



# 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

- 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**

<b>PI Code</b>	<b>Indicator</b>	<b>Annual Target</b>
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%

<b>PI Code</b>	<b>Indicator</b>	<b>Annual Target</b>
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%

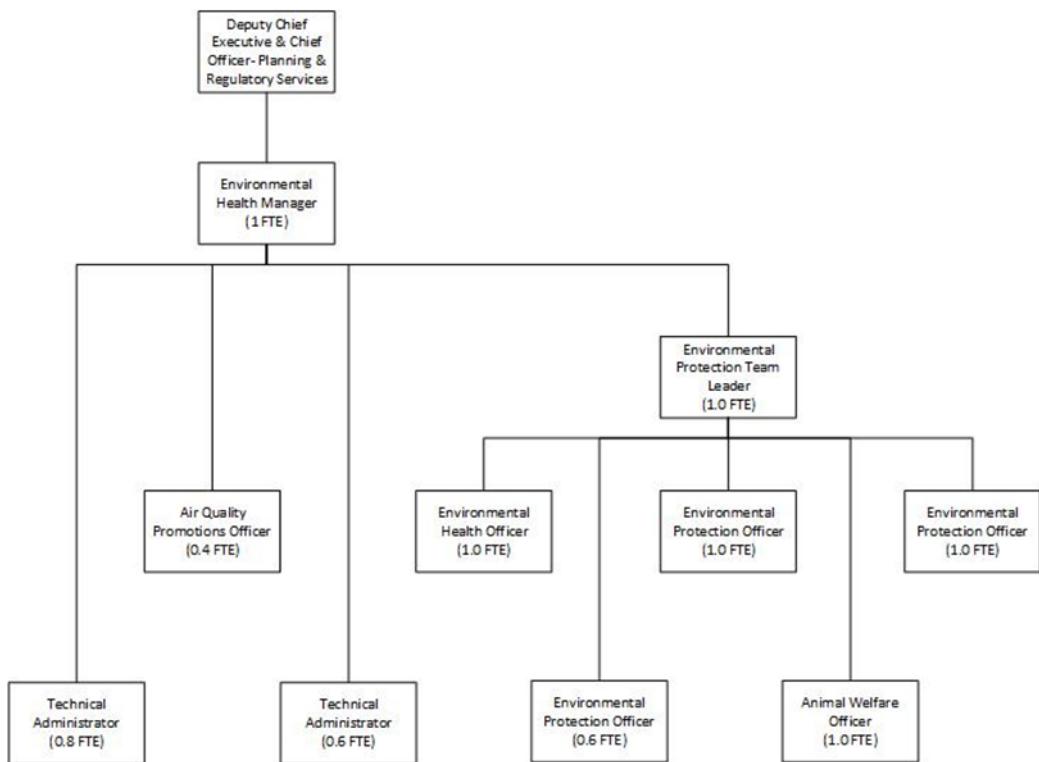
## 2.5. Other data reported for Environmental Protection

<b>Code</b>	<b>Indicator</b>	<b>Period</b>
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:



### 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.

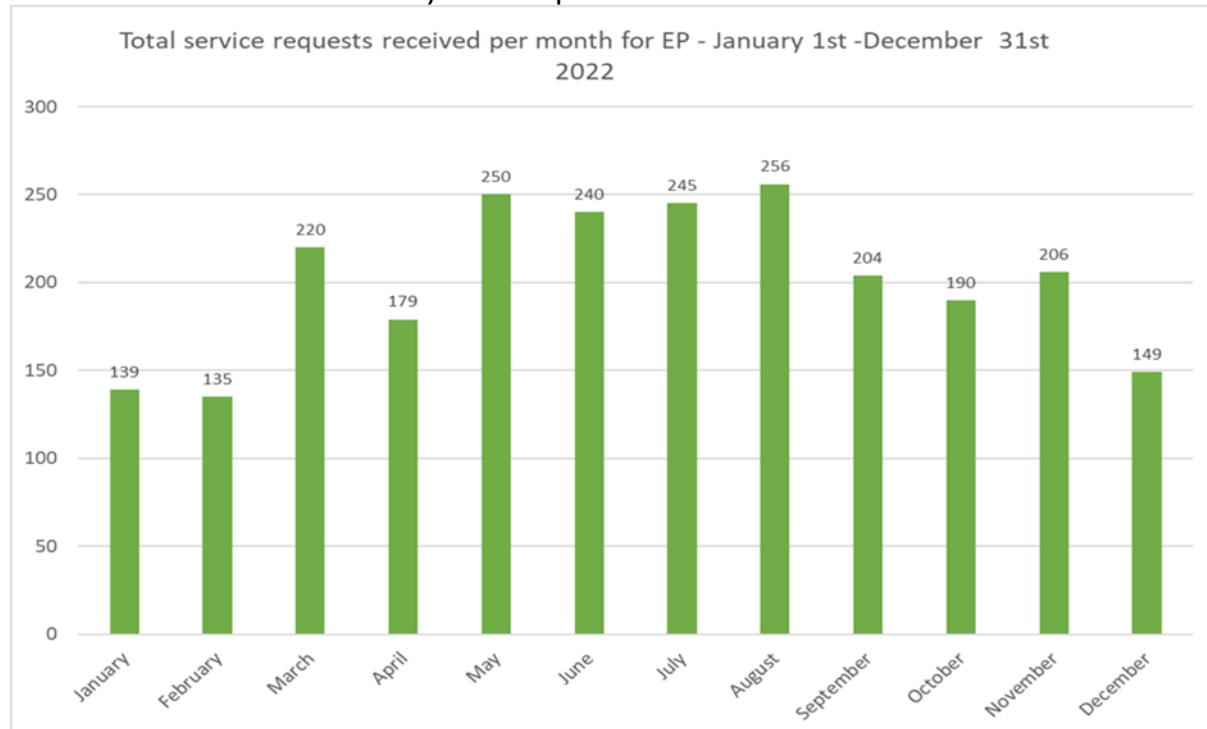
Demand for services provided by Environmental Protection continues to be extremely high. The Covid-19 Pandemic lockdowns resulted in a spike (7% jump) in customer service requests made to the team (2550 in 2020/2021 vs 2374 in 2019/2020). Whilst levels subsided slightly in 2021/2022 current data indicates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

	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

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
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.

#### **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.

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
BONDOM	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>

#### **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.

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
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.

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
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.

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.

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
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.

<b>Type of Notice</b>	<b>Description</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
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>

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

	<b>PI</b>	<b>2020</b>	<b>2021</b>	<b>PI</b>	<b>2022</b>
	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).

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.

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:

Nature of supply	Location	Approx. number of supply users
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.

<b>PI</b>	<b>2022</b>
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.

## 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.

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
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

	<b>PI</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 to Dec</b>
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, vaccinate 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

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

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.

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
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).

<b>Category</b>	<b>Description</b>	<b>2019/2020</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23 - Dec</b>
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**

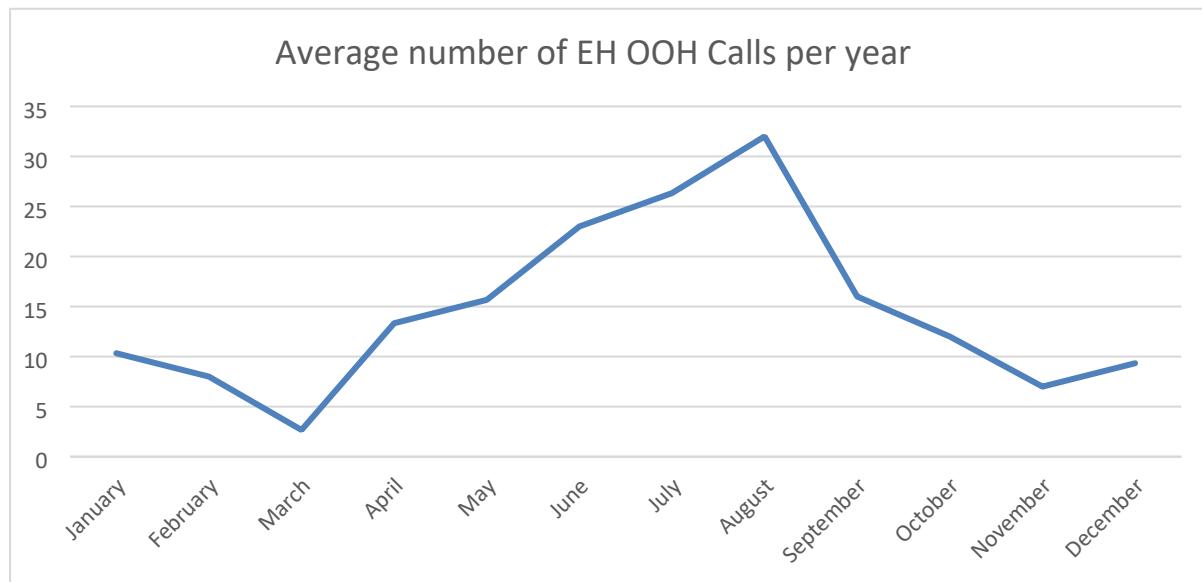
Some of the service requests received by the Environmental Protection Team require that officers conduct investigations outside of normal office hours (for example when the noise is at its most impactful or when a light is in operation). Whenever possible (i.e. when the noise is predictable) officers 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

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 or 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.

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

officers so that, with the support of the experienced environmental protection officers, they are able to respond to basic enquiries 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

- 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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