

# Law & Regulations Services

## Mid Year Review 21/22



**Cabinet Member for Licensing and Regulation – Councillor Ray Truman**

**Director – Rhys Cornwall**

**Head of Service – Gareth Price**

# Introduction

This is the Law & Regulations Services update on the progress being made against the objectives, actions, performance and risk for the period 1<sup>st</sup> April 2021 to 30<sup>th</sup> September 2021. Service plans have been designed to support the delivery of the [Council's Corporate Plan 2017-22](#). As one of the 44 public bodies, Newport Council must consider the Well-being of Future Generations Act in the delivery of its plans and the sustainable development principle of meeting our duty under the Act.

Long term		The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.
Prevention		How acting to prevent problems occurring or getting worse, may help public bodies meet their objectives.
Integration		Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.
Collaboration		Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives.
Involvement		The importance of involving people with an interest in achieving the well-being goals and ensuring that those people reflect the diversity of the area, which the body serves.

The Finance Services service plan focuses on the delivery of the following Wellbeing Objective(s) in the Corporate Plan:

- **Well-being Objective 2** – To promote economic growth and regeneration whilst protecting the environment
- **Wellbeing Objective 3** – To enable people to be healthy, independent and resilient; and
- **Wellbeing Objective 4** – To build cohesive and sustainable communities
- **Strategic Recovery Aim 2** – Understand and respond to the impact of Covid-19 on the city's economic and environmental goals to enable Newport to thrive again
- **Strategic Recovery Aim 3** – Promote and protect the health and wellbeing of people, safeguarding our most vulnerable and building strong, resilient communities.
- **Strategic Recovery Aim 4** – Provide people with the resources and support that they need to move out of the crisis, considering in particular the impact that Covid-19 has had on our minority and marginalised communities.

The 2021/22 Service Plan has four objectives that are focused on:

**Objective 1** - To improve the efficiency and cost-effectiveness of professional and regulatory services and optimise the use of available resources.

**Objective 2** – To improve constitutional and corporate governance arrangements

**Objective 3** – To extend and improve the use of technology and modernise working practices in order to underpin and drive service delivery changes.

**Objective 4** – To improve public health and consumer protection through the creation of a fairer and safer environment for Newport’s residents, visitors and businesses.

## Cabinet Member(s) / Head of Service Executive Summary

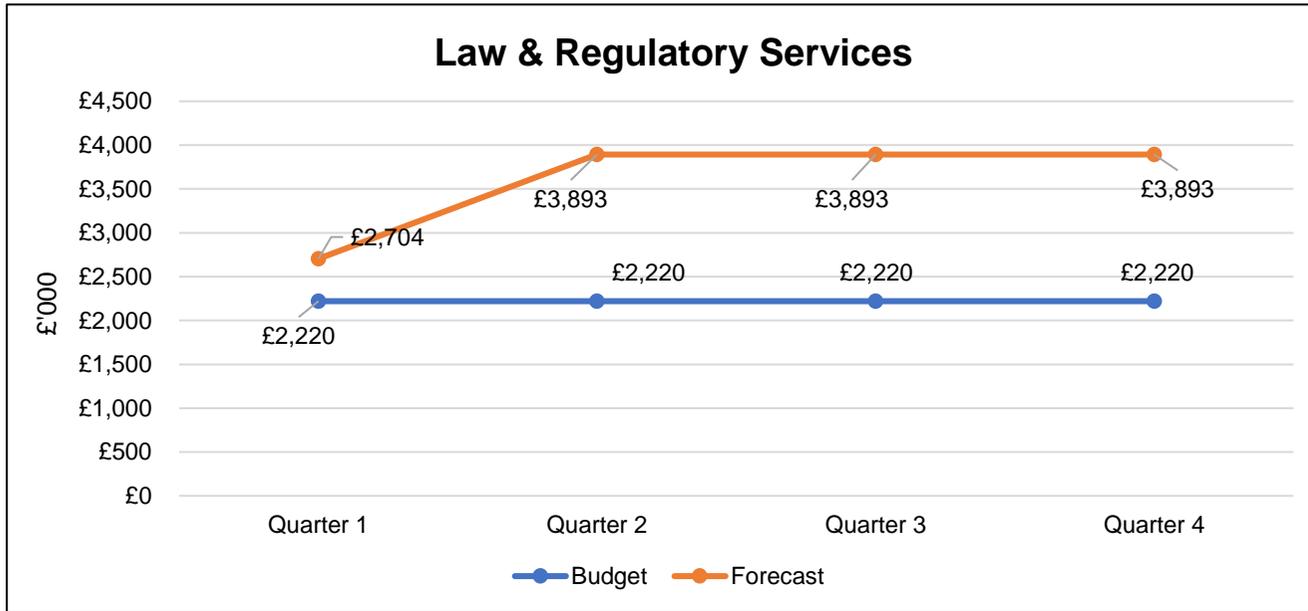
Once again, there has been a sustained level of performance during the first 6 months of 2021/22 in achieving the Performance Measures and in delivering the key projects within the Service Plan. However, the Performance Measures and objectives remain challenging, particularly in times of diminishing resources, increased demand and the unprecedented challenges of Covid-19 and recovery plans. Most of the Performance Indicators are discretionary local measures, so there is no national benchmarking data, but the targets have been set on the basis of securing continuous improvement from last year, wherever possible. There is only one PAM for the service, which relates to the numbers of broadly compliant food premises, but the current figure of 97.4% should be treated with caution, given the limited number of inspections of food premises carried out due to on-going Covid-19 commitments. It is somewhat counter-intuitive with this PAM that, the more inspections that you carry out, the more breaches are identified. Most of the targets for the discretionary PI's have been achieved or exceeded, despite the need to re-focus and reprioritise the Covid-related work.

The Service Area has continued to make excellent progress with key projects and critical milestones have all been achieved. Where some actions are showing as amber, this is largely due to the fact that progress has been delayed due to the impact of Covid-19, but they will re-commence as we gradually transition from the Covid-response work to the recovery phase. However, other services have continued to operate effectively during this period, albeit with significant changes to how they are being delivered, with greater use of technology. Council meetings continue to be conducted remotely, although significant progress has been made in commissioning upgrades to the IT infrastructure to move to “hybrid” meetings in due course, in accordance with the recovery aims of restoring an open and transparent corporate governance process. A significant amount of further work will be required throughout the remainder of this year to implement the legislative changes required to the Council's corporate governance processes and the Constitution, to reflect the changes introduced by the Local Government & Elections (Wales) Act 2021, and to prepare for the local elections in May 2022.

This level of performance has been all the more significant because it has been achieved against a continuing backdrop of financial pressures, budgetary constraints, the demands of new legislation and the programme of change. The service area is currently predicting a small overspend of approximately £63k out of a total net operating budget of £6.8m. This is due to a significant increase in the Council's insurance premiums due to the general economic situation and claims experience. Although the overall uplift of approximately 15% was significantly higher than the budgeted estimate, other councils who re-tendered their insurances have been faced with increases of up to 50%. The other budgets all remain on-track, although this does assume that all income losses sustained during the Covid lock-down period will be fully reimbursed from the Hardship fund.

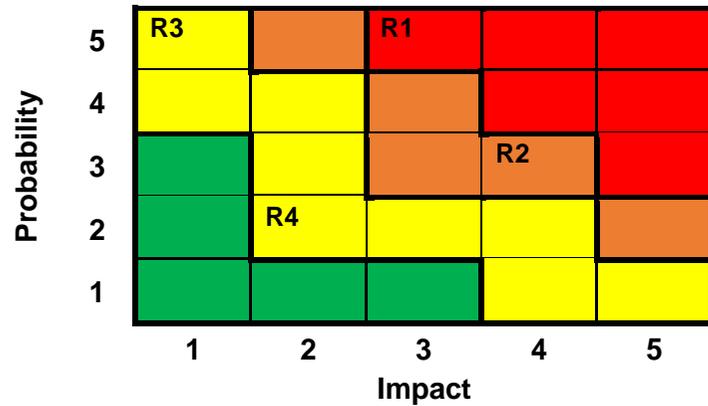
The removal of most Covid-19 restrictions and the move to alert level zero has required a phased approach to transition to the recovery phase. There will be a continuing need to provide Test, Trace and Protect services up to June 2022, albeit on more of a “warning and informing” basis, Environmental Health will continue to support vulnerable settings such as care homes and schools, and Regulatory officers will still have to enforce risk assessments and compliance arrangements. However, as this role gradually diminishes, then staff can be redeployed back to their other statutory inspection and regulatory work. There will be a Covid legacy in terms of the backlog of work which has built-up in some areas, such as the food inspections, birth registrations and local land charges searches. Therefore, the recovery process will continue to have implication for service delivery throughout the remainder of 21/22, and this will have an inevitable impact on performance.

# Law & Regulation – Mid Year Forecast Vs 2021/22 Budget



This provides an overview of the Law & Regulatory Services forecasted position to the end of quarter 2 (April to September 2021).

## Service Area Risks at 30<sup>th</sup> September 2021



<b>R1</b> – Climate Change (Led by RIH)	<b>R3</b> – Transfer of land charges function to land register
<b>R2</b> – Capability & Capacity of Environmental Health team	<b>R4</b> – Budgetary pressures on service demands

# Glossary

## Actions (Red / Amber / Green)

C	Green RAG – Completed
%	Green RAG – Action is on course to be completed within timescale
%	Amber RAG – There are potential issues which unless addressed the action might not be achieved within agreed timescales.
%	Red RAG – The action requires immediate action to achieve delivery within agreed timescales.
?	Unknown RAG (Data missing)

## Programmes and Projects

This provides an update on the delivery of key programmes and projects that contribute towards the delivery of the Corporate Plan 2017-22. This covers the progress of delivery from 1<sup>st</sup> April to 30<sup>th</sup> September 2021.

Programme / Project Title	Brief Programme / Project Overview	Anticipated Programme / Project Completion Date	% of Project Completed	Commentary
Gwent Contact Tracing Service	<p>Working collaboratively across five local authorities and Aneurin Bevan University Health Board to establish and deliver the structure, governance and operation of the Gwent Contact Tracing Service.</p> <p>The outcomes of this work will help manage future Covid 19 outbreaks and enable Newport and others to coordinate and manage responses.</p>	Quarter 2 2021/22	50%	The Council has successfully operated a Contact Tracing team within the regional Gwent Service, as agreed with the Regional Board for Gwent Test, Trace, Protect. Performance of the regional Service has struggled during September, but this is consistent with the rest of Wales and a national prioritisation approach has been implemented to ensure that the highest priority cases are dealt with across Gwent.
Implementation of the Local Government & Elections (Wales) Act 2021	<p>Working collaboratively with other service areas to implement the legislative requirements in accordance with prescribed timescales and in readiness for the May 2022 local elections</p> <p>This will include introducing new technology to deliver “hybrid” Council meetings, the development of a public engagement and consultation policy to increase public participation</p>	Quarter 1 2022/23	20%	Progress on various workstreams is being tracked and monitored under an implementation group.

Programme / Project Title	Brief Programme / Project Overview	Anticipated Programme / Project Completion Date	% of Project Completed	Commentary
	in the governance process, and a self-assessment process for corporate improvement. The Council's Constitution will also need to be substantially redrafted and updated to reflect the legislative changes.			

## Workforce Planning

To support the delivery of the Service Plan and Corporate Plan objectives, service areas in collaboration with the Council's Human Resources team have identified three key actions to improve the capacity and capability of its workforce in 2021/22

Action	Outcome(s) of Action	Action Start Date	Anticipated Completion Date	% of Action completed	Commentary
Undertake succession planning activities to provide opportunities for staff to develop and improve resilience of the service area.	Service Managers provide opportunities for staff to develop, provide career progression and job shadowing. This will support formalising succession plans and create the foundations for a regular reviewing cycle.	1 <sup>st</sup> April 2021	31 <sup>st</sup> December 2021	75%	Succession planning has been undertaken in Legal, Democratic Services and the Registration and Coroner services, with the appointment of new service managers. As part of the workforce planning process, staff are being developed and given opportunities for progression. Two members of staff from L&R were successful in securing places on the MBA Talent management programme.
Explore options of work based apprenticeships, kick start schemes, training programmes and graduate schemes to develop local talent management framework.	Opportunities provided for new and existing staff to improve the capability and capacity of the service area.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	50%	Three new apprenticeships are to be created in Legal, Democratic Services and Trading Standards. Legal are also looking to re-introduce a trainee solicitor post and to fund a legal executive qualification for the apprentice post.  Regulatory Services (Environment & Community) –are actively exploring the possibility of creating a Traineeship to support a new recruit through the 3-year BSc Environmental Health degree. A proposal to recruit to a soon-to-be vacant Senior Technical Officer post with a recruit who could be

Action	Outcome(s) of Action	Action Start Date	Anticipated Completion Date	% of Action completed	Commentary
					<p>supported through the 2-year part-time MSc Environmental Health Masters is also being considered.</p> <p>Regulatory Services (Environment &amp; Community) are developing a proposal for the Kick Start Scheme.</p>
Undertake a review of current Job Descriptions and current workforce capability to future skills and knowledge gaps.	This work will enable the service area to identify training opportunities and updating of Job Descriptions to bridge the knowledge and skills gaps identified.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	<b>80%</b>	As part of the workforce planning process, a review has been undertaken of existing staffing structures and job descriptions, to identify training and development needs and any skills gaps. This will help to inform future succession planning, training and development.

# Objectives and Action Update (30<sup>th</sup> September 2021)

This is an update on the progress against service objectives and actions to the end of quarter 2 (30<sup>th</sup> September 2021).

<b>Objective 1 - To improve the efficiency and cost-effectiveness of professional and regulatory services and optimise the use of available resources</b>						
<b>Action No.</b>	<b>Action Description</b>	<b>Action Outcome(s)</b>	<b>Start Date</b>	<b>Anticipated Completion Date</b>	<b>% Action Completed</b>	<b>Action Commentary</b>
1	Undertake a review of staffing structures within the Registration and Coroners Service and identify any changes required to address increasing demands and budget pressures due to cover arrangements.	Appoint additional Coroners Officers and Administrative Support staff to meet demands of the service and review staffing within the Registration service to mitigate budget pressures caused by use of casual cover.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	80%	A review of existing staffing structures has been undertaken in conjunction with the senior Gwent coroner. Additional Coroners Officers have been appointed and a Coroner Service Office Manager is now in post. A business case has been prepared for discussion with the other Gwent authorities to create an additional Area Coroner post, to deal with the large backlog of inquests.
2	To develop and extend customer satisfaction surveys for the Registration Service to cover registrations, in addition to ceremonies.	See objective 1.	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	50%	This has been deferred during the Covid restrictions, while birth registrations and ceremonies were suspended. However, the surveys will be re-introduced for ceremonies and will be extended to registrations once the backlog has been cleared.
3	To contribute towards the delivery of key corporate projects and cross-cutting transformational change projects, including alternative service delivery models in 2021/22.	See Objective 1	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	50%	Key milestones for the legal work in connection with major project work have continued to be met.
4	<b><u>Regulatory Services – Environment &amp; Community</u></b> Operate and further develop the Paid for Advice scheme and successfully deliver established Primary Authority Partnerships to generate additional revenue and	See Objective 1	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	25%	Established Primary Authority (PA) Relationships have been maintained through Covid, however paid for advice schemes have been suspended through Covid and have not yet restarted.

**Objective 1 - To improve the efficiency and cost-effectiveness of professional and regulatory services and optimise the use of available resources**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
	improve compliance with public protection regulations. Identify and develop new and effective ways of providing business support whilst maximising income generation.					
5	<b><u>Regulatory Services – Commercial Standards</u></b>  Operate and further develop the business support activities; to include Training Opportunities; Paid for Advice, Assured Trader Schemes; and Primary Authority Partnerships; to generate additional revenue and improve compliance with public protection regulations. Identify and develop new and effective ways of providing business support whilst maximising income generation.	See Objective 1	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	40%	In Q2, the service has continued to provide advice to business. There have been thousands of interactions on subjects as diverse as COVID business restrictions, food allergen labelling, consumer rights obligations, selling goods to children, selling second-hand cars, operating a licensed premise lawfully and many others. The service continues to promote its trusted trader scheme and Primary Authority Partnership capability; and will soon move forward with plans for a responsible retailer scheme and enhanced compliance advice provision. Newport City Dogs Home have seen the Dog Walking Facility start to raise income for the service; the service is often sold out.
6	Undertake a review of accommodation and court premises, supplies and services budgets and commissioning arrangements, to improve the Coroner service and deliver efficiencies.	See Objective 1	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	50%	The Coroners service has been relocated to the Civic Centre and the coroner's court has been refurbished. Additional IT provision has been made for remote attendance at inquests. The supplies and services budgets and SLAs with the Health board and funeral directors will be reviewed now that the new Registration and Coroner Services Manager is in post.
7	Implement training of existing staff and explore apprenticeship opportunities	Improve the resilience of each team within legal services to ensure sufficient resources	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	5%	We have been extending the possible avenues of recruitment to using the Kickstart scheme with the potential for recruiting candidates who may be able to

<b>Objective 1 - To improve the efficiency and cost-effectiveness of professional and regulatory services and optimise the use of available resources</b>						
<b>Action No.</b>	<b>Action Description</b>	<b>Action Outcome(s)</b>	<b>Start Date</b>	<b>Anticipated Completion Date</b>	<b>% Action Completed</b>	<b>Action Commentary</b>
	for the purposes of workforce planning.	available to replace staff retiring/leaving the team				go on to undertake apprenticeships. A member of the team was also supported in gaining access onto the Exceptional Talent program to undertake an MBA.
8	Undertake a review of workload and backlog of inquests within the Coroner's service and identify any need for an additional Assistant Coroner	To ensure that there is sufficient capacity to undertake coroner's inquests within agreed timescales.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	<b>80%</b>	A business case has been prepared for discussion with the other Gwent authorities to create an additional Area Coroner post, to deal with the large backlog of inquests.
9	Undertake a review of the transitional arrangements for the Test, Trace, Protect service post September 2021 and any implications for the Environmental Health service and staffing structures	To ensure that there are transitional arrangements in place to deliver a reduced TTP service when the funding ends in September and ensure that there are robust staffing structures in place to deliver all Environmental Health services.	1 <sup>st</sup> July 2021	<del>30<sup>th</sup> September 2021</del> 30 <sup>th</sup> June 2022	<b>10%</b>	Test, Trace, Protect has now been extended until 30 <sup>th</sup> June 2022.

<b>Objective 2 - To improve the constitutional and corporate governance arrangements</b>						
<b>Action No.</b>	<b>Action Description</b>	<b>Action Outcome(s)</b>	<b>Start Date</b>	<b>Anticipated Completion Date</b>	<b>% Action Completed</b>	<b>Action Commentary</b>
1	To undertake a whole-scale review and re-drafting of the Council's Constitution as part of the Local Government & Elections (Wales) Act.	See Objective 2.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	<b>50%</b>	Changes have already been made to the terms of reference and composition of Governance & Audit Committee. The scheme of delegation will need to be reviewed in the light of the new senior management re-structure. The public participation strategy will also need to be included, as will any new Member Code of conduct. The first draft of the new modular framework for the Constitution, and the summary version, have now been issued.
2	Improve and strengthen arrangements in accordance	See Objective 2.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	<b>10%</b>	WLGA have shared draft statutory guidance for consultation.

**Objective 2 - To improve the constitutional and corporate governance arrangements**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
	with National Scrutiny Survey and Corporate Assessment.					
3	To develop and implement a programme for Member training and development, including individual training plans and Members Annual Reports.	See Objective 2	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	12%	Seminars on the Breathing Space legislation and Flytipping response were presented to Members. A programme of further Seminars on various topics is planned for the remainder of the year.
4	To ensure that Standards Committee continues to operate effectively and discharges its statutory responsibilities.	See Objective 2.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	50%	New independent members have been recruited and trained and a new Chair has been appointed. Standards committee continues to effectively discharge its statutory responsibilities.
5	Successfully deliver elections, raise voter awareness and increase elector registration.	See Objective 2.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	80%	The Welsh Government and PCC elections, the Victoria and Graig by-elections have all been successfully delivered. The new reform canvass has been completed and the new registers will be issued in December. A new fixed term voter engagement officer is being recruited using WG funding.
6	Continue to strengthen Scrutiny arrangements and the composite work programme.	See Objective 2.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	10%	WLGA have shared draft statutory guidance on Corporate Joint Committees for consultation.
7	Successfully deliver by-election in Victoria ward and PCC elections in accordance with agreed electoral performance standards.	See Objective 2.	1 <sup>st</sup> January 2020	30 <sup>th</sup> June 2021	C	Election delivered in Quarter 1.
8	Review current constitutional and governance arrangements in accordance with proposed legislative reforms (Local Government & Elections Act).	See Objective 2.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	50%	Changes have already been made to the terms of reference and composition of Governance & Audit Committee. The scheme of delegation will need to be reviewed in the light of the new senior management re-structure. The public participation strategy will also need to be

**Objective 2 - To improve the constitutional and corporate governance arrangements**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
						included, as will any new Member Code of conduct. Scrutiny arrangements are also being reviewed in the light of the move to a regional PSB, particularly in relation to crime and disorder issues.
9	Implement succession planning for Standards Committee to appoint and train new independent members	Two new independent members of Standards Committee appointed to meet requirements of legislation and appropriate training delivered	1 <sup>st</sup> April 2021	31 <sup>st</sup> October 2021	<b>C</b>	Two new independent members appointed, one to take up office in June and the other in October, when the current member's term of office ends. Appointments approved by council at AGM in May.
10	Prepare for local government elections in May 2022 in the light of the electoral review and new legislation relating to reduced voting age, and electoral arrangements.	Successfully deliver local elections, raise voter awareness and increase elector registration. Ensure that legislative and EC requirements are met	1 <sup>st</sup> October 2021	31 <sup>st</sup> March 2022	<b>Not Applicable</b>	To commence in quarter 3.
11	Develop a programme of member induction training for new elected Councillors following the May 2022 elections	Induction programme and training modules prepared to ensure that new members have the necessary skills and knowledge to discharge their roles and responsibilities	30 <sup>th</sup> September 2021	31 <sup>st</sup> March 2022	<b>8%</b>	Members from other LA's in Wales are trialling some of the new e-learning modules developed with WLGA to identify and iron out any snags. Democratic Services team are reviewing additional e-learning module, again, with a view to identifying any issues before final versions are updated.

**Objective 3 – To extend and improve the use of technology and modernise working practices in order to underpin and drive service delivery changes.**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
1	<u>Regulatory Services – Environment &amp; Community</u>	See Objective 3.	1 <sup>st</sup> April 2019	31 <sup>st</sup> March 2022	<b>25%</b>	This work has been delayed in order to direct resources to the Covid-19 pandemic response.

**Objective 3 – To extend and improve the use of technology and modernise working practices in order to underpin and drive service delivery changes.**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
	Maximise the use of online web forms linked to the Idox database.					
2	<b><u>Regulatory Services – Environment &amp; Community</u></b> Continue to roll out card payment capability for customers within Regulatory Services.	See Objective 3.	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	50%	This work has been impacted by the response to the Covid-19 pandemic, but progress continues to be made.
3	Modernise the payment methods across the various Licensing, Trading Standards and Animal Health Teams.	Improved accounting methods.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	30%	Officers continue to make seek improvements and aim to move all payments online.
4	Procure enhancements to Public-I webcasting system and upgrade screens and projectors in Council Chamber using Digital Democracy grant funding.	Existing IT systems and infrastructure successfully upgraded to conduct and broadcast “hybrid” Council meetings to meet the requirements of the new legislation.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	15%	Contract has been drafted and is in discussion.  Arrangements for implementation in Chambers within CADW requirements have been agreed.
5	Migration of Local Land Charges register and property information databases to the HM Land Registry central database and on-line web portal.	All existing Land Charges registers will be updated and transferred onto the new system, together with all planning, highways, development control and other spatial GIS property data. This will provide up-to-date and accurate property search information which can be accessed on-line as part of any property transaction.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	5%	The progress with this project is currently dependent on the Land Registry progressing matters with SRS to test the data that NCC holds. We therefore have no control over progress at present, however, an update meeting is scheduled for Tuesday 12 October and we will have a better idea of progress at that time.

**Objective 4 - To improve public health and consumer protection through the creation of a fairer and safer environment for Newport's residents, visitors and businesses**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
1	<p><b><u>Regulatory Services – Environment &amp; Community</u></b></p> <p>Working collaboratively with partners to prevent and tackle instances of anti-social behaviour impacting upon residents and business community.</p>	See Objective 4	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	75%	<p>Action to tackle ASB has been adversely affected by the Covid-19 pandemic during 21/22, however during this reporting period, the WG's decision to move to Alert Level 0 and lift the majority of restrictions, has allowed the Service to start to return to Business as Normal activity.</p> <p>The Community Safety Warden Service has now returned to operating to standard operating hours following significant staff absences. This has helped the Service to respond to incidents of ASB. The response to addressing ASB is continuing to work dynamically, utilising a strong partnership approach through the twice monthly Problem Solving Group and CaSAMs. These are led, chaired and facilitated by the ASB Liaison Officers in Law &amp; Regulation.</p> <p>Work to review the current Public Spaces Protection Orders in Newport and renew them where appropriate has been progressed: The Pill PSPO has been renewed, the draft PSPO for the City Centre will go to Full Council in the next reporting period and the review of the Maesglas PSPO has been started. PSPOs provide additional enforcement powers to tackle ASB.</p>
2	<p><b><u>Regulatory Services – Commercial Standards</u></b></p> <p>Working collaboratively with partners to prevent and tackle</p>	See Objective 4	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	50%	<p>In Q2, the service visited 46 shops and a child attempted to buy either alcohol or tobacco. 7 businesses made illegal sales. Investigations into these businesses are ongoing.</p>

**Objective 4 - To improve public health and consumer protection through the creation of a fairer and safer environment for Newport's residents, visitors and businesses**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
	instances of anti-social behaviour impacting upon residents and business community.					In Q3, the service will participate in the multi-agency Operation Bang aimed at tackling ASB around Halloween and Bonfire Night. The focus will be the lawful sale of fireworks. It also plans to complete enforcement work on underage sales of knives and alcohol. Covered elsewhere (under health protection enforcement) 3 shops were closed under ASB Closure Orders.
3	<b><u>Regulatory Services – Environment &amp; Community</u></b> Work with key partners to tackle anti-social behaviour and crime, and improve community cohesion and wellbeing in Pillgwenlly and other areas as required, by delivering actions from the ASB Group Action Plan	See Objective 4	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	75%	Activity in this area continues to be delivered. In addition, officers have completed the process to implement a revised Public Spaces Protection Order for Pill, to provide additional enforcement powers to Gwent Police and the Community Safety Warden Service.
4	<b><u>Regulatory Services – Commercial Standards</u></b> Work with key partners to tackle anti-social behaviour and crime and improve community cohesion and wellbeing in Pillgwenlly and other areas as required, by delivering actions from the ASB Group Action Plan.	See Objective 4	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	66%	In Q2, the service has continued to carry out high visibility interventions in Pillgwenlly to show residents that the businesses serving them meet the relevant minimum standards. Officers have provided interventions in relation to illegal tobacco, selling alcohol/tobacco to children, food standards, licensing and COVID security measures. A significant action day saw nearly 50,000 illegal cigarettes seized from shops in the ward.
5	Local Air Quality Management - develop localised plans under the Council's Sustainable	See Objective 4	1 <sup>st</sup> April 2020	31 <sup>st</sup> December 2022	30%	Annual Performance Reports (APR's) for 2019 and 2020 have been completed and submitted to Welsh Government.

**Objective 4 - To improve public health and consumer protection through the creation of a fairer and safer environment for Newport's residents, visitors and businesses**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
	Travel Strategy to meet statutory requirements for Action Plans. Actions to be generated by the Sustainable Travel Group.					These reports are the foundation on which the Air Quality Action Plans will be based. APR data has been externally validated by consultants to ensure their accuracy and validity. 2021 APR currently being developed.
6	Support compliance within reputable businesses and investigate rogue traders to maintain a fair and safe trading environment.	See Objective 4	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	50%	<p>In Q2, the service has been very active in the efforts to prevent rogue trading and ensure businesses trade fairly. Officers have investigated allegations of counterfeit goods, taxis illegally plying for hire, false advertising, illegal measuring equipment and untraceable/counterfeit wine.</p> <p>Officers have completed inspections and other interventions at food and feed business operators. The Food Standards Agency have issued a new post-Covid inspection requirement which the service is aiming to meet. In relation to animal feed, at Newport Docks, official controls and organic checks have been completed on corn, sunflower, and peas. Since April 2021, 104,777 Kg of feed have passed through the port. An officer has been given a lead role in a national project to prepare English and Welsh ports for the final transition to new imported animal feed rules following EU Exit.</p> <p>The Licensing Sub-Committee has considered the licenses of 10 taxi drivers. Officers have also visited other trade sectors; notably scrap metal dealers</p>

**Objective 4 - To improve public health and consumer protection through the creation of a fairer and safer environment for Newport's residents, visitors and businesses**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
						<p>(Operation Bluewater) and second- hand car dealers.</p> <p>A three-year investigation has been heard at court. An eBay trader, selling counterfeit clothing pleaded guilty to counterfeiting and fraudulent trading offences. The defendant received a six-month prison sentence suspended for 12 months and ordered to carry out 150 hours unpaid work and take part in a 10-day rehabilitation activity requirement. A proceeds of crime process will follow in 2022. Support has been given to other council departments, and indeed other organisations, concerned that their investigations involve money laundering. The services financial investigators have carried out significant partnership work.</p> <p>In Q3, there will work on issues with counterfeit goods and second-hand car sales. There will be a focus on the vulnerability to fair trading posed by social media sellers. Projects will also be initiated looking at enablers of rogue trading. This will involve "prevent" activities such as guidance and education at storage units and printers of misleading posters and leaflets.</p>
7	Regulate businesses and support consumers/residents to protect and improve health.	See Objective 4	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	50%	Trading Standards Officers are engaged in an enforcement programme on Illegal Tobacco. In Q2, officers have completed 6 raids and seized 59,000 cigarettes and 16 Kg of tobacco. 3 shops have been closed under ASB orders. Newport City Council is

**Objective 4 - To improve public health and consumer protection through the creation of a fairer and safer environment for Newport's residents, visitors and businesses**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
						<p>also managing a Wales-wide project called Operation CeCe. This sees regional officers identify and target rogue shops and lead raids. Since 1 January 2021 1.3 million cigarettes have been seized.</p> <p>Officers have investigated allegations of undeclared allergenic ingredients, dangerous products and unsafe and out of date food. Officers have carried out further samples in relation to allergenic ingredients and submitted them for analysis; results are awaited. In Q3, following intelligence received from elsewhere in the UK, the service will visit each specialist Vaping Store, to look for illegal portable vape products. Advice will also be provided about preventing illegal sales to children.</p> <p>In Q3, food standards inspections will focus on the need for businesses to have in place a robust allergens system. Visits in Q2 are showing such shortcoming are an emerging issue for businesses in Newport. There will also be continued surveillance visits for compliance with new rules on labelling food that was prepacked by the trader. These now require full labelling to make allergenic ingredients known to purchasers.</p>
8	Review the policies and procedures for the Regulatory Investigatory Powers Act and seek their approval from Cabinet Member	Redraft RIPA policies for approval by Cabinet Member and deliver training to meet requirements of RIPA	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	<b>10%</b>	There has been no progress on the new policies.

**Objective 4 - To improve public health and consumer protection through the creation of a fairer and safer environment for Newport's residents, visitors and businesses**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
		inspection report and Action Plan.				
9	Prepare to deliver the new statutory duties under the Public Health (Wales) Act 2017 (Part 4 - Special Procedures) including recruitment of new officers	See Objective 4	1 <sup>st</sup> September 2019	31 <sup>st</sup> March 2022	75%	The legislative work required by WG to move this forward has been suspended during the Covid-19 pandemic and there is no action currently required of the Council.
10	Public Space Protection Orders (PSPOs) Undertake a review and renew (as appropriate and subject to the appropriate democratic process) PSPOs that have, or are due to, expire this financial year.	PSPOs are made or renewed where appropriate to benefit the City. This includes supporting City Services in developing proposals for new PSPOs across the City's parks, green/open spaces.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	75%	Significant progress has been made in this area of work, with the Pill PSPO renewed. Scrutiny work has been completed for the City Centre PSPO and the draft Order will be presented to Full Council during the next reporting period. Work will progress to review the Maesglas PSPO during the next reporting period.
11	In relation to food safety matters, ensure that the actions in the Action Plan agreed with the Food Standards Agency are delivered.	To deliver actions from the Food Standards Agency Action Plan.	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	15%	Programmed Food Safety inspections have been largely suspended due to the resource demands of responding to the Covid-19 pandemic, however 'business as normal' activity will increase soon with a contractor and a newly recruited EHO starting shortly to concentrate on Food Safety duties.
12	To deliver the Food Standards Agency Action Plan for food standards matters and animal feeds.	To deliver actions from the Food Standards Agency Action Plan.	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	80%	The service has been disrupted due to the work on COVID enforcement and the fact that businesses have been closed. Now, the nation is at Alert Level Zero, this work can be completed.
13	Ensure that available resources are utilised to prepare the Service for increased export	Officers provided with appropriate training and equipment where resources allow.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	90%	The service is monitoring this issue and will respond to changes in trading rules as and when they occur.

**Objective 4 - To improve public health and consumer protection through the creation of a fairer and safer environment for Newport's residents, visitors and businesses**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
	and import regulatory duties as a result of Brexit.					
14	Deliver safeguarding programmes and measures that protect citizens from victimisation and to measure the impact of regulatory interventions.	Successful identification of victims, actions taken to alleviate suffering/distress, assessment of impact of work carried out.	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	50%	<p>During Q2, the service worked on 15 investigations whereby homeowners were targeted by rogue traders. The financial detriment estimated for these investigations is £181,000. Scambusters, based at Newport, continues investigations into a number of cross-border OCGs. Relevant Police Forces will refer any licensed taxi drivers to the authority where they have an evidenced concern of safeguarding and/or CSE issue. There will be a professional strategy meeting and the team will support the police and/or Social Services with any ongoing investigation. This presents considerable case work initially and may result in suspensions and committee reports and revocations. The service is currently managing 12 driver suspensions.</p> <p>In Q3, work will be carried out on the Taxi Licensing Policy. This will have changes that will focus on safeguarding vulnerable people. There will be a draft policy for public consultation. Trading Standards Officers will take part in a partnership event called Rogue Trader Week, carrying out patrols to areas that have been targeted by rogue traders, visits to business premises of concern.</p>
15	Deliver business support and regulatory interventions in relation to new legislative requirements; specifically,	Knowledgeable businesses: the removal of the risk posed to vulnerable drinkers; more	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	80%	Minimum Unit Pricing work has been completed. (July 2021). The service will shift to picking up issues on inspections and responding to intelligence.

**Objective 4 - To improve public health and consumer protection through the creation of a fairer and safer environment for Newport's residents, visitors and businesses**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
	energy performance for domestic and non-domestic housing.	energy efficient buildings and savings to citizens.				Operation Emerald (EPC Enforcement). The service was awarded a government grant. A Compliance Officer has now been recruited and trained. The landlord intervention programme will commence. There are 300+ properties with EPCs below the statutory standards and 1900+ with no EPC at all. The programme will seek to bring all properties into compliance. There will also be guidance material produced for landlords.
16	Deliver business support and regulatory interventions in relation to the city's night time economy.	Knowledgeable and compliant businesses; and vibrant successful economy; maintenance of Purple Flag status.	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	50%	Licensing Officers are continuing operations to keep late night premises safe. Investigations have commenced into venues who have failed to adopt measures that protect their clientele. There is also a robust programme of taxi enforcement. During Q2 there have been 7 action nights. In the city centre 23 licensed venues have been inspected (multiple visits); 35% of venues failed minimum standards; and 133 taxis have been inspected/tested; 5% of vehicles/drivers failed minimum standards. Officers have also responded to a number of concerns at non-city centre venues and taken appropriate action. Licensing Officers attended the recent festivals held in Newport to assess compliance with licensing legislation. Considerable follow-on work is being undertaken. Officers from Licensing, Trading Standards and Environmental Health are actively engaged in the Safer Newport Sub-group.

**Objective 4 - To improve public health and consumer protection through the creation of a fairer and safer environment for Newport's residents, visitors and businesses**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
17	Deliver an animal welfare programme.	Knowledgeable and compliant businesses in the farming and licensed sectors; and a successful dog rehoming facility.	1 <sup>st</sup> April 2020	31 <sup>st</sup> March 2022	50%	Newport City Dogs Home has again been awarded the RSPCA Gold Footprint Award. This is superb recognition for a wonderful team of officers. The service has recently won a contract to support colleagues at Monmouthshire County Council with their stray dog service. During Q2, the service worked on 5 investigations of illegal dog breeding. Newport City Council is also managing a Wales-wide project called Operation Cabal. This sees regional officers identify and target rogue illegal dog breeders. The first major seizure took place in September 2021 in Carmarthenshire. 200 dogs were seized and a major OCG was disrupted. Investigations are ongoing. Officers have also investigated allegations of animal welfare breaches and disease movement breaches.
18	Respond robustly to incidents, clusters and outbreaks of Covid-19 in line with statutory duties.	To work collaboratively with Public Health Wales and the Council's appointed consultants in communicable disease control to manage covid-19 incidents, clusters and outbreaks.  Minimise the risk for of Covid 19 outbreaks across the communities as part of the regional response plan and the Welsh Government's national Test, Trace and Protect Strategy.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	50%	Alongside delivering Contact Tracing, this activity has absorbed significant EH resources during the reporting period. Performance has been excellent and EH has been praised by multiple stakeholders for the efforts of colleagues and the outcomes, which have saved lives. Since the move to Alert Level 0 by the WG which removed the majority of Covid-19 restrictions from businesses and citizens, the work of EH during this reporting period has focussed on supporting Education and Care Settings. There is no requirement to focus on other clusters etc. now that the virus is endemic, and vaccination has

**Objective 4 - To improve public health and consumer protection through the creation of a fairer and safer environment for Newport's residents, visitors and businesses**

Action No.	Action Description	Action Outcome(s)	Start Date	Anticipated Completion Date	% Action Completed	Action Commentary
						significantly reduced the risk of hospitalisation and death.
19	Provide advice and support for local businesses and an effective regulatory and compliance regime to enable them to re-open safely as part of the Council's Covid-19 strategic recovery aims	Local businesses are able to re-open safely and in compliance with safety regulations, to support the local economy whilst maintain the safety and wellbeing of the public.	1 <sup>st</sup> April 2021	31 <sup>st</sup> March 2022	80%	At Alert Level Zero businesses have been permitted to open with COVID security measures in place. In response officers circulated guidance and visited businesses who previously struggled to comply with regulations. The work for Q3 will involve guidance on COVID security measures to all businesses the service inspects. There will also be significant work regarding the new COVID Passes for certain venues. Affected venues will receive advice and inspections. Blatant and deliberate breaches will be dealt with via enforcement.
20	Review the Gambling Policy and seek adoption by the Council following consultation.	Complete a draft of the Policy after consultation. Ensure the policy is submitted to Council and implemented.	1 <sup>st</sup> April 2021	30 <sup>th</sup> September 2021	85%	The draft Gambling Policy is out for consultation. The timetable will allow time for analysis of results, any adjustments and putting the policy to council prior to the end of the existing policy.
21	Review and update the Public Protection Enforcement Policy 2013 and seek Cabinet Member approval of the new revised policy.	Policy updated as appropriate and approved.	1 <sup>st</sup> October 2020	31 <sup>st</sup> March 2022	20%	A draft of the policy has been produced and shared with two of the team managers. It was deemed appropriate for the work of the council. The next stage will be wider circulation with a view for adoption in Q4.

## Performance Measures (30<sup>th</sup> September 2021)

This is an update on the quarterly and half yearly performance measures for the service area to 30<sup>th</sup> September 2021. The end of year performance and previous year's Mid-year update is also included for comparative purposes. Annual measures are excluded and will be reported in March 2022. Commentary reported by exception for Amber and Red measures.

Targets have not been set for Social Services performance measures. Instead, the previous years' final actual figure will be used as a comparator to enable stakeholders understand whether performance has improved, stayed the same or worsened in the period. Where performance has worsened commentary will be provided.

### Key

	Green – Performance is above Target
	Amber RAG – Performance is below Target (0-15%)
	Red RAG – Performance is Under achieving (+15%)
?	Unknown RAG (Data missing)

Mid-Year = 1<sup>st</sup> April to 30<sup>th</sup> September

End of Year = 1<sup>st</sup> April to 31<sup>st</sup> March

Performance Measure	Mid-Year 21/22 Actual Performance	21/22 Target	End of Year 20/21 Actual Performance	Mid-Year 20/21 Actual Performance	Mid-Year 19/20 Actual Performance	Commentary
<b>National</b> - Percentage of Food establishments broadly compliant with food hygiene standards	97.4%	95%	96%	96.6%	96.3%	
<b>Local</b> - Percentage of legal searches in 5 days.	73.3%	95%	78.3%	94.62%	75.56%	There is a backlog of searches due to Covid restrictions and the suspension of all personal searches. This has led to a significant increase in numbers of electronic searches and an increased turn-around time. However, this will improve now that the restrictions have been removed.
<b>Local</b> - Percentage of customers seen within 10 minutes.	Not recorded	95%	Not Recorded	Not Recorded	99.47%	Due to Covid restrictions this data is not currently recorded

<b>Performance Measure</b>	<b>Mid-Year 21/22 Actual Performance</b>	<b>21/22 Target</b>	<b>End of Year 20/21 Actual Performance</b>	<b>Mid-Year 20/21 Actual Performance</b>	<b>Mid-Year 19/20 Actual Performance</b>	<b>Commentary</b>
<b>Local</b> - Percentage of Anti-social Behaviour incidents resolved by wardens.	<b>94.3%</b>	<b>93%</b>	92.3%	93%	94.6%	
<b>Local</b> - Percentage of regulatory services significant issues resolved.	<b>97.6%</b>	<b>95%</b>	87.97%	82.92%	89.34%	
<b>Local</b> - Percentage of Single Justice Procedure Notices drafted within 20 working days of receipt of instructions	<b>100%</b>	<b>98%</b>	98.6%	98.6%	Not recorded	