

Environmental Health

Annual Report
2021-2022



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

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Should you have any questions or comments about our services, please call us using the details below.

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INTRODUCTION

The Council is responsible for a wide range of enforcement functions in Environmental Health. All of these services make a significant contribution to safeguarding the health safety and well-being of local residents. The service is at the forefront of complex and challenging issues of modern life ranging from disruptive basement conversions to dealing with online fraudsters.

We aim to encourage and promote compliance with the law and to have an appropriate and consistent approach. While we aim to carry out work activities in a way that encourages compliance, our officers are always vigilant and will take formal action against those who break the law and have a detrimental impact on the quality of life in Kensington and Chelsea.

This report is a summary of the work of Environmental Health between 1 April 2021 and the 31 March 2022 and covers the following enforcement areas:

- Food Safety and Infectious Diseases
- Health and Safety
- Public Health Training
- Pest Control
- Licensing
- Trading Standards
- Operational Support
- Noise and Nuisance
- Construction Management
- Private Sector Housing
- Pollution Regulatory Team

These specialist teams require different legislative action and they have their own extensive sets of regulations, codes of practice and guidance.

This report includes details about our service aims, objectives, key achievements, and performance in 2021/2022 and some of our planned work in 2022/2023.

The Council is going through a period of fundamental change in the way it delivers its business and is committed to protecting front line services to residents and businesses. Protecting our residents and supporting our businesses is our top priority. We aim to;

- Carry out our activities in a way that supports those we regulate to comply and grow
- Ensure our residents are at the heart of what we do
- Provide simple and straightforward ways to engage with those we regulate and listen to their views
- Protect residents, visitors, and workers in the Borough especially those who are vulnerable
- Base regulatory activities on risk

- Continue to collaborate with internal and external partners building strong partnerships
- Share information about compliance and risk
- Ensure clear information, guidance and advice is available to help those we regulate meet their responsibilities and in setting any policies consult with businesses and residents to ensure their concerns are reflected
- Ensure that our approach to regulatory activities is open and transparent
- To incorporate the Council's Values into everything we do
- A commitment that our staff will embrace the Council values; Putting Communities First, Respect, Integrity, Working Together, in the way they deliver regulatory services.

Over 2021/2022, due to the pandemic recovery, Environmental Health's reactive and proactive arm continued to take on Covid-19 duties while managing to operate successfully, despite the various restrictions and the challenges this has brought. The Noise and Nuisance, Construction Management and Pest Control Teams have continued to visit and support residents whilst the Health and Safety, Licensing, Food Safety and Trading Standards Teams have supported and advised businesses. Vulnerable residents have been supported by the Private Sector Housing Team.

We collect feedback in a variety of ways from our residents, businesses and customers and we will focus further on this seeking to find better ways of engagement and to use any feedback to improve our services. We are committed to engaging with our communities in North Kensington to ensure that we feed into the wider Council Grenfell recovery work.

MEHMET MAZHAR
DIRECTOR FOR STREETS AND REGULATORY SERVICES

ROYAL BOROUGH OF KENSINGTON AND CHELSEA
FOOD SAFETY AND INFECTIOUS DISEASE TEAM
ANNUAL REPORT
2021 – 2022



1. PURPOSE OF THE FOOD SAFETY AND INFECTIOUS DISEASE TEAM

- 1.1. To protect consumers by ensuring all food sold, is produced, and provided safely by food businesses to reduce food borne illnesses and contamination of food, meets compositional and labelling requirements and is legally imported. To protect public health by the prevention and control of infectious disease, ensuring safe private drinking water supplies and contributing to public health nutrition and obesity priorities.

2. THE FOOD SAFETY AND INFECTIOUS DISEASE OBJECTIVES

- 2.1. To investigate food safety complaints from the public and deal with enquiries.
- 2.2. To respond to food alerts and incidents and encourage food safety at high profile events.
- 2.3. To investigate infectious disease cases including food poisoning and outbreaks.
- 2.4. To deliver a food hygiene and food standards inspection programme.
- 2.5. To deliver a targeted food sampling programme and seize and remove unfit and illegally imported food.
- 2.6. To provide Food Safety information to customers by participation in the national Food Hygiene Rating Scheme to enable them to make informed choices about the food they eat.
- 2.7. To provide advice and coaching to businesses on Food Safety and Food Standards.
- 2.8. To participate in the London Healthier Catering Commitment Scheme that targets obesity priorities which fits with the wider Public Health Agenda.
- 2.9. To monitor and risk assess private drinking water supplies e.g. boreholes.
- 2.10. To deal with significant health and safety hazards observed during food safety inspections and investigate health and safety complaints.

- 2.11. To take appropriate and proportionate enforcement action, in accordance with the Council's Enforcement Policy, including food safety improvement notices, emergency closures, seizure of unfit and illegally imported food, health and safety improvement and prohibition notices, Simple Cautions and prosecutions.
- 2.12. To work with partners; the Food Standards Agency (FSA), Public Health England, North West London Sector Food Group, North West London Health Protection Team, London Food Coordinating Group, and other Council departments e.g. Waste Management and Pest Control to maximise the effectiveness of the Service.

3. KEY ACHIEVEMENTS FOR 2021/22

- 3.1. We responded to 1007 service requests which is a 36% increase from the previous year. We continued to carry out Covid-19 related service requests and investigation visits as we followed the Government's Roadmap and the phased exit from lockdown.
- 3.2. We withdrew the £290 Food Hygiene re-inspection fee to support businesses during the Pandemic.
- 3.3. All officers participated in the Outbreak Management Team and worked closely with The Council's Contact Tracing team and Warden service to investigate incidents of Covid-19 in restaurants and other food businesses in the Borough, until end of March 2022 when many of these services ceased.
- 3.4. Officers assisted with inspections of the Afghan Bridging Hotels and the Quarantine Hotel to ensure covid compliance and also to assist with outbreak investigations. In addition many food hygiene and water concerns and complaints linked with these hotels were investigated by the team.
- 3.5. All officers participated on the Business Hub helpline which offered Covid-19 advice to businesses.
- 3.6. We resumed physical food hygiene inspections following the Food Standards Agency Recovery Roadmap for dealing with the backlog of inspections. The inspections included an element of Covid-19 advice.
- 3.7. We maintained a presence on the Department's Covid focussed enforcement team.
- 3.8. There were 1803 food premises registered in the Borough at the end of the financial year and a total of 1423 food safety inspections were carried out. Included in this figure were 144 inspections made to new food businesses that registered with us.
- 3.9. 94 per cent of food businesses were broadly compliant with food hygiene requirements and 99.5 per cent with food standards requirements.
- 3.10. We dealt with a number of high-profile investigations in collaboration with the FSA, these included the withdrawal of sale of gold leaf covered steak at a restaurant and non-permitted colours in cake sprinkles.



- 3.11. 87 businesses within the Borough now have the Healthy Catering Commitment Award. One new business was signed up to London's Healthier Catering Commitment Scheme which encourages food businesses to offer some healthy options, reduce saturated fat and salt content and make smaller portions available. 53 businesses were virtually re-audited and 24 still met the HCC criteria and were re-awarded.
- 3.12. We took 15 food / water samples, which included Public Health England sampling testing of Ready-To-Eat salads and water quality at hotels housing asylum seekers.
- 3.13. We participated in the Food Standards Agency's pilot study on Food Standards Inspections as part of the Agency's programme to review delivery of Official Controls.
- 3.14. We participated in the Food Standards Agency's pilot study on Food Standards Inspections as part of the Agency's programme to review delivery of Official Controls.
- 3.15. Natasha's Law came into force in October 2021, and this created additional work for the team in that inspections now take longer to examine allergen labelling. Two improvement notices were served to address shortcomings.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2021-2022	2020-2021	2019-2020
Number of Registered Food Premises	1803	1861	1,911
Food Safety Businesses that are Broadly Compliant	94%	90%	94%
Food Hygiene Inspections	898	625	1023
Food Standards Inspections	525	294	485
New Premises Rated for Food Hygiene and Food Standards	216	144	483
Covid-19 Service Requests	120	308	n/a
Covid-19 visits	27	58	n/a
Food Hygiene Interventions Revisits/Surveillance	30	15	325
Food Hygiene Interventions Sampling Visits	20	7	4
Food Hygiene Interventions Advice/Coaching/Information Visits	93	10	259
Food Standards Interventions Revisits/Surveillance	6	0	36
Food Standards Interventions Sampling Visits	0	0	19
Food Standards Interventions Advice/Coaching Visits	7	1	27
Food/Infectious Disease Other Visits	227	550	15
Food Safety Requests for Service	1007	738	965
Food Safety Events	5	1	25
Samples Laboratory/In-house/HCC	20	15	74
Food Alerts and Allergy Alerts	148*	27	177
Infectious Disease Notifications	989**	330	414
Food Safety Letters Advisory	876	314	718
Food Safety Letters Warning	494	286	667
Food Safety Improvement Notices	3	0	5
Food Safety Emergency Closures	0	0	0
Food Safety Voluntary Closures	0	0	1
Food Seizure, Detention, Voluntary Surrender and Food not Hygienically Produced	0	0	0
Food Illegally Imported	0	0	0
Food Safety Major Investigations	1	0	2
Food Safety Simple Cautions	0	0	1
Food Safety Prosecutions	0	0	1
Food Safety Service Complaints	0	0	0

*Now includes Allergy Alerts as well as Food Alerts

**This includes covid-19 notifications of workplace outbreaks and our involvement with the Afghan and Quarantine Hotels

5. KEY PRIORITIES FOR 2022-2023

- 5.1. To follow the Food Standards Agency's Covid-19 Recovery Roadmap with prioritisation towards high-risk, non-broadly compliant and unrated businesses. We expect to be on track with the criteria for catching up with the backlog of inspections set by the FSA.
- 5.2. To provide ongoing advice and support to residents and businesses in response to the Covid-19 pandemic as focus shifts to recovery and provide outbreak management support if required.
- 5.3. To integrate the Borough's values into everything that we do.
- 5.4. To carry out interventions that contribute to the improvement of Public Health.
- 5.5. To support and work with businesses with changes brought about by the exit from the European Union.
- 5.6. To target resources towards food premises that are high risk and poor performing (i.e., not broadly compliant) in line with FSA strategic policy and local priorities.
- 5.7. To continue with allergy awareness and targeted enforcement to improve the standards of our food businesses and ensure they comply with the relevant food safety legislation such as Natasha's Law.
- 5.8. To continue to engage with our Licensing and Events Teams and ensure that all events in the Borough where food is served is done safely and in accordance with the relevant food safety legislation.
- 5.9. To undertake our Statutory Requirements to ensure private drinking water supplies within the Borough are regulated. Significant changes to the legislation will require a number of officers to undertake training that will enable them to be accredited and take water samples otherwise we will have to out-source this at considerable cost.
- 5.10. To undertake Public Health England, National, Local, and in-house sampling initiatives to encourage greater compliance with food standards including allergens, food authenticity, and imported food by targeted food sampling and advice to businesses.
- 5.11. To monitor businesses that are part of the Healthy Catering Commitment and encourage other businesses to participate in the Scheme targeting obesity priorities.
- 5.12. To work with the Food Standards Agency on Achieving Business Compliance and targeted initiatives aimed at improving how businesses can register and our approach to food standards inspections.
- 5.13. To engage with residents and businesses in North Kensington to ensure we feed into the wider Council Grenfell recovery work.



1. PURPOSE OF THE HEALTH AND SAFETY AND EVENTS TEAM

- 1.1. To protect the health, safety, and welfare of employees, self-employed and others affected by workplace operations through the investigation of accidents, incidents and complaints, inspections, advice, and enforcement.

2. HEALTH AND SAFETY AND EVENTS TEAM OBJECTIVES

- 2.1. To proportionally enforce Health and Safety legislation in Local Authority enforced premises.
- 2.2. To investigate serious accidents and complaints from employees, public and businesses to ensure hazards are sufficiently controlled.
- 2.3. To target poor performing businesses through intelligence led interventions.
- 2.4. To take appropriate enforcement action where hazards are not sufficiently controlled including warnings, notices and seizure/detention of unsafe articles, Simple Cautions, and prosecutions.
- 2.5. To provide business advice in conjunction with key stakeholders and partners.
- 2.6. To achieve compliant businesses using Better Regulation principles reducing the burden on businesses.
- 2.7. To improve health and safety at large events in the Borough, and to protect the public through Safety Advisory Groups, visits, inspections, and investigations at events.
- 2.8. To work with partners including the Health and Safety Executive, Public Health England, London Boroughs Health and Safety Liaison Group and other Council departments including Managed Services to maximise effectiveness.
- 2.9. To respond to the Licensing Act 2003 consultations for public safety.
- 2.10. To maintain high standards of customer service.

3. KEY ACHIEVEMENTS FOR 2021/22

- 3.1. Responded to and investigated public concerns regarding social distancing, mask wearing and Covid Safety particularly in workplaces; and advised businesses on interpretation of Covid legislation.
- 3.2. Maintained a presence on the Outbreak Management Team and investigated incidents of Covid 19 outbreaks in various settings including Embassies, offices, construction sites, hotels, and the Thames Tideway
- 3.3. Monitored Covid 19 precautions, gave advice and investigated Covid 19 concerns at the Quarantine Hotel ensuring safety for guests and employees.
- 3.4. Assisted in ensuring the Asylum and Bridging (Afghan crisis) hotels in the borough were safe including Covid 19 precautions
- 3.5. Checked the safety plans and risk assessments for a wide range of events during the Pandemic including Political Demonstrations, Christmas Fairs, open air cinemas, music events
- 3.6. Organised, coordinated, and delivered an enforcement team to work over what would have been Notting Hill Carnival to ensure public safety for residents during Covid restrictions.
- 3.7. Organised and chaired The Chelsea Flower Show's Safety Advisory Groups and worked with internal and external partners to improve the safety planning process.
- 3.8. Worked in collaboration with the HSE to carry out spot checks on our close contact business (hairdressers, tattooists) (approx. 150 premises).
- 3.9. Launched a new Healthy Workplace Scheme designed to encourage small and large businesses to provide strategies, procedures, and policies to promote a healthy workplace including mental health and wellbeing.
- 3.10. The Borough was the Lead Authority and chaired the All London Health and Safety Liaison Group.
- 3.11. Represented local authorities at the National Work-Related Deaths Committee.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2021-22	2020-2021	2019-2020
High Risk Health and Safety Inspections	15	18	51
Other Health and Safety Visits/Event Visits/Face to Face Contacts	125	319	303
Health and Safety Requests for Service	391	509	252
Accidents Received	141	80	192
Covid-19 Service Requests	n/a	140	n/a
Covid-19 visits / contacts	n/a	260	n/a
Accidents Investigated	40	18	59
Health and Safety Revisits	26	1	79
Serious Health and Safety Investigations	4	1	3
Health and Safety Events	10	1	25
Massage and Special Treatment / Licence Renewal Inspections	1	0	50
Licensing Applications Reviewed for Public Safety	46	9	55
Health and Safety Notices	0	0	4
Health and Safety Simple Cautions	0	0	0
Health and Safety Prosecutions	0	0	1
Health and Safety Service Complaints	0	2	1

5. KEY PRIORITIES FOR 2022-2023

- 5.1. To provide ongoing advice and support to residents and licensed businesses in regard to Health & Safety.
- 5.2. To carry out interventions that contribute to the improvement of event management in the Borough.
- 5.3. To continue with our project inspections focusing on local priorities e.g. the safety of spa pools
- 5.4. To target resources towards high-risk premises and poor performing businesses in line with local and HSE priorities to ensure public safety.
- 5.5. To continue to improve the customer service of the Health and Safety Team to ensure our service standards are met and any feedback from service users is acted on to improve our services.
- 5.6. To look for any further opportunities to capture potential efficiency or financial savings.
- 5.7. To engage with residents and businesses in North Kensington to ensure we feed into the wider Council Grenfell recovery work.
- 5.8. To support businesses in improving the health and well-being of their employees by way of the RBKC healthy workplace scheme
- 5.9. To integrate the Borough's values into everything that we do.

**PEST CONTROL TEAM
ANNUAL REPORT
2021 – 2022**



1. PURPOSE OF THE PEST CONTROL TEAM

- 1.1. To provide a Pest Control Service that successfully treats a wide range of public health pests which help to prevent the spread of disease including (but not limited to) rats, mice, cockroaches, bed bugs and pharaoh ants.
- 1.2. To deliver the Service on a cost neutral basis.

2. PEST CONTROL TEAM OBJECTIVES

- 2.1. To meet the Council's statutory obligations to reduce pests in the Borough and keep its land free from rodents under the Prevention of Damage by Pests Act 1949.
- 2.2. To work with landlords and Housing Associations to ensure they meet their obligations to carry out preventative measures in homes with pest problems.
- 2.3. To prevent the spread of disease and control infestations through offering a chargeable Borough wide service to residents, local businesses, and other Council departments.
- 2.4. To carry out preventative measures to reduce the likelihood of an infestation occurring for example fitting missing drain interceptor caps or grills.
- 2.5. To survey buildings where birds are roosting or dropping guano to provide quotations and recommend and implement bird proofing solutions.
- 2.6. To help residents with medical conditions who self-medicate to dispose of their non-hazardous clinical waste and used needles.
- 2.7. To work in partnership with Thames Water to identify hotspot areas for sewer baiting.
- 2.8. To offer a free pest identification service to residents.
- 2.9. To carry out other functions which generate income.

3. KEY ACHIEVEMENTS FOR 2021/22

- 3.1. Despite the challenges posed by the Covid pandemic, the Pest Control Team was able to adapt and continue to provide a service throughout.
- 3.2. We provided a free 'drop off' point for residents that use needles to self-medicate to bring their sealed 'Sharps' containers to the Council Offices for disposal.
- 3.3. We carried out over 6,225 visits for pest treatments within private residential and commercial premises and Council Corporate Property and Housing Management homes.
- 3.4. We assisted the Grenfell Recovery Team to control rodent activity and provide preventative measures for solving bird nuisance.
- 3.5. We distributed and collected Planning Notices and air quality diffusion tubes across RBKC and LBHF.

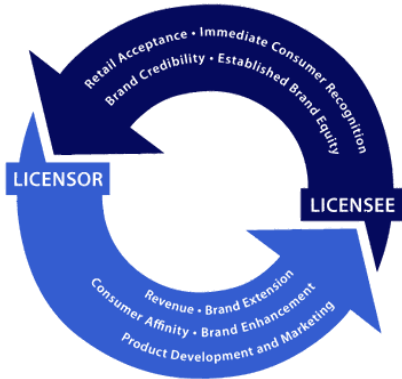
4. PERFORMANCE INDICATORS AND KEY STATUTORY RETURNS

	2021-2022	2020-2021	2019-2020
Number of Short-Term Treatment visits to domestic properties	2,167	1,698	1,962
Number of visits to Housing Management Properties	2,931	3,934	10,510
Number of Visits to Council Buildings	139	159	247
Number of Contract Visits	501	434	655
Number of Public Health Interventions	50	131	123
Number of Clinical Waste Visits	260	332	291
Number of Complaints/Requests for Service	302	242	225
Total Income	£366,022	£363,000	£460,000

5. KEY PRIORITIES FOR 2021-2022

- 5.1. To provide ongoing services, advice and support to residents and businesses in response to the Covid-19 pandemic.
- 5.2. To integrate the Borough's values into everything that we do.
- 5.3. To continue developing the bird proofing service to enable larger scale jobs to be completed.
- 5.4. To continue to support non-income generating public health activities.
- 5.5. To review web content and update where required.
- 5.6. To deliver a commercial Pest Control Service which is cost neutral.

LICENSING TEAM
ANNUAL REPORT
2021 – 2022



1. PURPOSE OF THE LICENSING TEAM

- 1.1. To discharge our function as a Licensing Authority under the Licensing Act 2003, Gambling Act 2005, London Local Authorities Act 1991 and other relevant Acts by promoting the licensing objectives, where appropriate, and using the full range of enforcement options/sanctions to increase the level of compliance within licensed premises across the Borough.
- 1.2. To issue and enforce other types of miscellaneous licences required under statute.
- 1.3. To use complaints, crime, and other data to develop an accurate picture of key licensing issues across the Borough using tactical plans to address problems.
- 1.4. To empower key partners and stakeholders to use the powers available to them under the Licensing Act 2003 and associated legislation.
- 1.5. To work in partnership to reduce the negative effect of alcohol on public health within the Borough.

2. LICENSING TEAM OBJECTIVES

- 2.1. To process licensing applications in accordance with the relevant legislation, ensuring that applicants comply with the statutory requirements for applications, notifications, and advertising, and provide excellent service delivery.
- 2.2. To provide a helpful advice and information service for a range of licences to residents, businesses, councillors, and members of the public.
- 2.3. To reduce the likelihood of crime and anti-social behaviour in licensed premises.
- 2.4. To adopt a systematic approach to identify problems and issues in licensed premises and improve intelligence through accurate information gathering.

- 2.5. To increase clarity amongst members of the community about the different functions of Responsible Authorities.
- 2.6. To use legislation and have readily available and up-to-date guidance to ensure that we have knowledgeable and skilled officers working in accordance with best practice.
- 2.7. To use early interventions for minor offences to help bring about positive outcomes for the community by promoting the four licensing objectives.
- 2.8. To target those licensed premises that choose to breach their licence conditions and fail to uphold the licensing objectives.
- 2.9. To ensure that all licensing fees due are collected within the relevant timescales, and that licences are suspended/revoked/cancelled as appropriate where annual fees are not paid on time.
- 2.10. To participate in residents'/businesses meetings in order that any conflict between licensed premises operators and their neighbours are resolved.

3. KEY ACHIEVEMENTS FOR 2021/22

- 3.1. Despite the challenges posed by the Covid pandemic, the Licensing Team was able to adapt and continue to provide a service throughout. The Team also supported other teams that were working from home by attending visits and reporting its findings to the relevant officer.
- 3.2. On 1 April 2022 there were 1143 Premises Licences and 9 Club Premises Certificates. There were also 2260 Personal Licences, 24 Gambling Premises Licences and 235 premises licensed for Massage and Special Treatment.
- 3.3. In 2021/22 the Licensing Team dealt with 607 Temporary Event Notices (TENs), 93 Personal and 598 Premises Licence applications and notifications and 268 Special Treatment Licence applications,
- 3.4. During the Coronavirus pandemic, many businesses were subject to forced closure and prohibited from operating for many months. Nightclubs, in particular, were forced to close for the entire period between end of March 2020 until 19 July 2021. Whilst the government made a statement in relation to the payment of business rates, there was no such statement or relief provided in relation to payment of annual fees due under the Licensing Act 2003. Generally, when annual fees become due but are not paid, the premises licence is suspended. Due to the forced closure and restricted operation on many of our businesses during between March 2020 and the first half of 2021, the issuing of suspension notices was halted in March 2020, and to aid business recovery, did not resume until October 2021. Between October 2021 and 31 March 2022 85 suspension notices were issued and 41 licences were suspended for non-payment of the annual premises licence fee.
- 3.5. We offered a licensing pre-application advice service to support local businesses and to help applicants to mitigate any problems which may arise during the application process. Officers dealt with xxx requests for pre-application advice during this period.

- 3.6. Live football matches were suspended altogether at the start of the Coronavirus pandemic in March 2020. Restrictions began to be lifted in June 2020, with games being allowed to take place initially with no fans in attendance, and then from May 2021, with a limited number of fans in attendance. Covid restrictions for large stadiums were finally lifted in January 2022. Between May 2021 and March 2022 Licensing Officers undertook 4 joint monitoring visits with the police on evenings when Chelsea Football Club were playing at home. The visits were targeted around licensed premises in Earl's Court and the Fulham Road area, which attract home and away football fans. 8 additional meetings were held with operators along with the Police and Licensing to discuss expectations during Chelsea Football Club home games.
- 3.7. Licensing Enforcement Officers consistently liaised with Police regarding the Euro Cup and possible venues showing the games. This began in early May 2021 with discussions held with Licensing Police and also CT (Counter Terrorism) Police. During late June and July, Licensing Officers made the Police aware of venues intending to show the games, to allow Police to visit those premises and discuss measures required; Covid and Counter Terrorism. The Licensing Team are happy with how the Euros went in RBKC and we believe was due to close partnership working alongside the Police and the Team's ongoing excellent relationship with operators in the borough. Licensing also continued the close liaison work with colleagues in the Health and Safety Team, Metropolitan Police and licensed premises for the Football World Cup and Rugby Six Nations 2022.
- 3.8. Over the past year, the Licensing Team has seen an increase in the number of applications being submitted for dog day care facilities within the Borough. This is partly due to the number of individuals who obtained dogs during the pandemic who have now returned to work. Officers have been attending the establishments with officers from City Vets to ensure the establishments are operated in accordance with the regulations set within the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. Members have expressed concern over the difference between the requirements for dogs being cared for within commercial and residential premises and requested that the Authority write to DEFRA, outlining the concerns which has been undertaken. The 2018 Regulations are due to be reviewed five years after they come into force, and so this will be an appropriate time to re-examine the standards, the associated guidance and consider any changes.
- 3.9. During the period, Licensing also:
- Reviewed, consulted on, and published the Statement of Gambling Policy
 - Worked collaboratively with Notting Hill Carnival Ltd. partner agencies and the teams involved with the management of the 'alternative' Carnival 2021. Licensing Officers were amongst those on duty over the August Bank holiday weekend of 2021 to ensure that no unauthorised

licensable activities occurred, and that licensed premises adhered to the Coronavirus regulations in place at that time. No unauthorised activities were witnessed by officers nor did any of those sound systems who have a premises licence appear. During this time, the team also continued engagements with sound systems and partner agencies for an anticipated back to the streets Carnival for 2022.

- Conducted an investigation into an individual engaging in unlicensed beauty treatments and providing unsatisfactory semi-permanent make-up training.
 - Supported the Police in their premises licence review of a licensed premises, following several instances of serious crime and disorder and contraventions of the premises licence. The review resulted in the premises licence being revoked.
 - Held a TENs and Special Events Workshop in November 2021 to guide members through activities which need to be licensed during the Christmas and New Year festivities.
 - Have been diligently chasing those licensed premises that have yet to pay the statutory annual fee.
 - Liaised closely with Luna Cinema to operate within the grounds of Royal Hospital and Brompton Cemetery. Last year they did not consult with officers prior to submitting the application for Royal Hospital, which resulted in the event being held at an extremely lower capacity under TENs. The Team was approached earlier this year and assisted in officer and resident liaison prior to this year's licence submission. The application did not receive any representations and was subsequently granted. Luna Cinema have expressed their appreciation for all the continued good work from Licensing.
- 3.10. The cycle of risk assessed inspections was also temporarily suspended between April and May 2021, as the vast majority of our licensed premises remained closed, save for supermarkets and convenience stores selling essential goods, and hospitality premises with outdoor seating areas. Between June 2021 and March 2022, we completed 140 risk assessed inspections of alcohol licensed premises, 4 inspections of gambling licensed premises and 39 inspections of special treatment licensed premises.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2021-2022	2020-2021	2019-2020
Number of Temporary Event Notices	609	230	841
% of Licences issued on time	89%	64%	77%
% of High Risk Premises Inspected	100%	19%	100%
Premises Licences	1143	1086	1062
Unopposed New Premises Licence Applications 78% of which were completed within agreed Team Service Standards	76	54	50
Unopposed Variation of a Licence/Club Premises Certificate Applications 76% of which were completed within agreed Team Service Standards	20	20	18
100% of Minor Variation Applications completed within agreed Team Service Standards	22	30	38
Variation of a DPS 94% of which were completed within agreed Team Service Standards	259	172	248
Transfers and Interim Authorities 86% were completed within agreed Team Service Standards	74	113	88
Number of Licence Reviews	2	3	2
Number of Notification of Change of Name and/or Address	132	68	93
Club Premises Certificates	9	10	10
Personal Licences	2260	2200	2,153
Number of Personal Licence Applications 100% of which were completed on time	67	54	78
Massage and Special Treatment Licences	235	223	255
Massage and Special Treatment Applications	268	235	319

- 4.1. As can be seen from the above table there was an increase in the number of applications received in 2021/22 from the previous year, although temporary event notices in particular have not reached pre-pandemic levels. Overall, there was a 50% increase in the number of applications received when compared to 2020/21
- 4.2. Once again this has been an extremely busy year for the licensing team. The volume of general enquiries and email traffic has continued to increase and this, together with the processing of incoming applications, has had to take priority over the issuing of licences. This has been a significant factor in us failing to reach the 90% target we aspire to for issuing unopposed premises licence applications. We have, however, continued to prioritise issuing licences where an applicant could be disadvantaged by any delay, such as applications for new personal and premises licences and the variation of existing premises licences

5. KEY PRIORITIES FOR 2022-2023

- 5.1. To provide ongoing advice and support to residents and licensed businesses.
- 5.2. To integrate the Borough's values into everything that we do.
- 5.3. Through better engagement with our clients and businesses we will improve the customer experience and embed a process of continuous improvement.
- 5.4. To carry out licensing functions as required under the Licensing Act 2003 (LA03) and manage the processing of applications for premises licences. To issue 90 per cent of unopposed applications within ten working days of the last representation date, or the date representations are withdrawn.
- 5.5. To carry out functions under the Gambling Act 2005 (GA05) and manage the processing of applications for premises licences. To issue 90 per cent of applications within 15 days after consultation where there have been no objections, or 20 days after Committee results have been published.
- 5.6. To carry out licensing functions under the London Local Authorities Act 1991 (Special Treatment Licensing) and manage the processing of applications for premises licences. To ensure that renewal forms are sent out at least 4 weeks in advance to facilitate the timely submission of renewal applications and the associated fees.
- 5.7. To carry out comprehensive inspections at all high risk LA03 premises. To inspect 100 percent of high-risk premises every nine months. New premises to be identified and risk rated.
- 5.8. To check all licence conditions and investigate any complaints.
- 5.9. To risk rate all gambling premises and inspect those rated as high risk.
- 5.10. To ensure that annual fees are invoiced on a timely basis and that suspension notices are issued where payment is not received by the due date.
- 5.11. To identify operators who have not paid their Licensing Act 2003 annual fee by the due date and take the appropriate action.
- 5.12. To conduct two or more multi agency inspections with agency partners, i.e., Police, Gambling Commission, Security Industry Authority (SIA), HMRC, UK Border Force, Trading Standards, and Environmental Health, in relation to:
 - (i) Late night inspections
 - (ii) Underage alcohol sales
 - (iii) Licence conditions check
 - (iv) Gambling premises inspections
 - (v) Sales of illegal alcohol
 - (vi) Illegal provision of shisha smoking in licensed premises or premises providing illegal licensable activities; and
 - (vii) Employment of illegal workers.
- 5.13. To carry out a minimum of two test purchases on premises suspected of sales of alcohol outside their permitted hours.
- 5.14. To continue to work in partnership with the Director of Public Health to facilitate A and E data sharing, and other licensing issues.

- 5.15. To ensure that the licensing web pages are maintained and up to date, with relevant guidance for residents and businesses, and to maintain an accurate Licensing Register.
- 5.16. To maintain partnership working with the Metropolitan Police.
- 5.17. To explore ways to continually improve our services and ensure that customer engagement establishes whether the quality of our services to businesses and residents are fit for purpose. To monitor our Customer Satisfaction Survey results and take any necessary action to rectify any dissatisfaction shown in these results.
- 5.18. To engage with residents and businesses in North Kensington to ensure we feed into the wider Council Grenfell recovery work.
- 5.19. To work with event organisers, the Council's Events Team, and Parks Team to ensure that 'one off' events in our parks are properly licensed and safe for staff and the public.
- 5.20. To maintain, and update where necessary, our procedures to ensure the Licensing Team is in full compliance with the General Data Protection Regulations 2018.
- 5.21. To work with colleagues in the IT department to enhance the online licensing registers to include licensing plans.

**TRADING STANDARDS TEAM
ANNUAL REPORT
2021 – 2022**



1. PURPOSE OF THE TRADING STANDARDS TEAM

- 1.1. To protect residents and consumers in the Borough and promote a safe and fair-trading environment where businesses trade fairly, and the goods they sell are safe and fit for purpose. To advise and support businesses to ensure they comply with their responsibilities under consumer protection legislation and enforce against them where necessary.

2. TRADING STANDARDS TEAM OBJECTIVES

- 2.1. Achieve compliant businesses using Better Regulation principles to reduce the burden on businesses.
- 2.2. Support businesses with advice and use proportionate enforcement sanctions to tackle non-compliant businesses, including advice, warnings, notices, Simple Cautions, licence reviews and prosecution.
- 2.3. Undertake pro-active intelligence led project work to ensure businesses legal compliance and consumers can shop with confidence.
- 2.4. Respond to and investigate consumer complaints
- 2.5. Protect consumers from dangerous and mis-described goods and services, including investigating the supply of counterfeit and unsafe goods and enforcing as appropriate.
- 2.6. Restrict access to age restricted goods such as tobacco and alcohol by children and young people via enforcement of underage sales of age restricted goods.
- 2.7. Protect residents, especially the elderly and vulnerable, and businesses in relation to scams awareness and unscrupulous traders.
- 2.8. Provide consumer advice in partnership with Citizens Advice Consumer Service and business advice in conjunction with key stakeholders and partners.

- 2.9. Work with key stakeholders and partners including the Chartered Institute of Trading Standards, National Trading Standards, London Trading Standards, Regional Trading Standards Teams, and other Council departments and specialist teams to maximise effectiveness.
- 2.10. To maintain high standards of customer service.
- 2.11. To provide excellent service efficiently, anticipating the future and increasing income.

3. KEY ACHIEVEMENTS FOR 2021/22

The COVID 19 pandemic has continued to have some impact to our work however where needed we have altered the way that we work by utilising technology, continuing to work with other teams within the Council and by finding alternative ways to advise businesses and residents.

Our key achievements were:

- 3.1. In March, two defendants were sentenced following our investigation into a car clocking operation where they were identified as having clocked 44 cars with an average price of £5,200. The defendants were sentenced to a combined total of 30 months imprisonment, suspended for 21 months. One defendant had to pay £10,300 in prosecution costs and was given 15 Rehabilitation Activity Requirement Days and ordered to complete 200 hours of unpaid work. The other was given a four month electronically monitored curfew and ordered to pay a victim surcharge.
- 3.2. Several investigations were undertaken by officers ranging from misleading logos (3 cases), the issuing of gas safety certificates and the substandard installation of safety doors; following extensive investigation a total of 7 formal warnings and 1 simple caution was issued.
- 3.3. We have contributed to the public health agenda by supporting efforts to discourage young people from smoking and drinking underage, by making 26 test purchases with young volunteers. We have encouraged the "Challenge 25 Policy", which helps traders to establish the age of people buying cigarettes and alcohol. Further to investigation by officers, two retailers received written warnings following the sale of age restricted products to a child.
- 3.4. We have fed into the anti-knife crime agenda by carrying out test purchases using underage volunteers, at several retailers within the Borough. None of the retailers sold knives.
- 3.5. We continued our partnership working with the Met Police by undertaking several joint visits to retailers regarding the Responsible Retailers Agreement in relation to knives which feeds into the London wide reduction in knife crime initiative.
- 3.6. Approximately 2000 vape (e-cigarettes) have been seized by officers during 2 days of action aimed at removing illicit and unsafe products from sale.
- 3.7. Officers have seized 300 toys and several electrical adaptors both of which were found to be unsafe.

- 3.8. 81 counterfeit handbags and accessories were seized by officers with a street value of approximately £12,150, the case is currently under investigation.
- 3.9. We have advised numerous letting agents on Estate and Lettings agency legislation and continued working with London Trading Standards on a London wide project targeting letting agents that fail to comply with the law on protecting tenants' and landlords' money. Final notices have been issued to 6 agents.
- 3.10. We have worked in partnership with the Community Safety Team and other partners to deliver 3 scams and fraud prevention presentations to residents.
- 3.11. We have continued with our project aimed at providing Brexit advice to cosmetic retailers.
- 3.12. The team has reviewed its Primary Authority complement; we are now partnered with a national car buying business and have two other national and international business partners which are due to join us in April 2022.
- 3.13. Officers have undertaken numerous visits to Shisha premises in the Borough to advise of the legislation and ensure their compliance. We continue to have a working group in place with representatives from the Police, Trading Standards, and other Environmental Health teams to address concerns problematic Shisha premises. 5 kg of Shisha was seized from a premises for failing to meet the relevant tobacco and UK duty paid requirements.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2021-22	2020-21	2019-20
Number of Referrals Received for Action via the Citizen Advice Consumer Helpline	471	427	298
Number of Notifications Received for Information via the Citizen Advice Consumer Helpline	1558	1485	1,288
Number of Service Requests Received Directly from a Business	16	26	32
Number of Service Requests Received in Connection with Home Authority and/or Primary Authority Businesses	4	2	4
% 1st responses made within agreed service standards	93.71%	92.12%	88.24%
Number of Licensing Act 2003 Applications Received for Consultation	26	30	-
Number of Criminal Investigations Started	15	15	17
Number of Criminal Investigations Completed	8	8	12
Number of Warning Letters	9	6	13
Number of Investigations Resulting in a Simple Caution	1	1	3
Number of Investigations Pending Legal Proceedings	5	4	2
Number of Investigations Resulting in Prosecution	1	0	7
Number of Investigations Resulting in a Licensing Review or Voluntary Variation to add/amend Conditions	0	2	1
% High Risk Premises Visited	100%	100%	100%
Number of Tobacco Related Visits	19	2	3
Number of Underage Sales Attempts for Alcohol, Knives and Tobacco, and Challenge 21/25	26	27	22
Number of Joint Action Partnership Days	5	5	2

5. KEY PRIORITIES FOR 2022-2023

- 5.1. To identify and address non-compliant and unfair business practices in the lettings sector. This will include requirements in relation to; minimum energy efficiency standards in non-domestic premises; lettings agency redress scheme; estate agency redress scheme and letting agents display of fees.
- 5.2. To carry out work to remove unsafe / counterfeit goods within the Borough and take enforcement action as required.
- 5.3. To detect and disrupt sales of illegal and counterfeit tobacco; seize and take appropriate enforcement action on non-compliant electronic cigarette (vape) products.
- 5.4. Continue to monitor and improve compliance of shisha cafes and restaurants and undertake disruption and enforcement activities for those that continue to breach legislative requirements.
- 5.5. To carry out a program of underage sales and Challenge 25 visits to address any non-compliance. This will include new areas of work including the Cosmetic Fillers regulations.
- 5.6. To expand our work on Primary Authority and develop our relationships with our Primary Authority partners to ensure that residents benefit from the greater protections such partnerships offer.

- 5.7. Every qualifying investigation will also be reviewed under Proceeds of Crime legislation with a view to depriving the infringing business or individual of any monies received through their criminality.
- 5.8. Raise resident's awareness of current consumer issues. Provide education to residents on the types of consumer crimes that may affect them. Where concerns are identified, look at what safeguarding measures can be put in place in partnership with internal and external agencies.
- 5.9. To raise awareness on Scams and to identify vulnerable groups with partner agencies.
- 5.10. To improve the use of intelligence from both internal and external partners to enable officers to focus on commercial activities that pose the highest risk and cause the largest detriment to consumers and businesses.
- 5.11. To integrate the Borough's values into everything that we do.

**OPERATIONAL SUPPORT TEAM
ANNUAL REPORT
2021 – 2022**



1. PURPOSE OF THE OPERATIONAL SUPPORT TEAM

- 1.1. To support officers to carry out statutory and non-statutory duties within the Environmental Health and Trading Standards, and to ensure the smooth running of the Department. This includes dealing with building maintenance issues, machinery and IT equipment, numerous statutory requirements relating to service of statutory notices, managing HMOs debt recovery, and Finance Management.

2. OPERATIONAL SUPPORT TEAM OBJECTIVES

- 2.1. To comply with all data protection, data sharing and FOI/DP Act/Environmental Information's Regulation requests and deal with councillor and MP enquiries within the legal requirements and the Council's own procedures.
- 2.2. To provide comprehensive IT support for the Department, dealing with all requests relating to Acolaid database maintenance and functionality and to install and monitor the hardware provided for the Department.
- 2.3. To provide additional technical support and guidance to officers who are working remotely.
- 2.4. To carry out statutory and non-statutory functions for the various operational teams, dealing with, for example, food safety registrations, accident reports, service of statutory notices, preparing legal documentation and ensuring the office is maintained to a good standard with regard to its' business functionality.
- 2.5. To reduce data storage through the electronic retention of documents on the shared intranet site and Acolaid and to manage areas around the Council where documents for the Department are stored.
- 2.6. To ensure that the invoicing and recovery of outstanding debt in relation to the Housing income, Work in Default and other debts are dealt with promptly

and to ensure the departments' purchase orders are raised promptly and monitored monthly so that department spend is correct.

- 2.7. Organise all finance outstanding issues at year end to limit the number of accruals.
- 2.8. To maintain high standards of customer service by supporting operational teams to provide excellent regulatory services.
- 2.9. To ensure all planning applications are logged to the relevant departments.
- 2.10. To provide support to managers regarding the appointment of contractors through Comensura, raise new orders, upload relevant CV's, confirm payments, and authorise accordingly and extend contracts where relevant.
- 2.11. To liaise with customers who are requiring 'Empty Property' letters. Ensure prompt payment for these letters is made from the enquirer.
- 2.12. To ensure all officers are furnished with their relevant authorisation letters, warrant cards and holders. Update whenever a change in Director is made.

3. KEY ACHIEVEMENTS FOR 2020/21

- 3.1. We received 173 requests for FOI/DPA/EIR information all of these requests were completed within the statutory timeframe along with the VIP/Councillor/Service complaints through iCasework for the department.
- 3.2. We have been tantamount to the work carried out by the department whilst they have been working remotely, creating cases for them on Acolaid, more printing tasks and posting of letters/documents, which have been created remotely by them, by officers from Support Services working in the office.
- 3.3. We work together to ensure that any building maintenance issues are reported and monitored creating a good link with the relevant teams, the Council's service provider and attend the Building User Group Meetings (BUG). All issues with maintenance of equipment around the department is also monitored, repaired, and replaced accordingly, e.g., photocopiers, calibration of equipment, monitors, and other I.T. equipment.
- 3.4. We have assisted in the consultation and implementation of Metastreet, the new system for processing HMO Additional Licence applications.
- 3.5. Power BI reports have been written for the Noise and Nuisance Team, Additional Licensing for the Housing Team, Pest Control, and independent reports written to inform Senior Management on information gathered on Covid-19 complaints and enquiries for the Environmental Health Department.
- 3.6. A 'hit list' has been created to identify and monitor unlicensed HMO premises in the borough.
- 3.7. We work closely with the Council's complaints team to ensure all customer complaints are completed within the Council's timeframe.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2021-2022	2020-2021	2019-2020
IT Requests Completed Including, Set-up, Support, Development and Training	964	933	1134
Number of FOI/DPA/EIR Requests Completed	187	173	170
Number of Housing Act Notices	3	9	14
Number of Non-Housing Act Notices prepared for service:			
Food Safety	1	0	3
Health and Safety	0	0	4
Housing	115	29	25
Noise and Nuisance	690	1,008	1292
Number of Planning Applications Received for Processing	688	1,212	697
Number of Section 16 Requests for Information	26	44	40
Number of HMO Licences Issued	28	53	24
Number of HMO Licences Completed	45	30	22
Number of Companies House Searches	7	10	15
Number of Low-Risk Housing Complaints	4	100	90
Number of Work in Default Cases Actioned	1	6	6
Number of Land Charges completed	3,328	2,693	1,689
Number of Documents Scanned	12,288	38,271	48,681
Number of Pages Indexed	7,485	22,085	11,140

5. KEY PRIORITIES FOR 2022-2023

- 5.1. To integrate the Borough's values into everything that we do.
- 5.2. An outstanding debt review will be carried out across the department to ensure all debts are recovered on a timely basis and write-offs/cancellations are completed.
- 5.3. To review Licensing documentation in line with GDPR and our own retention policy.
- 5.4. To be first point of contact for information on Additional Licensing requests.
- 5.5. To be instrumental in the recruitment of the new officers to cover the work of the Additional Licensing process if adopted.
- 5.6. We will be moving officers in September 2022, and this will be quite a substantial task for the team, ensuring all drawers/lockers are emptied and new lockers allocated in the new area. We will also move back into the newly refurbished area in Feb/Mar 2023 and the process will need to be repeated.
- 5.7. Review all reports and move them over to the PowerBI framework for all teams across Environmental Health.
- 5.8. Assist with any changes that occur following the Environmental and Communities review of the service.
- 5.9. Assist in the moving of equipment/furniture whilst building works are being conducted. Ensure officers have access to their lockers and relevant documents.
- 5.10. A review will be conducted regarding employing contractors on the Council's Comensura site. All jobs will be reviewed, assessed, and updated with

correct titles and pay grades. Information to be provided for all Senior Managers and Team Managers on the outcome.

- 5.11. A review of our Environmental Health database is in progress and our input will assist in determining a suitable replacement.

**NOISE AND NUISANCE TEAM
ANNUAL REPORT
2021 – 2022**



1. PURPOSE OF THE NOISE AND NUISANCE TEAM

- 1.1. To protect residents from disturbance so that they can enjoy living in their homes and ensure businesses can operate without disrupting residents. Dealing with a range of noise and nuisance complaints including building sites, parties, house alarms, car alarms, neighbour noise, air conditioning units and smells from commercial premises.

2. NOISE AND NUISANCE TEAM OBJECTIVES

- 2.1. To respond to complaints from residents within 30 minutes and visit within 60 minutes.
- 2.2. To analyse complaints and carry out proactive work to reduce the number of complaints received by the Service in the longer term.

3. KEY ACHIEVEMENTS FOR 2021/2022

- 3.1. Following the end of the Covid pandemic and move to 'living with Covid', the team resumed its full on-borough service responding to residents' complaints of noise and nuisance.
- 3.2. We carried out 5,195 visits to investigate complaints.
- 3.3. We served 120 enforcement notices where noise nuisance had been witnessed to protect residents from excessive noise.
- 3.4. We served 221 enforcement notices on construction sites (in addition to the 369 served by the CMT) to protect residents from excessive and out of hours noise from building work.
- 3.5. Seizure of noise equipment at three premises.
- 3.6. Issuing of 19 Fixed Penalty Notices for breaches of Noise Abatement Notices.
- 3.7. We dealt with 13,577 noise and nuisance service requests.
- 3.8. We have worked closely with other teams on the Chelsea and Kensington projects and now the CREST project. RBKC Wardens have assisted in the operation of the Noise & Nuisance rota by covering vacant shifts.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2021-2022	2020-2021	2019-2020
Number of Nuisance Calls During Working Hours	12,836	14,960	13,086
Number of Nuisance Calls Out of Hours - *When officers are not on duty	721	447	445
Number of Calls Combined	13,577	15,407	13,531
Number of Construction Complaints	1,831	2,684	2,168
Number of S80 Notices	120	131	80
Number of S60 Notices	221	253 ¹	193
Number of S61 Prior Consents	19	10 ¹	21
Number of Planning Applications Received	259	415	253
Number of TENS	597	210	817

¹ Function now principally carried out by the Construction Management Team; 834 S60 Notice and 70 S61 Prior Consents issued by Noise & Nuisance and Construction Management Teams combined.

5. KEY PRIORITIES FOR 2021-2022

- 5.1. To integrate the Borough's values into everything that we do.
- 5.2. To improve the response times to complaints and enquiries from residents.
- 5.3. To further the aims of the CREST project, around construction teams.
- 5.4. To produce a new planning Noise SPD document
- 5.5. To continue to provide Planning and Licensing colleagues with recommended conditions to minimise the impact of noise and other disruption to neighbouring residents.
- 5.6. To enforce the PSPO for antisocial vehicle noise and continue the work on acoustic cameras.

**CONSTRUCTION MANAGEMENT TEAM
ANNUAL REPORT
2021 – 2022**



1. SERVICE AIMS

- 1.1. To ensure that all building work in RBKC is subject to the requirements of the Code of Construction Practice.

2. CONSTRUCTION TEAM OBJECTIVES

- 2.1. To provide an inter-disciplinary multi-skilled team of officers, covering noise, nuisance, highways, building control and planning enforcement functions, to carry out proactive monitoring and complaint investigation in relation to construction work in the Borough, focused on major developments and sites controlled by construction-related planning conditions.
- 2.2. To lead on the pro-active service of Section 60 Notices on all building work being undertaken in RBKC.
- 2.3. To undertake a site inspection upon the commencement of notifiable building work, ensuring compliance with the Building Act, Environmental Protection Act, Highways Act and Town and Country Planning Act as applicable.
- 2.4. To proactively identify unauthorised building work and enforce.
- 2.5. To analyse complaints and carry out proactive work to reduce the number of complaints received against specific construction sites.
- 2.6. To lead on, and implement, the Construction Bond scheme and to hold corporate responsibility for the revised Code of Construction Practice and associated webpages.
- 2.7. To lead on the monitoring, investigation and enforcement of Construction Traffic Management Plans, and other associated pre-commencement construction-related planning conditions.
- 2.8. To identify unauthorised use of parking bays for construction activity, and lead on the recovery of fees.

3. KEY ACHIEVEMENTS FOR 2021/22

Construction bond

- 3.1. The team carried out 509 chargeable visits to bond sites within the borough. The principle of the scheme is that developers deposit the bond at the start of the works which covers the cost of visits by officers from the team; poorly run sites will require more visits to monitor compliance with the Code of Construction Practice, resulting in less of the bond being returned to the developer at the completion of works. There is therefore an incentive for sites to be well managed and compliant with the Code, minimising their impact on neighbouring properties.
- 3.2. In total, the team carried out 796 visits made to construction bond sites across the year, proactively monitoring compliance with the requirements of the Council's Code of Construction Practice. Where sites are found to be deficient, the frequency of inspections is increased to ensure that the site improves its working practices. In 2021-22, the bond scheme generated £86,000 in inspection fees.

Construction Bond Metric	2021 – 2022
Construction Bond sites commenced	217
Construction Bond Initial Site Visits	134
Construction Bond Chargeable Site Visits	509
Construction Bond Non-chargeable Site Visits	153
Construction Bond administration fees	£40,938
Construction Bond monitoring fees	£45,085
Total Construction Bond fees	£86,023

Building Control inspections

- 3.3. The team carries out checks on behalf of the Building Control team to determine compliance with Initial Notices that have been submitted to the Council. A 'Site Notification Initial Notice' is a statutory form submitted to the Council's Building Control Department setting out the applicant's intention to carry out building works with the use of an Approved Inspector (rather than the Council's Building Control Department). The Initial Notice must be served a minimum of 5 working days before work starts on site. If works are found to have commenced within the 5 days from the date that the notice has been submitted, the Initial Notice is rejected in accordance with the requirements of the Building Act and the responsibility for building control function reverts to the Council.

- 3.4. In 2021-22 the team identified 90 sites where works had commenced within the 5-day period. This resulted in the Initial Notices being reject with the building control function reverting to the Council (with £61,000 in fees).

Control of working hours

- 3.5. One of the functions of the team is to proactive control the hours for noisy works in the borough. Since 2016 the borough has banned all noisy works on Saturdays – prior to this, along with all other boroughs in the UK, the Council had permitted noisy works between 8am and 1pm on Saturdays. We remain the only local authority in the country to ensure residents have two days’ respite from noisy building works.
- 3.6. This is achieved through the pro-active service of S60 Notices under the Control of Pollution Act 1974 prior to works starting, principally as part of the construction bond scheme, building control inspection work and other street surveys and site visits. Larger, more complex sites (classified as Category 1 sites under the construction bond scheme) are regulated under S61 Prior Consents.
- 3.7. Over the course of 20210-22, the team served 313 S60 Notice and issued 56 S61 Prior Consents. The legislation does allow for developers to apply to the Council to work outside of the permitted hours where there are justified reasons to do so (e.g. traffic management, health and safety, etc.) – this is known as a dispensation. A charge is made to process all applications; 50 dispensations were granted last year generating £11,653 in fees.

4. PERFORMANCE

	2021 – 2022
Number of unauthorised works investigated by the team	190
Number of Initial Notices rejected for non-compliance	90
Number of S60 Notices served	313
Number of S61 Notices served	56
Number of Highway and Waste Enforcement Fixed Penalty Notices	65
Number of Construction Bond site visits	796
Construction bond income	£86,023
S61 Dispensation income	£11,653
Building Control fees generated	£61,560
Fixed Penalty Notices	£6,500

5. KEY PRIORITIES FOR 2022-2023

- 5.1. To provide ongoing advice and support to residents and businesses in the Covid-19 pandemic recovery phase.
- 5.2. To develop increased joint-working between teams in the newly co-located CREST team area of Pembroke Road.
- 5.3. To respond to any new demands following the forthcoming restructure.
- 5.4. To integrate the Borough's values into everything that we do.
- 5.5. To increase engagement with residents and businesses to improve the customer experience and ensure continuous improvement.
- 5.6. To lead on a review of the construction site-related parking bay suspensions process to improve liaison and co-ordination and reduce and recover lost revenue.
- 5.7. To improve the response times to complaints and enquiries from residents.
- 5.8. To reduce the number of complaints against specific sites by undertaking proactive monitoring and zero tolerance enforcement.
- 5.9. To use preventative measures to control the impact of construction sites e.g., with regard to hours of work, plant and machinery, and methods of working.
- 5.10. To provide Planning with information to enable the issuing of the new Code of Construction Practice pre-commencement condition.
- 5.11. To extend and improve partnership arrangements with external bodies such as the HSE, CCS and the Police.

**PRIVATE SECTOR HOUSING TEAM
ANNUAL REPORT
2021 – 2022**



1. PURPOSE OF THE PRIVATE SECTOR HOUSING TEAM

- 1.1. To improve and make safe housing conditions for tenants in the private rented sector by providing advice to tenants and landlords, taking enforcement action and licensing Houses in Multiple Occupation (HMOs) to secure safe and healthy homes.

2. PRIVATE SECTOR HOUSING TEAM OBJECTIVES

- 2.1. To improve housing conditions in the private rented sector by focusing on high-risk properties through targeted and intelligence led interventions and licensing.
- 2.2. To improve the management of the private rented sector by identifying and regulating HMOs.
- 2.3. To target poor performing landlords.
- 2.4. To increase the supply of affordable housing by reducing long term vacant properties and to bring them back into use.
- 2.5. To provide guidance and assistance to residents in fuel poverty and at risk of excess cold and slips and trips.

3. KEY ACHIEVEMENTS FOR 2021/2022

- 3.1. Despite Covid restrictions for some of the 2021/22 year the Private Sector Housing Team continued to operate, carry out inspections and provide a service to the residents of Kensington and Chelsea throughout the pandemic. We experimented with new ideas, virtual inspections, service of notices without inspection, and multiple risk assessments. To strike a balance between team effectiveness, our statutory duties and the safety of officers and the public.
- 3.2. We continue to respond to a high level of service requests from residents in private rented accommodation, working with our colleagues across the Council to address poor housing conditions for vulnerable residents including the elderly and young children, fuel poverty, complex filthy and verminous cases, and hoarding.

- 3.3. We have undertaken works in default of owners unwilling to undertake works themselves.
- 3.4. We undertook a 12-week public consultation on proposals to implement an Additional HMO Licensing Scheme which included housing data on HMO housing stock within the borough. Consultation ended 20 June 2021 and final key decision scheduled for October 2022.
- 3.5. We implemented an online HMO licence application process for mandatory licences and continue to develop the system, supporting an outward facing customer focus.
- 3.6. We are building better relationships with Residential Providers (Housing Associations) in the borough, through regular meetings and direct management contact. However, we are also taking enforcement action where informal approaches are unsuccessful to ensure resident safety is at the core of our work.
- 3.7. We continue to work with our London Fire and Rescue Authority partners to ensure fire safety measures are considered in high-risk premises with regular liaison meetings to discuss cases of concern.
- 3.8. We have undertaken inspections of hotels across the borough providing accommodation to asylum seekers to ensure standards of safety and management are in place.
- 3.9. We undertook a number of recruitment programmes, resulting in recruitment of 3 permanent Housing and Health Practitioners (one of whom entered via the council's Kickstart programme) and 2 Principal Housing and Health Practitioners, including an internal promotion.
- 3.10. Introduced a revised civil penalty notice procedure for dealing with non-compliance with Housing Act 2004 enforcement.
- 3.11. We updated our complaints procedure, and we continue to review how complaints are risk assessed to ensure continuous improvements.
- 3.12. We have carried out mandatory licensing in HMOs, setting conditions to protect residents from fire, excess cold, damp, and overcrowding.
- 3.13. We have increased our enforcement to address the rise in housing hazards and improve housing in the private rented sector.
- 3.14. We have targeted our resources at high-risk cases focusing on fire safety and providing grant aid to support victims of crime including domestic violence.
- 3.15. We have continued to work in partnership with our external colleagues in the GLA, Fire Brigade and other stakeholders to ensure consistency in approach when dealing with housing issues.
- 3.16. We work with Trading Standards on the Letting Agents Panel.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2021-2022	2020-2021	2019-2020
Number of Housing Complaints Received	1363	1394	1210
Number of High-Risk Complaints Received	368	298	112
Number of Licensed Properties	151	155	154
Number of High-Risk HMO's Inspected (Including Licensed HMO's)	8	10	37
Enforcement Notices Served (excluding Section 16 and 235)	50	30	41
Number of Notices of Intention to serve a Civil Penalty notice	3	0	0
Number of Civil Penalty Notices Issued	1	0	0
Number of Cases Where Works Were Carried Out in Default of the Owner	3	0	0
Number of Prosecutions	0	0	0
Number of Appeals	0	0	0
Number of Crime Prevention Grants	n/a	0	20
Number of Long-Term Empty Properties Brought Back into Use	19	27	0

5. KEY PRIORITIES FOR 2022-2023

- 5.1. Swiftly respond to requests for service from tenants living in the private rented sector relating to poor housing standards and management problems, and to councillor enquiries and other calls for action from the community.
- 5.2. Focus on unlicensed mandatory HMOs, strengthen our monitoring and enforcement approach of licensed HMOs, including breach of licence conditions and use of Financial Penalty Notices and carry out targeted inspection of high-risk HMOs.
- 5.3. Prompt regulation and enforcement where there is disrepair, public health failures and/or management standards have not been met.
- 5.4. Prepare for the implementation of an Additional HMO licensing scheme should the Council approve a scheme, improving the health and wellbeing of the tenants and residents of the Borough.
- 5.5. Further develop HMO licensing procedures, online applications, and other technologies to support smart, mobile working.
- 5.6. Respond to increasing number of Public Health complaints regarding filthy and verminous and suspected hoarding.
- 5.7. Review our work on affordable warmth, energy efficiency in the home interventions, grants and implement Minimum Energy Efficiency Standards in the PRS. All with a view to forming a Fuel Poverty strategy.
- 5.8. To Implement the Enforcement of Minimum Energy Efficiency Standards.
- 5.9. To implement the enforcement of the Smoke and Carbon Monoxide Regulations.
- 5.10. Continue to interact with Registered Providers.
- 5.11. Review all types of HMO standards.
- 5.12. Bring in more Fire Safety expertise and training to the team.

- 5.13. Re-review the Fire Safety Protocol with LFB in light of Building Safety Bill and Fire Safety Act.
- 5.14. Support the Council's approach to Empty Properties.
- 5.15. Seek out opportunities for landlord development and engagement through accreditation and landlord fora.
- 5.16. Integrate the Council's values into everything that we do.

**POLLUTION REGULATORY TEAM
ANNUAL REPORT
2021 – 2022**



1. PURPOSE OF THE POLLUTION REGULATORY TEAM

- 1.1. To protect public health and the wider environment by regulating and addressing air and land quality.

2. POLLUTION REGULATORY TEAM OBJECTIVES

- 2.1. To carry out air quality monitoring, assess progress with achieving the National Air Quality Objectives and oversee implementation of the Council's Air Quality Action Plan by working with others to reduce pollution, raise awareness and contribute to improving public health.
- 2.2. To protect human health and the wider environment by addressing potential risks to land and air quality through the Planning Development process and make sure the site is suitable for its future use.
- 2.3. To carry out contaminated land assessment work to identify land which may have a significant possibility of significant harm to human health under Part 2A of the Environmental Protection Act 1990.
- 2.4. To authorise and inspect small industrial processes to control emissions to air.

3. KEY ACHIEVEMENTS FOR 2021/22

- 3.1. During the first part of the year, we upgraded some of our air quality monitoring network. We replaced the carbon monoxide, nitrogen oxide (NOx), sulphur dioxide and ozone analysers at our North Kensington Monitoring Site (KC1) and installed a new cabin, PM₁₀ and PM_{2.5} monitor at

our Cromwell Road site (KC2). We also replaced the NOx analyser at Earl's Court. In addition, we purchased three mobile air quality sensors and placed two of these on Kensington High Street and a third on Sedding Street.

- 3.2. At the end of May, we submitted our Annual Status Report to the GLA reporting on all air quality data collected during 2020 and reported on progress with delivering the penultimate year of the Council's Air Quality and Climate Change Action Plan.
- 3.3. We spent the second half of 2021 writing a new standalone Air Quality Action Plan, which was developed alongside the Council's Climate Emergency Action Plan and Biodiversity Action, to ensure the synergies and co-benefits between these environmental priorities were captured. The Council consulted on these plans between December 2021 and February 2022 hosting online and in person events with residents, community groups, schools, and businesses. The new Air Quality Action Plan 2022-2027 was adopted in March 2022.
- 3.4. Following completion of the Government led Environmental Checks Programme, to address concerns regarding land contamination which may have been caused by the Grenfell Tower fire, we are now part way through a Part 2A contaminated land investigation on two sites which were recommended for further assessment. Soil sampling has been completed at both sites and the Council's Environmental Consultant is in the process of reviewing and assessing that data. The final report is expected to be signed off and results shared with residents by January 2023.
- 3.5. We have responded to all planning consultations commenting on the potential impacts of development on air quality and contaminated land. We have also provided pre-application advice to developers on matters relevant to air quality and contaminated land.
- 3.6. We have overseen completion of Environmental permitting regulation inspections e.g., dry cleaners, petrol stations, etc. and a statutory return was provided to DEFRA.
- 3.7. We have responded to 58 (100 per cent) of Environmental search reports, in response to requests received for information about historic use of land.

4. PERFORMANCE INDICATORS AND KEY STATUTORY RETURNS

	2021-2022	2020-2021	*2019-2020
Planning Consultations	588 applications 934 formal responses	447 apps 645 formal responses	192 apps 232 formal responses
Environmental Searches	58	42	31
Permitted Processes	36	36	36

*Disaggregation occurred part way through 2019.

5. KEY PRIORITIES FOR 2022-2023

- 5.1. To conclude the Part 2A Contaminated Land investigation and share the results with residents and work with them and Housing Management if any remediation is required.
- 5.2. To complete the air quality Annual Status Report and report on the last year of the Air Quality and Climate Change Strategy.
- 5.3. To commence a programme of Air Quality Audits at Schools.
- 5.4. To contribute to the review of the Council's Local Plan and update planning policies connected with air quality and contaminated land.
- 5.5. To review and update the existing Air Quality Supplementary Planning Document.