Consultations

The Environmental Protection Team operate as statutory consultees for Sevenoaks District Council on licencing applications (New and amended premises licences and Temporary Event Notices).

Officers assess applications and where they are determined to have a potential impact on 'public nuisance' or public safety' can object to the licence and/ or request that conditions are added to a licence (premises licences only).

When an officer objects to a premises licence or a Temporary Event Notice (TEN), they are required to attend the relevant committee hearing and provide professional evidence to support their concerns and any suggested conditions.

Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
CONLIC	Consultation - Licensing	43	37	53	24
CONTEN	TENS Licensing Consultation	454	52	306	369
	<b>TOTAL</b>	<b>497</b>	<b>89</b>	<b>359</b>	<b>393</b>

### Performance

	PI	2019/20	2020/21	2021/22	2022/23 to Dec
MPI EH9	85% of TENs responded to within 3 working days	100%	98%	93%	98%
	100% of Premises Licence Applications responded to within 28 days	83%	92%	79%	100%

#### 4.11. Animal Control

The District Council is required to provide a 24hr reception point for the receipt of stray dogs. Once a stray dog has been found we are then required to keep them for a minimum of 7 clear days. After this time, the dog becomes the property of the District Council and we can dispose of it as we see fit.

The Environmental Protection Team have procured a contract with a local kennels to provide our stray dog kennelling service. This contract requires our supplier to not only home all strays found within our area but also compels them to rehome them at the end of the 7 day period.

Dogs rehomed by our kennelling contractor are neutered, vaccinated and microchipped before they are rehomed. Their new owner's property is checked for suitability by an experienced operative and dogs are rehomed to addresses outside of the district. Thanks to our stray dog kennelling arrangement, we have been able to avoid having to put a dog to sleep for the past 4 years

Description	2019/20	2020/21	2021/22	2022/23 to Dec
Stray dogs collected	93	43	45	73

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Description	2019/20	2020/21	2021/22	2022/23 to Dec
Stray dogs returned to owner	39	26	17	28
Stray dogs rehomed	54	17	28	45
Stray dogs put down	0	0	0	0

### 4.12. Licensing of Animal Activities

The District Council is responsible for licensing certain activities involving animals including, pet shops, riding, boarding and performing animals under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

Separate to this legislation we licence Dangerous Wild Animals (DWA) and Zoo's. Currently we regulate two zoos (Eagle Heights and Willow Bird of Prey Centre). We are able to charge for animal licences on a cost recovery basis and fees are set annually.

Following the success of electronic inspections within our Food & Safety Team, we have now introduced them to our Animal Licensing Service. This system has proved extremely effective at reducing the time taken to generate reports and issue licenses. The iPad inspections allow our officers to incorporate photographs into reports and the resulting output is clear and simple for the business operator to understand.

Description	2020	2021	2022
Pet Shops	16	17	15
Animal Boarding	23	22	21
Home boarding/day care	8	12	15
Riding Establishments	7	6	7
Performing Animals	4	4	4
Dangerous Wild Animal	1	1	1
Zoo	1	1	1

### 4.13. Freedom of Information/ Environmental Information Requests

The Environmental Protection Team create and hold a significant amount of information. Under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004, members of the public are entitled to request access to information held by public authorities.

Often information is not held in an easily disclosable format and requires an officer to transpose the information held into an acceptable format for publication.

The majority of FOI/EIR requests received by the Councils do not meet the threshold for our costs to provide the information to be recharged.

Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
FOIEP	Freedom of Info/Env Info request EP	51	49	47	40

#### 4.14. Formal Complaints against Service

The Environmental Protection Team are committed to providing excellent customer service. We have put in place policies and procedures to ensure that customers are treated fairly, are kept informed of decisions we make and that we act in a transparent manner.

Unfortunately, we do sometimes make mistakes. On these very rare occasions we are committed to undertaking a frank assessment of what has gone wrong and putting in place measures and steps to improve and learn from our errors.

Owing to the nature of the work we undertake, the majority of which is enforcement, we do receive a number of unfounded complaints about the decisions of officers (particularly when they are unfavourable towards the original complainant).

Category	Description	2019/2020	2020/21	2021/22	2022/23 - Dec
EHSTG1	Stage 1 or 2 formal complaints	5	13	10	3
N/A	Complaints considered justified	1	3	2	1

#### 4.15. Out of Hours

Some of the service requests received by the Environmental Protection Team require that officers conduct investigations outside of normal office hours (for example when the noise is at its most impactful or when a light is in operation). Whenever possible (i.e. when the noise is predictable) officers are expected to make proactive arrangements for such visits in their own time.

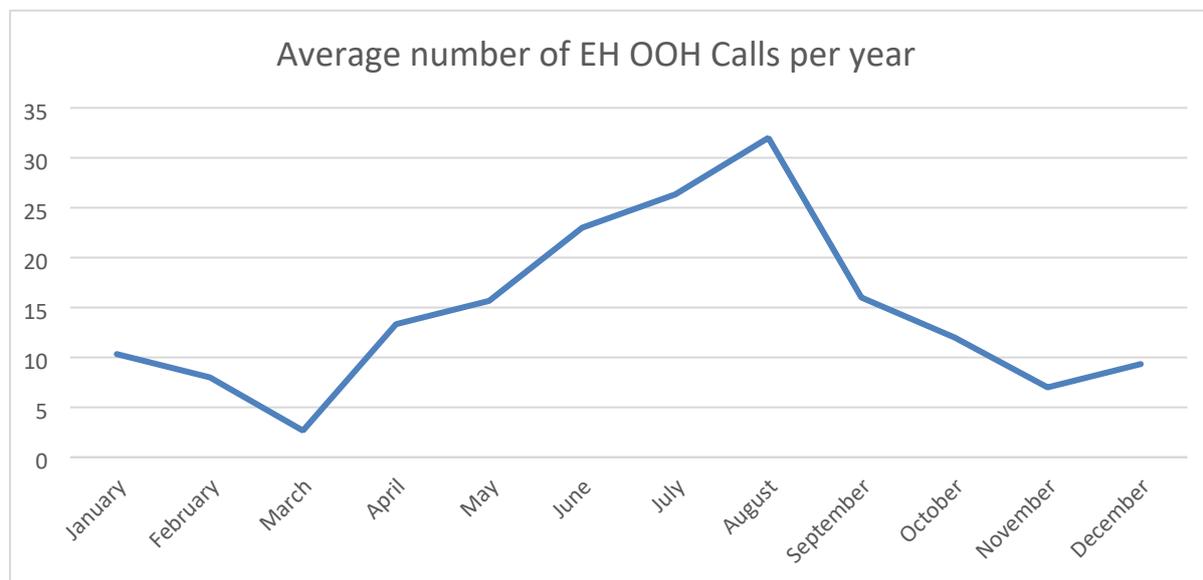
Unfortunately, some service request types are not predictable and require reactive investigation and action.

On average, the District Council receives 185 out of hours Environmental Health calls each year. The majority of these (84%) are noise related service requests/ complaints

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but we also receive reports relating to bonfires (10%) as well as requests relating to overflowing drainage, private water supply contamination, health & safety, light nuisance, odour nuisance, and food related complaints (Total 6%).

Demand is seasonal with the majority of calls (71%) received between April and September when weather is generally warmer and residents are more likely to be affected by the activities of their neighbours.



### Out of Hours Service

The Environmental Protection Team currently operate a reactive Out of Hours Service (OOH) between 18:00 and 00:00 on Friday and Saturday evenings, every week throughout the year. This is a discretionary service and is not required by law.

Officers from within the EP Team, Food & Safety Team and Private Sector Housing Team staff this OOH service on a weekly rota.

The majority of Friday/ Saturday EH OOH calls are dealt with through the provision of telephone advice but where appropriate, the duty EHO will undertake a visit to gather evidence of the problem. In certain circumstances, and where it is safe to do so, the duty EHO may visit the person causing the problem to offer advice and/ or may take enforcement action.

The OOH duty officers work alone. They must therefore consider the health and safety implications of lone working and must not put themselves at risk. This can limit the effectiveness of the OOH service to resolve complaints to the satisfaction of residents. The service is unable to approach and stop/ reduce the noise from 'one off' parties for this reason.

Kent Police do not have the resource to provide support to Local Authorities undertaking OOH visits.

Typical types of call received by the Friday/ Saturday EH OOH Service are outlined below:

- 1<sup>st</sup> time complaint where the customer has never complained before and where investigation will require the gathering of evidence over a longer period (i.e. frequent noise disturbances from a neighbour) - normally dealt with through the provision of telephone advice OOH and then followed up as per EH Performance Indicators.
- Private Parties (normally one off incidents) - Owing to health and safety considerations, duty EHOs are not currently expected to approach the alleged offender. Therefore, these cases are often dealt with through the provision of advice to the complainant however, in exceptional circumstances a visit may be undertaken to witness the problem to allow further action to be taken at a later date.
- Complaints about licenced premises - Where appropriate to do so a visit will take place and the issues witnessed. If safe to do so the relevant licence holder will be approached if an issue is observed
- Alarms (Car and Premises) - Where action can be taken within service hours an officer will visit to witness and if a statutory nuisance is established an abatement notice will be served. Works in default will then be arranged to silence the alarm.
- Behaviour noise (banging and crashing often between flats) - this type of complaint cannot easily be dealt with on a reactive basis and so will not generally be visited by the duty EHO.
- Bonfires - where the source has been identified and it appears smoke is significantly affecting the complainant a visit may be undertaken to the alleged offender in order to offer advice.
- On-going noise complaints

On average 54 calls are received through the Friday/ Saturday duty EHO system (29% of all calls received).

### **Cascade System**

In addition to the scheduled Friday/ Saturday OOH service, officers are able to respond to environmental health emergencies (eg service requests with significant public health or where decision is required immediately) via a cascade system.

This service is staffed on a voluntary basis by officers and the majority of calls responded to through this system are dealt with by the Environmental Health Manager and Team Leaders.

## **5. Working in Partnership**

The Environmental Protection Team have developed a number of effective partnerships both with other teams and colleagues within the District Council and external agencies

### **Community Safety Unit**

The Environmental Protection Team are active members of the SDC Community Safety Unit. We regularly attend multi-agency tasking meetings to address problems with specific sites and often take a lead in enforcing against problem sites.

Every year we produce statistics for the CSU Strategic Assessment produced by the SDC CSU.

### **Development Services**

The Environmental Protection Team recognise that Development Management are important internal customers. We are committed to providing the best possible service to this team so that they can undertake their own statutory duties.

A change in roles within the Environmental Protection Team and the appointment of new staff within the team resulted a skills shortage in those available to comment on planning applications. It was necessary to engage specialist contractors to fulfil this function from February 2022 to August 2022.

This allowed new staff to find their feet in the organisation whilst commencing training in several aspects of their new role including training on how comments on planning applications are undertaken.

We have implemented Performance Indicators that reflect the constraints of the consultation process and have developed procedures and reports to maximise the number of responses provided within time.

We continue to provide advice and expertise during the Planning pre-application process and regularly support planning officers on site visits and when dealing with specialist contractors. Whilst our planning colleagues charge a fee for this service the Environmental Protection do not receive any income for the support we provide.

We continue to review our practices in order to try and identify areas where we can enhance the service we offer. We hold regular meetings with the Planning Managers to identify areas of concern and improvement.

### **Planning Enforcement**

The work undertaken by the EP Team often overlaps with that being undertaken by the Planning Enforcement Team. We recognise the need to maintain good communication between the teams to ensure a coordinated approach to cases.

We regularly share intelligence and information between the teams and whenever possible minimise the need for multiple visits by either undertaking joint inspections or prompting either team to collect needed information and evidence for the other.

## **Licensing**

The Licensing Team rely on the advice and information provided by the EP Team and are important internal customers. We are committed to providing the best possible service to these teams so that they can undertake their own statutory duties.

We have created Performance Indicators which reflect the operational timescales of the licensing team as set by legislation.

We continue to review our practices in order to try and identify areas where we can enhance the service we offer.

## **Safety Advisory Group**

Officers will attend Safety Advisory Groups at SDC as necessary to ensure that events do not result in statutory nuisance and to offer advice as appropriate on matters within our expertise.

We review new event notifications and will offer advice as required

## **Drinking Water Inspectorate**

Our officers have an excellent relationship with the DWI. We have previously assisted them by providing training on best practice regulation to other local authorities and have had constructive discussions regarding best practice when issuing notices and producing risk assessments.

## **West Kent Housing Association**

Our Officers have excellent working relationships with area officers at WKHA. We regularly undertake joint site inspections at their properties and work with them to resolve issues caused by problem tenants.

Our Animal Welfare Officer regularly participates in WKHA led 'days of action' providing advice around responsible dog/ animal ownership.

# **6. New and Emerging Issues**

## **6.1. Unlicensed animal activities**

We are regularly made aware of unlicensed dog breeders and animal boarders (often operating out of domestic properties) who are trading via social media platforms, private selling sites and closed market place forums. Our investigations also suggest that there may be multiple dog breeders within our area who have failed to obtain the relevant permissions.

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These sellers and boarders often obscure their actual details by providing pseudonyms, dummy addresses and false information within their posts. Mobile telephone numbers may be changed if and when their activities are challenged by officers. As a consequence, it is extremely difficult to regulate these businesses and potentially the welfare of animals being sold or boarded is being compromised.

Where officers become aware of an unlicensed activity we investigate and seek to get it regulated. More often than not this drives such businesses underground for them to later resurface with different contact information.

In order to combat this growing issue, a significant amount of regulatory time and effort would be needed to gather clear and persuasive evidence of perpetrators and their activities so that they may be prosecuted for non-compliance with the law.

### 6.2. Stray and Abandoned dogs

It is well reported that dog ownership increased during the Covid-19 Pandemic. As a result many inexperienced households adopted or purchased a new pet for the first time.

Now that the pandemic restrictions are over, and many people have been asked to return to the office (at least on a part-time basis) it appears that some owners can no longer care for their new family members. In addition to this, animals are expensive to care for and veterinary treatments are for some unaffordable.

This combination of pressures has resulted in the District Council collecting more and more dogs as strays. Many of these animals are so called 'designer' breeds which would have traditionally been quickly reclaimed by their owner. We have also seen an increase in strays that have costly medical needs.

Whilst our new kennel contract ensures that we are not exposed to additional kennelling and rehoming costs as a result of this increase, it is probable that our veterinary costs to provide urgent medical care will begin to rise.

### 6.3. Animal Welfare

Our service requests statistics show that animal welfare concerns are increasing and the Animal Welfare Officer is encountering more and more cases of neglect that require intervention.

Whilst this is not a statutory duty for the Environmental Protection Team, animal welfare concerns are highly emotive and often generate significant social media interest resulting in case investigations that are time consuming and difficult to administer.

### 6.4. Illegal Waste sites and dumping

We believe we are beginning to see a trend whereby criminals are undertaking large-scale, illegal waste operations on unpermitted parcels of land. Whilst these cases should

ordinarily fall to the Environment Agency for investigation and regulation, it is the District Council who are often the first point of call for our residents.

These sites are extremely difficult to regulate and require a multi-agency approach for regulation to be effective. This can be extremely resource intensive.

### 6.5. **PM<sub>2.5</sub>**

The Environment Act 2021 required the government to set two new legal targets for air quality by the end of 2022. Currently these targets are proposed as follows:

- Annual Mean Concentration Target ('concentration target') - a maximum concentration of 10µg/m<sup>3</sup> to be met across England by 2040
- Population Exposure Reduction Target ('exposure target') - a 35% reduction in population exposure by 2040 (compared to a base year of 2018).

DEFRA have consulted with Local Authorities on how these targets will be achieved and we are awaiting their final decision. Nevertheless, it is extremely likely that additional duties will be given to the District Council requiring us to monitor emissions or PM<sub>2.5</sub> and or identify measures that will reduce emissions and exposure.

### 6.6. **Suitably Qualified EP Officers**

It is recognised within the Environmental Health Profession that there is a lack of suitably qualified and experienced Environmental Health Officers and Environmental Protection Specialists.

Owing to the highly technical nature as well as the diversity of the environmental protection function most officers are not qualified to undertake all tasks to an equal level and it is unrealistic to expect them to do so. Whilst it is relatively easy to train or acquire officers who are able to undertake complaint investigations we have ourselves experienced difficulties bringing in knowledge and experience within the specialist areas of contaminated land, air quality, private water supplies and acoustics.

We were very fortunate that during the dissolution of the EH Partnership we retained expertise within these allowing us to continue providing the necessary functions whilst we train our own specialists in house.

### 6.7. **Net Zero/ Carbon Reduction**

The work undertaken by the Environmental Protection team has direct and indirect impacts on CO<sub>2</sub> emissions (both from District Council activities, the public and industry). We will continue to work with both internal and external partners to identify measures and initiatives to reduce our own carbon footprint and to assist others in reducing theirs.

We will maintain a presence on relevant internal working groups and work constructively to assist with the reduction of CO<sub>2</sub> emissions.

Our new Air Quality Action Plan aligns air quality ambitions and priorities with those from Net Zero and we continuously look for opportunities that are mutually beneficial to both types of emission.

## 7. Innovation/ Service Improvement

Over the next 12 months the Environmental Protection Team want to be ambitious and make changes to our service that improve efficiency and customer service, generate operational income and reduce emissions or waste.

### 7.1 Develop our own talent

As outline above, it is extremely difficult for environmental health teams to recruit already qualified and experienced officers. We have therefore chosen to develop our own subject matter experts.

In September 2021 and April 2022, we employed three new Environmental Protection Officers. Whilst each of these new recruits has some experience of complaint investigation and had worked for other local authorities, none were specialists in any area of environmental protection. However, at interview each of these officers demonstrated potential to grow and learn and showed an enthusiasm to progress their careers.

The Environmental Protection Team Leader together with the Environmental Health Manager have worked with these officers to identify areas in which they can specialise. We are currently working to provide each of them with the necessary training and experience to enable them to eventually become our required subject matter experts across contaminated land, air quality, private water supplies and acoustics.

Whilst the decision to recruit these officers has placed an additional burden upon those with existing experience within the team (to train and mentor our new officers) and has caused some short term resilience issues, we are confident that once trained the District Council will have three excellent officers who understand our particular requirements and ways of delivering our service.

### 7.2. Expand our use of electronic inspections

As outlined above, we have already introduced electronic inspections to some aspects of environmental protection (notably animal licensing and private water supplies). These inspections are inputted into bespoke template forms (created by officers) within the 'Safety Culture App' on an iPad.

To date, this technology has proven effective at saving officer time, improving accuracy and reducing challenge. The output from the electronic inspections is also highly professional, easy to read and understand and can be easily translated using accessibility software.

We will continue to review the benefits of the electronic inspections and whenever beneficial expand their use to other areas such as potentially Environmental Permitting, and service request investigations.

Currently the system does not actively integrate with our Uniform database, instead generating a report which can be stored within the record. We will therefore work with our colleagues in the projects team to try and identify software/ mechanisms which will allow officers to directly amend or input into the uniform data base remotely in order to minimise double entry of information.

### **7.3. Acquire new Noise Nuisance Recorders**

Our existing Sound Level Meters are reaching the end of their operational lifespan and funding has been secured to obtain replacements. We will therefore be undertaking a review of the equipment available within the relevant market and procuring new best value equipment.

Where possible we will seek to ensure that this equipment generates operational efficiencies for the team.

### **7.4. Expand our use of Enterprise for Uniform**

In September 2021, we introduced Enterprise for Uniform. This software provides officers and managers an overview of the service requests allocated and unallocated to officers.

Whilst the introduction of Enterprise has been successful, we are aware that it has more powerful functions than those currently being used by the Environmental Protection Team. Therefore, we intend to undertake a review of this software over the next 12 months to ensure that we are using it in the most effective way.

### **7.5. NoiseApp 2**

RH Environmental have expressed their intention to release version 2 of the NoiseApp later on this year. This new version promises to bring additional functionality for customers and new improvements to assist officers with their investigations.

Officers from the Environmental Protection Team have worked with the developers providing information on our use and experiences to help refine and influence the features of the new application. We have participated in focus groups and feedback sessions with other users and we hope that that this work will result in an improved experience for Sevenoaks residents when it is released.

### **7.6. Process Redesign**

We have ensured that whenever possible, administration tasks have been moved from our environmental protection team officers to our technical administrators generating additional capacity. We are working to increase the knowledge and experience of these

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officers so that, with the support of the experienced environmental protection officers, they are able to respond to basic enquires and requests improving the speed of our responses to customers.

We have worked with our colleagues in Customer Solutions to ensure that the 'Frequently Asked Questions' (FAQ) (accessed during a customer's initial contact with the Council) are accurate and informative. This has helped to ensure that customers are where necessary signposted to other organisations (such as Environment Agency, DEFRA, APHA etc) and resolve some common enquiries at point of first contact without the need for officer involvement.

We have begun to review the out of hours manual held by CCTV for the same purpose and hope that this will allow them to provide simple advice designed to resolve some simple issues at first point of contact.

### **7.7. Work more effectively with our Social Housing providers**

The Environmental Protection Team receive a large number of complaints associated with social housing. Whilst we already work closely with some of these providers (notably WKHA) we believe that there is an opportunity through the provision of proactive information and advice and guidance to reduce the number of complaints we receive.

Further, we consider that by working with the organisations, operational efficiencies could be made. We will seek to offer training to area housing officers, and ASB officers within these organisations such that they are able to better understand our legal remits and ensure that information and evidence provided to us by them and their tenants conforms/ meets our evidential requirements.

### **7.8. Develop a new Air Quality Supplementary Planning Document**

We will work with our Planning Policy colleagues to develop a new Air Quality Supplementary Planning Document (SPD) that can be applied to all new developments with the potential to impact air quality. This SPD will ensure that all developers understand their duties and requirements in respect of air pollution and that they take these into account during the planning phase.

The SPD will also provide a mechanism for developers to contribute/ fund off site measures to improve or mitigate air quality problems when such measures cannot be achieved within the development itself.

### **7.9. Move to an electric Animal Welfare Vehicle**

We have begun the process of sourcing an electric vehicle to replace the current diesel animal welfare van. This vehicle is currently used by the Environmental Protection Team to collect stray dogs, undertake promotional events and change diffusion tubes within our AQMAs.

It is our ambition, whenever possible to replace diesel and petrol vehicle journeys (i.e. made in officers personal vehicles) to this new EV van reducing Environmental Health's carbon emissions.

### **7.10. Customer Feedback**

We have developed a new customer feedback survey within Survey Monkey. This short web form is accessed via a link or QR code which is sent with every communication from Environmental Health. Customers are encouraged to complete this survey anonymously so that we can start to identify trends or themes within our service which in turn will help us drive improvements.

### **7.11. Website Updates**

We continue to utilise our website as a source of information for residents and businesses. We work with our Communications Team to ensure that the content we produce is accurate and user friendly and that it assists our customers and their needs. We do not recreate resources available elsewhere and link to authoritative sources whenever possible such as the gov.uk website.

## **8. Quality Assessment**

The work of the Environmental Protection Team is subject to scrutiny by senior management, councillors, internal auditors, DEFRA, Drinking Water Inspectorate, and the Local Government and Social Care Ombudsman.

We ensure that all officers delivering environmental protection interventions meet an appropriate qualification criterion and demonstrate knowledge and competency across a number of skill sets. The competency framework drives personal and team training and development. It is also used to highlight gaps in the team's knowledge and skills.

The following monitoring arrangements are in place to assist in quality assessment:

- inspection audits including associated paperwork
- performance and development reviews
- performance monitoring of target response times
- Customer satisfaction questionnaires
- 1:1 meetings with team members
- Team and department meetings
- use of Enterprise in the IDOX Uniform database to improve monitoring of the inspection programme and service requests

## **9. Areas for Improvement**

Every effort is being made to maintain a high quality service to the public and to meet and exceed performance targets. We aim to:

- Improve the accuracy of the UNIFORM database

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- Ensure all customers receive a response within 5 working days
- Make faster decisions on compliance/ non-compliance whenever possible
- Reduce the number of stage 1 and 2 complaints against the service
- Work more closely with partners in other departments
- Improve and exceed our Planning Response Performance Indicator
- Encourage customers to provide feedback via a survey monkey link

## 10. Contact Officer

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**ACTIVE TRAVEL AND NET ZERO UPDATE**

**Cleaner and Greener Advisory Committee - 14 March 2023**

**Report of:** Deputy Chief Executive and Chief Officer - Planning and Regulatory Services

**Status:** For information

**Also considered by:** N/A

**Key Decision:** No

**Executive Summary:** This report updates members on the active travel initiatives that the District Council is engaged in, along with the funding opportunities that are being pursued in order to facilitate the delivery of specific projects, supported by the Movement Strategy (2022) and emerging Local Plan. It also updates members on wider Net Zero projects.

**This report supports the Key Aim of:** the Council's commitments to promoting better active travel and achieving Net Zero 2030.

**Portfolio Holder:** Cllr. Margot McArthur

**Contact Officer(s):** Emma Henshall, Ext. 7358; Margaret Carr, Ext. 7341

**Recommendation to Cleaner and Greener Advisory Committee:**

To note this update report for information.

**Reason for recommendation:** Identifying opportunities for better active travel across the District is a key priority that can assist in reducing carbon emissions, improve air quality and result in positive health outcomes, as well as helping achieve the Council's Net Zero 2030 commitment.

**Introduction and Background**

- 1 Active travel has many benefits - walking, wheeling and cycling can all help to positively impact the health of the population and bring significant environmental benefits including improving air quality, reducing noise pollution and reducing traffic and therefore carbon emissions. The Council is committed to promoting and creating opportunities for better active travel in the District through its Movement Strategy (2022) and emerging Local Plan.

### Sevenoaks Urban Area LCWIP

- 2 In January 2023 the District's first Local Cycling and Walking Infrastructure Plan (LCWIP) was completed covering Sevenoaks urban area. It is available online here:  
[https://www.sevenoaks.gov.uk/downloads/file/3677/sevenoaks\\_urban\\_are\\_a\\_local\\_cycling\\_and\\_walking\\_infrastructure\\_plan](https://www.sevenoaks.gov.uk/downloads/file/3677/sevenoaks_urban_are_a_local_cycling_and_walking_infrastructure_plan). LCWIPs are a strategic approach to identifying cycling and walking improvements needed at the local level, with a view to developing local cycling and walking networks over the longer term. The Sevenoaks Urban Area LCWIP identifies 8 cycle routes, mapped at Appendix A, and prioritises them in terms of benefits and likelihood of achieving modal shift. The top 3 prioritised routes are set out below, along with a brief explanation of progress made thus far towards delivering them.

#### ***Sevenoaks East to West Route (LCWIP route 3)***

- 3 This route connects the east and west of Sevenoaks town, specifically connecting together 6 schools to provide a safe and accessible cycle route as an alternative to short car journeys. The route is mapped at Appendix A (route 3 - turquoise). We have successfully secured £1.2 million from Active Travel England to provide the route and are working in partnership with Kent County Council (KCC) to deliver it. The project is led by a member steering group and it is expected that public consultation on the details of the route will take place in June/July, before the final designs are agreed and the route is delivered on the ground by Spring 2024.

#### ***Sevenoaks to Otford Route (LCWIP route 1)***

- 4 This route connects Sevenoaks town centre with Otford village centre including making significant improvements to the A225 and to the very busy Bat and Ball junction. This route was first identified in the Council's 2012 Cycling Strategy and a feasibility study was carried out in 2017. The route is mapped at Appendix A (route 1 - green). We have successfully secured £10,000 from Active Travel England to undertake scheme planning and design work in partnership with KCC and are in the process of putting forward a bid to secure further funding to deliver it. Given the previous work undertaken on the feasibility of the route we feel that we stand a good chance of securing the funding to deliver it, however whilst the Otford to Bat and Ball section of the route is fairly straightforward to deliver, the section from Bat and Ball to Sevenoaks town centre requires some further detailed consideration as it presents a number of challenges owing to the road's constrained nature. It is expected that expert consultants will be appointed to undertake the scheme planning and design work following the proper procurement process in the coming weeks.

#### ***Sevenoaks to Seal to Otford Route (LCWIP route 6)***

- 5 This route connects Sevenoaks town centre with Seal and links through the proposed Sevenoaks Quarry development (conceptually at present) to connect through to the Riverside Retail Park south of Otford. The route is mapped at Appendix A (route 6 - pink). We have successfully secured

£10,000 from Active Travel England to undertake scheme planning and design work in partnership with KCC. A bid for funding to deliver it was discussed with KCC, however the route did not meet all the criteria to make the final selection (this time) as, quite understandably, we need to undertake the scheme planning and design work first. It is expected that expert consultants will be appointed to undertake the scheme planning and design work following the proper procurement process in the coming weeks.

### **Swanley Urban Area LCWIP**

- 6 Following on from the success of the Sevenoaks Urban Area LCWIP, we have secured a further £25,000 from Active Travel England to undertake a LCWIP for Swanley Urban Area in partnership with KCC. Subject to meeting procurement requirements it is hoped that Sustrans, the consultant that undertook the Sevenoaks Urban Area LCWIP and the custodians of the National Cycle Network, will be able to complete the study. Swanley suffers from poor air quality and also has some of the most deprived wards in the country, and so boosting active travel opportunities in this area is key if we are to tackle these issues.

### **Carbon Reduction Plan**

- 7 The Carbon Reduction Plan is nearly complete. Laser (a group of Kent-based energy and carbon reduction consultants) have carried out detailed surveys to assess whether the Council and its assets (Argyle Road, Dunbrik, the leisure centres in Edenbridge and Sevenoaks) can be converted away from fossil fuels to more sustainable energy sources such as solar PV and ground or air source heat pumps. It will also refer to plans for reducing emissions from the fleet. The Plan will provide estimates of costs necessary to achieve this and an indication of any grant funding that may be available.
- 8 Taking all these calculations together, it will provide a pathway to Net Zero for the Council, with an indication of how we should be reducing our use of carbon each year, together with an indication of how much we may need to offset.

### ***District Emissions***

- 9 The Plan will also look at what we can do about reducing the overall emissions in the District with partners including KCC. KCC has recently formed a Sustainable Energy Team looking at how the county can become more energy self-sufficient. They estimate that Kent will need three separate energy plans and have carried out geo-spatial mapping to understand where renewable energy sites currently exist. This data will be shared with District and Borough Councils in the coming weeks.

### **Electric Vehicle Charging Points**

- 10 Officers have commissioned an external consultant (Field Dynamics) to produce a report indicating where EV charging points could be located across the District. The report categorises the District into distinct areas,

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allowing us to see where residents will be able to provide their own charging solutions and where public/on street solutions will be required. Officers will now be working to put together a priority list of potential charging locations; these will then be used to approach third party companies who may be able to provide the required infrastructure on our behalf. Field Dynamics will be providing a summary report within the next 6 weeks.

### **Other options Considered and/or rejected**

The active travel initiatives referred to in this report have largely been secured and/or completed using external funding from Active Travel England and in partnership with KCC. We could choose not to engage in further active travel initiatives, through external funding streams or our own budget, however this would contradict the Council's commitment to promoting and creating opportunities for better active travel in the District, and therefore disadvantage our residents. This is not considered to be an acceptable approach. Further, the Council has made a commitment to Net Zero 2030.

### **Key Implications**

#### Financial

Funding for the active travel initiatives referred to in this report has been secured through external sources and it is not expected that any top up will be required. Funding for the wider Net Zero 2030 commitment will be met from existing budgets.

#### Legal Implications and Risk Assessment Statement

No legal implications have been identified.

#### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

#### Net Zero Implications

Members are reminded of the Council's stated ambition to be Net Zero with regards to carbon emissions by 2030. This report is to inform members of the ongoing work to meet the commitment.

### **Conclusions**

This report updates members on the active travel initiatives that the District Council is engaged in, alongside progress on other Net Zero projects. It is considered that progress so far is consistent with achieving Net Zero by 2030.

**Appendices**

Appendix A - Cycle Routes identified in the Sevenoaks Urban Area LCWIP

**Background Papers**

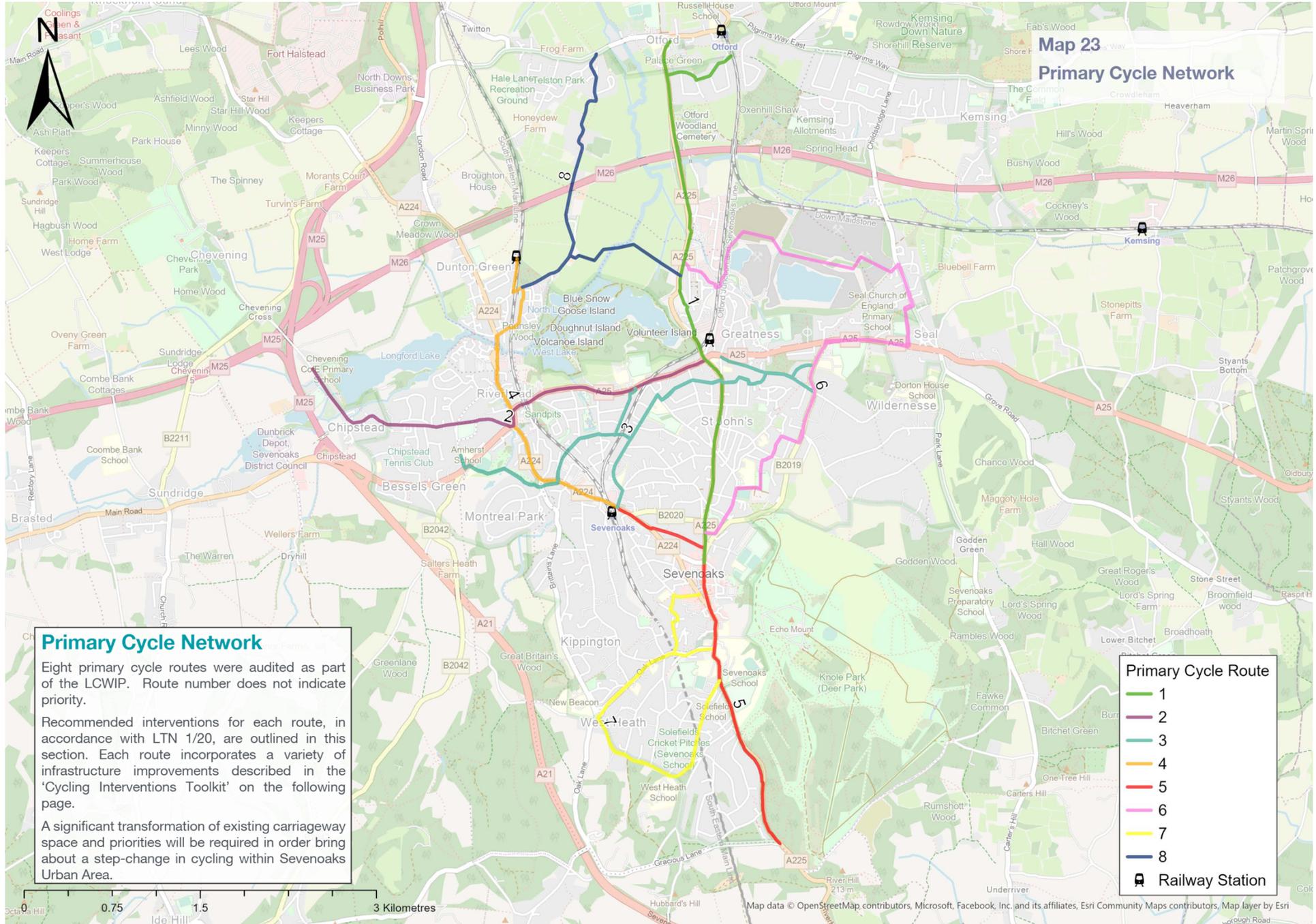
None

**Richard Morris**

**Deputy Chief Executive and Chief Officer - Planning and Regulatory Services**

# Appendix A - Cycle Routes identified in the Sevenoaks Urban Area LCWIP

**Map 23**  
**Primary Cycle Network**



**Primary Cycle Network**

Eight primary cycle routes were audited as part of the LCWIP. Route number does not indicate priority.

Recommended interventions for each route, in accordance with LTN 1/20, are outlined in this section. Each route incorporates a variety of infrastructure improvements described in the 'Cycling Interventions Toolkit' on the following page.

A significant transformation of existing carriageway space and priorities will be required in order bring about a step-change in cycling within Sevenoaks Urban Area.

**Primary Cycle Route**

- 1
  - 2
  - 3
  - 4
  - 5
  - 6
  - 7
  - 8
- Railway Station

**Cleaner and Greener Advisory Committee - 14 March 2023 - Work Plan (as at 15/02/23)**

**June 2023**

- Car Idling Work Update
- EV Charging Study
- Swanley AQMA Assessment.
- Liability for Trees on Common Land
- Government Resilience Framework

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