

**Manchester City Council
Report for Information**

Report to: Neighbourhoods and Environment Scrutiny Committee - 2
December 2020

Subject: Compliance and Enforcement Service - Performance in 2019/20

Report of: The Strategic Director (Neighbourhoods)

Summary

To provide members with an update on demand for and performance of the Compliance and Enforcement service during 2019/20. As requested by the Committee the report also provides a breakdown by ward of the number of fly-tipping cases by month with comparisons against the previous year's figures; information on where the additional investment to tackle fly-tipping has been spent and data by ward on the number and nature of calls to the Out of Hours service during the first Covid-19 lockdown period.

Recommendations

That Members note and comment on the report.

Wards Affected: All

Alignment to the Our Manchester Strategy Outcomes (if applicable):

Manchester Strategy outcomes	Summary of how this report aligns to the OMS
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	By enforcing the law in a fair, equitable and consistent manner, assisting businesses to meet their legal obligations and taking firm action against those who flout the law or act irresponsibly.
A highly skilled city: world class and home grown talent sustaining the city's economic success	Providing advice and assistance to businesses to help them understand and comply with regulations contributes to thriving businesses which support the city's economy. Taking action against those businesses who are not compliant allows law abiding businesses to thrive.

Working with both residents and businesses to support them in improving the neighbourhoods in which they live and work and socialise	Working with both residents and businesses to support them in improving the neighbourhoods in which they live, work and socialise.
A liveable and low carbon city: a destination of choice to live, visit, work	Addressing nuisance issues to support individuals to live in successful neighbourhoods. Ensuring a safe and compliant night-time economy to sustain the city as a destination of choice. Supporting work to improve air quality and address contaminated land. Creating places where people want to live and stay.
A connected city: world class infrastructure and connectivity to drive growth	

Contact Officers:

Name: Fiona Sharkey
Position: Head of Compliance, Enforcement and Community Safety
Telephone: 0161 234 1982
E-mail: fiona.sharkey@manchester.gov.uk

Name: Angela Whitehead
Position: Compliance and Enforcement Lead
Telephone: 0161 234 1220
E-mail: angela.whitehead@manchester.gov.uk

Name: Nathanael Annan
Position: Compliance & Enforcement Specialist (Data & Intelligence)
Telephone: 0161 234 1982
E-mail: nathanael.annan@manchester.gov.uk

Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

Report to Neighbourhoods Scrutiny Committee 4th December 2019: Compliance and Enforcement Service – Overview of the role of the service and performance to date.
Report of Chief Operating Officer (Neighbourhoods)
Report to Neighbourhoods Scrutiny Committee 2nd September 2020: Housing Compliance and Enforcement Performance in 2019/20
Report of director of Neighbourhoods

1. Introduction

1.1 The Compliance and Enforcement service brings together the services responsible for fulfilling the Council's statutory duties in respect of protecting the public and the environment and ensuring that businesses and residents comply with a range of legislation that helps to make our neighbourhoods places where people want to live, work and socialise.

1.2 The teams that make up the Compliance and Enforcement services are:

- **Neighbourhood Compliance Teams (NCT)** – based within the three neighbourhood areas of North, Central & South, the teams are responsible for compliance & enforcement across these areas, ensuring that local communities have safe, clean and attractive neighbourhoods to live in. Their particular focus is resident & business compliance with waste disposal & recycling; untidy private land; visual disamenity of private buildings & land; fly-tipping; littering; dog fouling; highway obstructions including skips; flyposting; empty properties and unauthorised encampments.
- **Environmental Crimes Team (ECT)** – responsible for works carried out in default; contract management; enforcement support; prosecutions; animal welfare and relevant public space protection orders.
- **Neighbourhood Project Team (NPT)** - responsible for investigating incidents of fly-tipping in conjunction with Biffa, taking enforcement action against those who illegally dispose of their waste and delivering the Commercial Waste Project.
- **Food, Health & Safety & Airport Team (FHS)** – responsible for regulating food safety and food standards; health and safety in certain premises; dealing with complaints and requests for service; accident investigations; infectious disease control; port health and the importation of foodstuffs arriving at Manchester Airport.
- **Environmental Protection Team (EP)** – responsible for dealing with the environmental aspects of planning applications; provide technical support to strategic regeneration schemes; noise control at large events and exhumations. The team discharge the council's regulatory duties in relation to contaminated land; industrial processes; air quality and private water supplies.
- **Licensing and Out of Hours Teams City Centre and City Wide (LOOH)**- responsible for licensing enforcement and for addressing effectively a range of issues that can arise both during and outside of normal working hours e.g., licensed premises enforcement; street trading; domestic and commercial noise enforcement; busking; begging etc. These teams provide cover over 7 days providing a service during the day, evenings and at night. In the city centre the team also deals with resident & business compliance with waste disposal, untidy private land; fly-tipping; littering; dog fouling; highway obstructions including skips; flyposting; etc.
- **Trading Standards Team (TS)** - responsible for enforcing a wide range of criminal legislation aimed at protecting consumers and maintaining standards of fair trading e.g. counterfeiting; product safety; sale of age restricted products such as fireworks, alcohol, cigarettes, knives, solvents etc.; rogue traders; doorstep scams and regulation of weights and measures.

- **Housing Compliance & Enforcement Team (HCT)** - responsible for ensuring that privately rented properties meet acceptable safety and management standards. The team manage the licensing of HMOs and selective licensing schemes and deal with complaints regarding private rented housing ranging from complaints about disrepair to preventing unlawful eviction and harassment.
- **Compliance & Enforcement Support Team (CST)** – responsible for intelligence and evaluation of project-based activities, producing management information and monitoring service performance. The team also undertake a wide range of desk based compliance activities in support of the specialist teams: e.g. creating programmed inspection plans; verifying waste management contracts; food business registration; verification surveys and checks and management of the debt recovery and enforced sales processes. The team is also responsible for producing service wide statutory returns.

- 1.3 This report sets out the key areas of demand and how the teams performed across the whole service in 2019/20. The workload of the service is a combination of planned regulatory work such as inspection programmes; regulatory compliance activities such as assessing planning and licensing applications; reactive work such as investigating complaints from customers and proactive and project work to pick up on issues that are causing problems but may not be being reported or are intractable issues that need a more focussed and targeted approach.
- 1.4 The service takes an Our Manchester approach to achieving compliance, working on the principle that the vast majority of citizens and businesses in Manchester want to do the right thing. Sometimes people are not sure what they need to do and our approach to achieving compliance includes working with people and giving them the chance to get it right.
- 1.5 The City Council's Corporate Enforcement Policy outlines the approach that officers should take when considering enforcement action. The policy is an overarching policy that applies to all the Council's Services with enforcement duties, although some services have specific Legislative Guidance and Regulations which set out the enforcement requirements in these services. The appropriate use of the full range of enforcement powers, including prosecution, is important, both to secure compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard health, safety and welfare or breach of regulations enforced by the Council. In deciding on the most appropriate course of action officers should have regard to the principles set out in the policy and the need to maintain a balance between enforcement and other activities, including inspection, advice and education.
- 1.6 The policy states that an open, fair and proportionate approach will be taken in dealing with breaches of legislation which are regulated and enforced by the Council. Raising awareness and promoting good practice in regulated areas is the first step in preventing breaches, and officers of the Council will signpost to guidance on aspects of the law where requested to do so. Best efforts will be used to resolve any issues where the law may have been broken without taking formal action when the circumstances indicate that a minor offence may have been committed and the Council is confident that appropriate corrective action

will be taken. However, there may be occasions when the breach is considered to be serious and/or where informal action is not appropriate. In such cases immediate enforcement action may be taken without prior notice and as noted above some services have specific Legislative Guidance and Regulations which set out the enforcement requirements in these services.

1.7 The report also addresses the following areas as requested by Members:

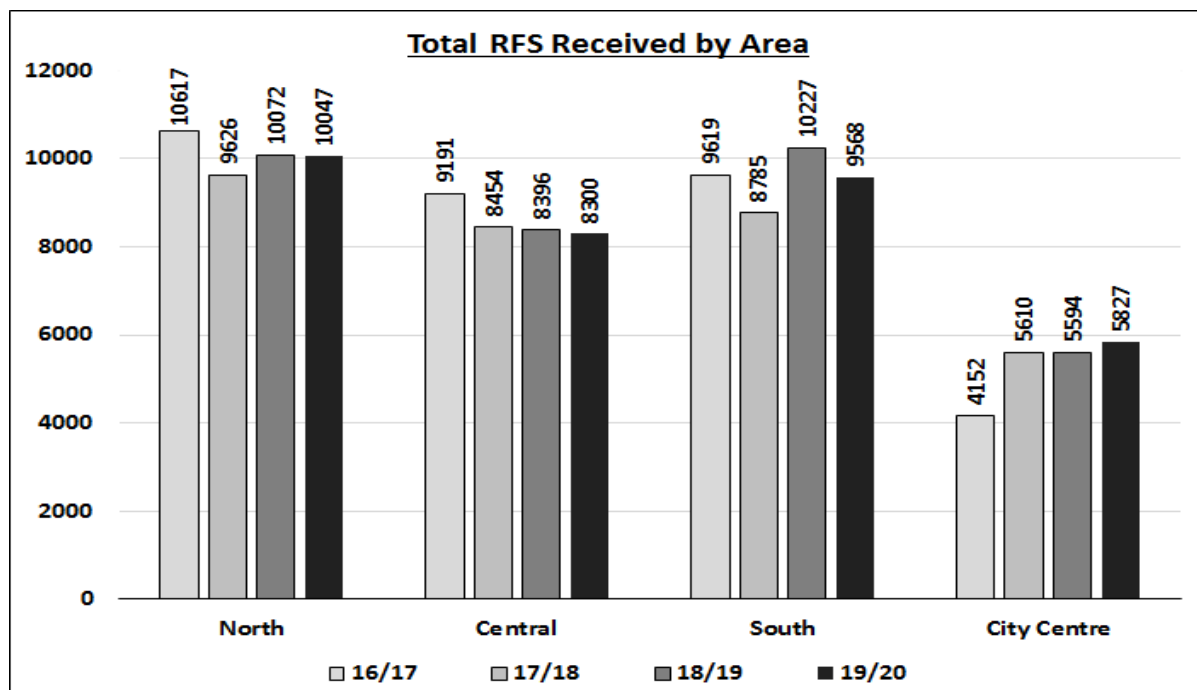
- A breakdown by ward of the number of fly-tipping cases by month with comparisons against the previous year's figures.
- Information on where the additional investment to tackle fly-tipping has been spent; and
- Data by ward on the number and nature of calls to the Out of Hours service during the first Covid-19 lockdown period. (23 March 2020 – 04 July 2020)

1.8 Case studies are included to illustrate the diverse nature of the issues that the service helps to resolve

2.0 Overall Demand

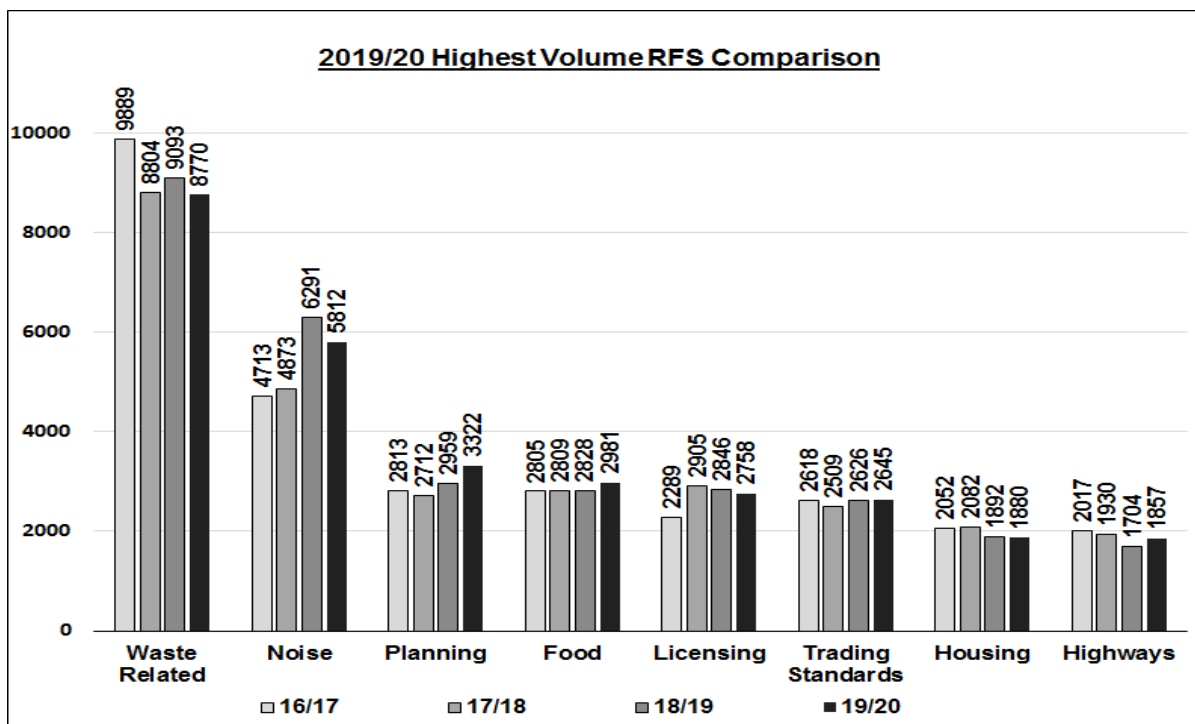
2.1 Figure 1 compares the overall volume of RFS received by area over the last 4 years. The table excludes RFS that have no specific ward assigned (2,116). These are mostly related to Trading Standards issues such as notifications of unfair commercial practices where businesses located outside of Manchester operate across the city.

Figure 1. RFS Volume comparison by year



- 2.2 The overall number of RFS when compared over the last 2 years has not changed significantly. The number of RFS by area has also remained relatively stable when compared to the previous year with the most notable change being in the South which saw a 6% reduction in RFS received. The City Centre is the only area showing an increase (4%).
- 2.3 As noted above demand in the South has reduced by 6%. Noise, waste and airport work, remain the highest volume areas of demand. Noise 18%, Waste 17% and Airport work (inspection and processing of consignments received at the Border Inspection Post) 13%. All have decreased compared to last year, Noise by 24% (2308 to 1759), Waste by 6% (1732 to 1626) and Airport work by 17% (1444 to 1196). Other significant areas of reduction in the South are Housing - 17% (484 to 400), Alleygate repair requests 27% (118 to 86) and Trading Standards RFS 32% (256 to 174). Also, of note are the areas of work in the South that have seen the most pronounced increases, these are: Illegal encampments 86% (22 to 41), H&S in the workplace 53% (30 to 46) and Highways related RFS 11% (644 to 714).
- 2.4 Across the city the work areas of highest demand are set out in Fig.2. As is the case in previous years the greatest demand comes from waste related RFS which has consistently remained around 25% of all RFS received by the service.

Figure 2. Highest volume of RFS category comparison by year



- 2.5 A total of 8770 waste related RFS were dealt with, this is compared to 9093 in 18/19. The breakdown by area being: North 4074 (46%), Central 2768 (32%), South 1626 (19%), City Centre 263 (3%). 37 jobs were not assigned to a ward. These are cases where the source of fly-tipping originated outside of

Manchester or on the border of MCC boundary. Overall waste related RFS have reduced by almost 4% when compared to 18/19. Comparing the first year of reporting 16/17 to 19/20, waste related RFS have reduced overall by 11%. This is an average reduction of just under 3% per year. Proportionally the greatest decrease is the South of the city by 9%. The increased investment to tackle flytipping set out in section 6 of the report will likely have contributed to this decrease.

- 2.6 Of the 8770 waste related RFS dealt with by the service, 3520 (40%) were proactively identified and investigated mainly by our Neighbourhood Project team (NPT) who work closely with Biffa to address incidents of fly-tipping and pursue legal action where appropriate. Please note, these are flytipping cases referred for investigation and does not include those incidents that are removed by Biffa. This is consistent with the previous year where 40% of all waste jobs were proactively investigated by the NPT in 18/19. The remaining waste RFS are from the public and jobs logged by MCC officers. These increased by almost 14% from 4813 to 5466 in 18/19 but have reduced by 4% to 5250 in 19/20.

Case Study 1 - Fly-tipping investigation

On 26 June 2019, a business was prosecuted and fined over £2,000 after sofas belonging to the company were found dumped at various locations within the Rusholme ward.

A member of the public spotted the sofas and had taken photos, which they forwarded on to the City Council for investigation. The witness also provided a signed statement. Quick-thinking Neighbourhood Compliance Officers were able to link the sofas to a cafe on Wilmslow Road and referred the case to the Environmental Crimes Team for investigation. Under questioning, the company admitted to passing their commercial waste to a third party for disposal without checking they were authorised or obtaining a waste transfer notice. Officers were unable to follow up or verify any of the details provided by the company and proceedings were therefore instigated against the business.

The company failed to send a representative to the hearing at the Magistrates' Court and were found guilty of duty of care offences under section 34 of the Environmental Protection Act 1990. They were fined £1,500 and made to pay costs of £479 and a victim surcharge of £50 - a total of £2,029.

- 2.7 Of the top 8 RFS demand categories noise has had the most significant shift in volume. For 19/20 noise RFS have reduced by 8% after a sharp rise of 29% in the previous year. 5812 noise RFS were received in 19/20 compared to 6291 in the previous year. Noise RFS include domestic noise, licensed premises and construction noise. The overall figure also includes applications for noisy working on construction sites.

- 2.8 The breakdown for noise RFS is as follows: North 1366 (24%), Central 1332 (23%), South 1986 (34%), City Centre 1099 (19%), there are an additional 13 jobs not linked to a specific ward, these are RFS where the source of the noise is outside Manchester e.g. where a Manchester resident who lives on the border of a neighbouring Local Authority has complained about noise and 16 jobs that are general enquiries in relation to noise. Within this category, the highest areas of demand are domestic noise which includes noise from student accommodation, barking dogs, people making noise such as slamming doors, shouting etc. and noise making equipment such as DIY tools, music, TVs, PA systems and radios. 3,429 (59%), Licensed Premises noise 515 (9%) and construction noise 500 (9%). All 3 areas of highest demand have reduced by 7%, 22% and 10% respectively compared to the previous year.

Case Study 2 - Student engagement, multi-agency work

Manchester Student Homes contacted LOOH regarding a student who had contacted them stating they were going to hold a charity/fundraising party at their property. The organisers had also contacted all nearby residents.

Officers visited the property and spoke to all those who lived there and the lead party organiser. She was studying events management and appeared well prepared; however, officers explained their concerns and that the team would be monitoring this event. The officers were frank with the student and explained that even with the best management the event they were planning to run, in its current format/numbers, would more than likely lead to abatement notices being served.

Although disappointed, the student realised the implications if the event was to go ahead and informed the officers that it would not. The officers used their links with the Housing Compliance team and made sure the landlord and letting agent were informed of the planned event and this resulted in occupiers receiving formal warnings in relation to their tenancies prior to the event.

The property was also put on the team night shift patrol for monitoring that weekend. No noise nuisance was witnessed, and no complaints/callouts were received from any of the surrounding neighbours.

By taking proactive action the team was able to prevent a party that would likely have caused considerable disturbance to local residents. The links with partner agencies (Manchester Student Homes) and internal departments (Housing Compliance) enabled a timely and proportionate response that made it clear that this type of activity was not acceptable.

- 2.9 In 19/20 most areas have had a slight reduction in RFS for noise. These were: North by 7%, South by 14% and the City Centre by 9%. Central is the only area to increase by 3%. In 19/20 the South has had the largest decrease of 14% (2310 to 1986). Specific work areas that have reduced in the South are: Student noise 24% (406 to 310), Barking dogs 31 % (218 to 151), Construction noise 32% (98 to 67) and licensed premises noise 29% (221 to 157). The introduction of the Fallowfield Pubwatch scheme has contributed to the reduction in noise

jobs related to licensed premises in the South of the City. Due to recurring issues in the South, particularly in student areas, the LOOH team led on establishing the scheme which involves proactively engaging with licensed venues to discuss any licensing issues and providing advice before the issues necessitate formal intervention. In keeping with the Our Manchester behaviours, the LOOH team's objective is to work with pub landlords to raise standards ensuring licensed establishments are compliant and well managed without the need for enforcement action. Schemes such as this help to secure longer lasting compliance as its aim is to inform and empower pub management to successfully comply with regulations.

Case Study 3 - Fallowfield Pub Watch

The Fallowfield and Withington Pubwatch group was set up over a year ago and includes 20 licensed premises. These premises include, pubs, bars, cafes, food led premises and off licenses. The scheme has been very successful in helping LOOH to work together with licensed businesses in tackling local issues, build relationships and achieve a safer social drinking environment. There is an active WhatsApp group which gets regular updates from the Designated Premises Supervisor (DPS) with any real time issues.

An example of this is a male was being very aggressive in a pub in Withington, threatening staff. This male was subsequently asked to leave the premises. The DPS for that pub then messaged the group with a description of the male and the direction the male was heading. All other DPS for the area viewed the message and were alerted to the issue. This male was refused entry to all the pubs in the vicinity. With a real time, messaging service, this greatly reduced the risks of assaults at the premises, on staff and customers.

- 2.10 Planning includes planning application and consultations on potential sites and review of conditions. This has increased by 6% overall with 3130 RFS received in 19/20 as compared to 2959 in 18/19. The breakdown is North 765 (24%), Central 722 (23%), South 643 (20%) and City Centre 989 (32%). Citywide general enquiries/consultations 11 (0.1%).
- 2.11 Licensing has remained relatively consistent with 2758 RFS compared to 2846 in the previous year. Licensing work includes responding to new applications, the consideration of applications for temporary events and requests related to premises licence conditions. The breakdown is North 376 (14%), Central 395 (14%), South 604 (22%) and City Centre 1383 (50%).

Case Study 4 – Licence revocation

A violent incident occurred at a city centre nightclub resulting in 3 individuals being hospitalised, investigations revealed unacceptable levels of violence, licensing breaches and ineffective management practices.

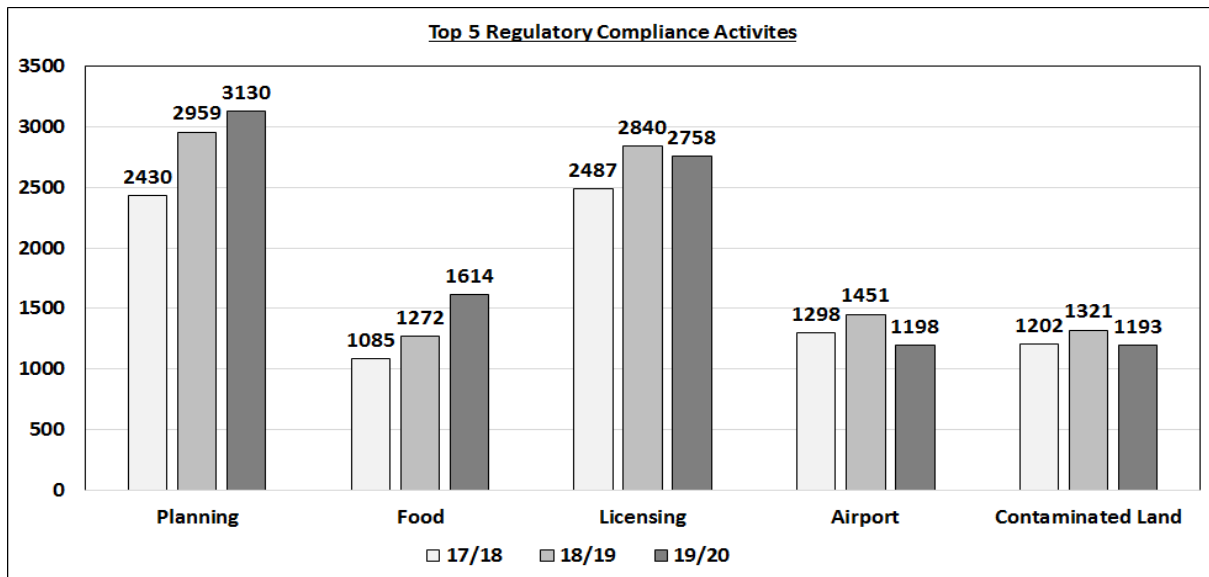
Joint working with GMP enabled the required evidence to be presented at Licensing sub-committee resulting in revocation of the premises licence. LOOH were already involved in addressing concerns with the way in which the premises was run and failings by the management team to comply with the action plan that officers had recently issued. Using evidence gathered by the LOOH team, and acknowledging our preventative efforts, in summing up the committee stated:

“there had been a systemic failure to comply with those conditions and in the eyes of committee this showed clear failure to manage the premises effectively - despite advice and guidance from the licensing team.”

- 2.12 Food RFS make up the biggest percentage (67%) of the Food, H&S and Airport team’s total RFS workload and has been gradually increasing at a similar level for the last 3 years, 3173 compared to 2828 in 18/19 which is a 12% increase. Food RFS includes food hygiene complaints such as poor cleanliness, pest infestations and food poisoning issues. Food standards complaints include labelling irregularities and failure to comply with allergen information and control systems. The breakdown for food RFS is as follows: North 667 (21%), Central 641 (20%), South 785 (25%), and City Centre 858 (27%) there are also 222 (7%) citywide RFS cases for such things as requests for advice on setting up a food business in Manchester. The team also deal with H&S and Airport work. Total RFS for all 3 areas covered by the team have shown a gradual increase from 4718 RFS received in 19/20 compared to 4567 the previous year. Health and Safety service requests include accident and complaint investigations. Airport work includes clearing consignments of non-animal and animal products and pests on planes.
- 2.13 Trading standards complaints include issues with product safety, consumer scams, doorstep crime, underage sales, illicit tobacco, weights and measures, animal welfare and counterfeiting. A total of 2645 RFS were received in 19/20 which is a similar level to the previous year. The breakdown is North 323 (12%), Central 225 (9%), South 174 (7%), City Centre 218 (8%) The majority of RFS relate to businesses/organisations not located in but who operate in Manchester 1705 (64%). This is a 12% increase from the previous year attributed to an increase in online business and businesses located outside of Manchester. The South of the City has seen the most significant shift with a 32% reduction in 19/20 compared to 18/19 (256 to 174). There is no obvious reason for the reduction in the South so this will be monitored more closely.
- 2.14 Housing RFS cover damp, drainage, fire precautions, heating and hot water, gas and electric, unlawful eviction and tenant and landlord disputes. The service received 1880 RFS compared to 1892 the previous year so demand has remained stable. The RFS breakdown is North 674 (36%), Central 717 (38%), South 426 (23%) and City Centre 63 (3%). The 3 main categories of complaints received are: dampness and leaks 41% (772), heating and hot water issues 10% (185) and unlawful eviction 11% (214) Members received a detailed report on Housing demand and performance during 2019/20, to the 2 September 2020 meeting of this committee so the detail is not repeated here. The report is, however, included as a background document.

- 2.15 Highways related RFS cover issues such as obstructions, skips, muddied sites and cars for sale on the highway. A total of 1857 jobs were received, a 9% increase from the 1,704 received the previous year.
- 2.16 As noted in previous reports, the successful growth of the city places greater demand on regulatory compliance services as the number of planning and premises licence applications and food businesses increase. Figure 3. shows the volume of the top 5 regulatory compliance activities received in 2019/20.

Figure 3. Top 5 Regulatory Compliance Activities RFS received



- 2.17 In the previous year all areas saw an increase in regulatory compliance activities with the biggest increases in the South and the City Centre cumulatively accounting for 64% of the total increase. For 19/20 Planning and Food work has increased whereas Licensing, Contaminated Land and Airport work have decreased. The breakdown by areas is as follows: North 18%, Central 16%, City Centre 28%, South 36%. 2% of jobs were logged as Citywide enquires.
- 2.18 Our Planning work has increased by 6% from 2959 to 3130. Although this increase is not as pronounced as 18/19, planning work has continued to increase year on year.
- 2.19 Food related work has increased by almost 27%. The main increases are in new food premises registrations 613 to 834 (includes registration applications and new business referrals 36%), processing of information for the Food Hygiene Rating Scheme 177 to 261 (47%) and dealing with inspection requests for new businesses that have begun trading 169 to 224 (33%). Requests for food hygiene rating re-scores have also increased 52 to 91 (75%) in 2019/20.
- 2.20 The increase in new food registrations is due to the rise in popularity of online aggregator websites like Just Eat, Uber Eats and Deliveroo. The websites now require food businesses to register with the Local Authority before they can

trade on their sites and more food business operators than ever before are seeking to trade digitally. The Food Standards Agency continue to work with aggregator websites to ensure they have suitable controls in place to monitor food safety standards in businesses using the platforms. An increase in hot food take-away services from residential premises has also been noted via social media platforms. We work with these businesses to ensure the highest standards are in place and the Food Standards Agency is currently working with social media operators to ensure they have controls in place. Although overall new food registrations are down during the COVID pandemic period the service expects the rise in residential businesses to continue.

- 2.21 The Food Hygiene Rating Scheme (FHRS) is a register of inspection results given to a food business by the relevant Local Authority in relation to their food hygiene standards. The Food Standards Agency (FSA) states that the purpose of the FHRS is to allow consumers to make informed decisions about places where they eat out or shop for food and, through these decisions, encourage businesses to improve their hygiene standards. There are 6 different food hygiene ratings (0 up to 5) - the top rating represents a 'very good' level of compliance with legal requirements and all businesses irrespective of the nature or size of their operation should be able to achieve this.
- 2.22 In Manchester the majority of food businesses are rated very good or good. Food hygiene ratings are published online at www.food.gov.uk/ratings, and businesses are encouraged to publicly display their ratings on premises. A national mandatory scheme, requiring food businesses to publicly display their scores on premises is still expected, however we still have no indication from the FSA when this is likely to happen as it requires the government to introduce new primary legislation.
- 2.23 The increase in food businesses means that customers have more choice, so businesses that score a low FHRS score on inspection can request a re-score once they have put in place the measures required to address the issues identified. Another contributor to the increase of re-score requests is the fact food business operators need a food hygiene rating score or a 'business awaiting inspection' record to show on the Food Standards Agency ratings website for them to trade with the online platforms. Several online platforms have also taken the stance that any food business that is unrated (Unrated as awaiting an inspection) or scores anything less than 2 for FHRS, will not be allowed to advertise on their sites. This decision by the on-line platforms is also a factor in the increased rescore requests. We have received far more enquiries recently than ever before, again due to the way businesses now trade.
- 2.24 Licensing work has decreased slightly by 3% but makes up 28% of the total top 5 regulatory compliance activities.
- 2.25 Airport work has reduced most significantly with a 17% reduction in jobs received. This is due to a reduction in Certificate Entry Document (CEDs) where the Authority is required to inspect certain food products as directed by EU. Because the countries/foodstuffs on the EU list can change the volume of request for service will also fluctuate.

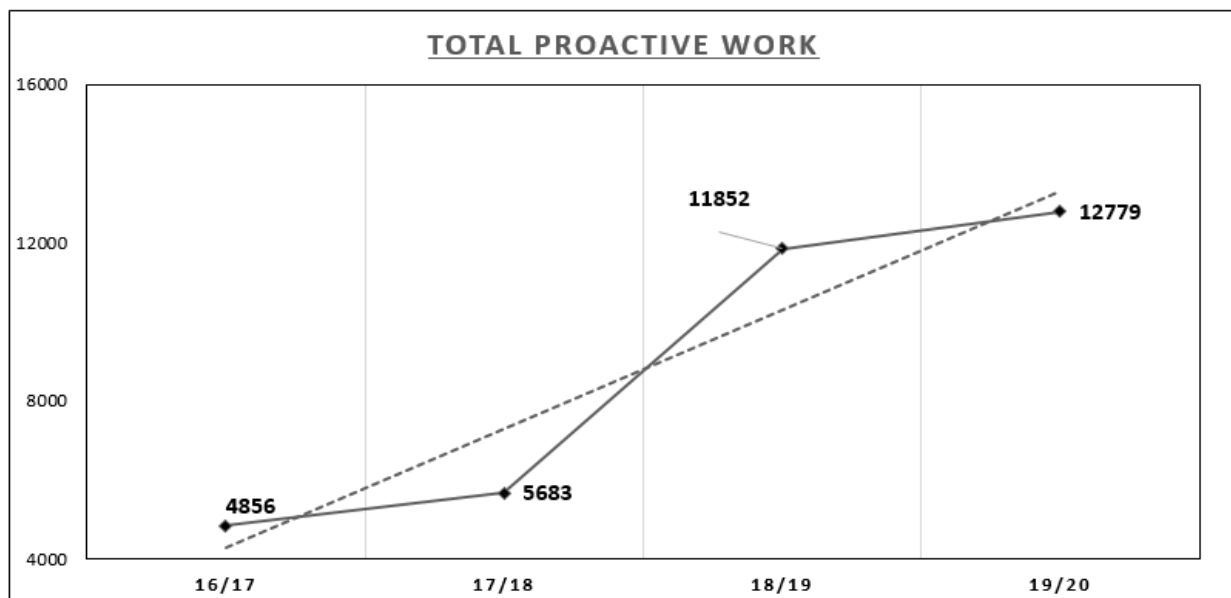
2.26 The Food H&S and Airport team is working closely with the Government Department for Environment, Food & Rural Affairs (DEFRA) on the UK's transition from the EU and the implications for port health authorities. As the port health authority for Manchester Airport Border Control Post, the team's input is vital for the effective planning of EU exit and the end of the transition period on 31st December 2020.

2.27 The Border Control Post expects to receive additional consignments from 1st Jan 2021, relating to EU foodstuffs which currently move between EU countries unchecked. We expect to see an increased workload as a result of transitioning to the EU due to procedural changes, development and transition from an EU to a UK database and changes to certification requirements, but we are not yet able to accurately quantify the extent of the increase due to uncertainty across a range of areas.

3.0 Proactive Activity

3.1 Fig. 4 shows total proactive work across the city compared to the previous three years. Although overall proactive work continued to increase year on year, we are seeing a levelling off now that the changes to how actions are recorded have been fully implemented. These changes, as detailed in last year's report, include the recording of street-based activities, such as pedlars, buskers, begging, that was introduced in late 2017, as well as changes in the way interactions with Licensed Premises are recorded to ensure a better reflection of the work carried out. 12,779 proactive activities took place compared to 11,852 in the previous year which is an 8% increase.

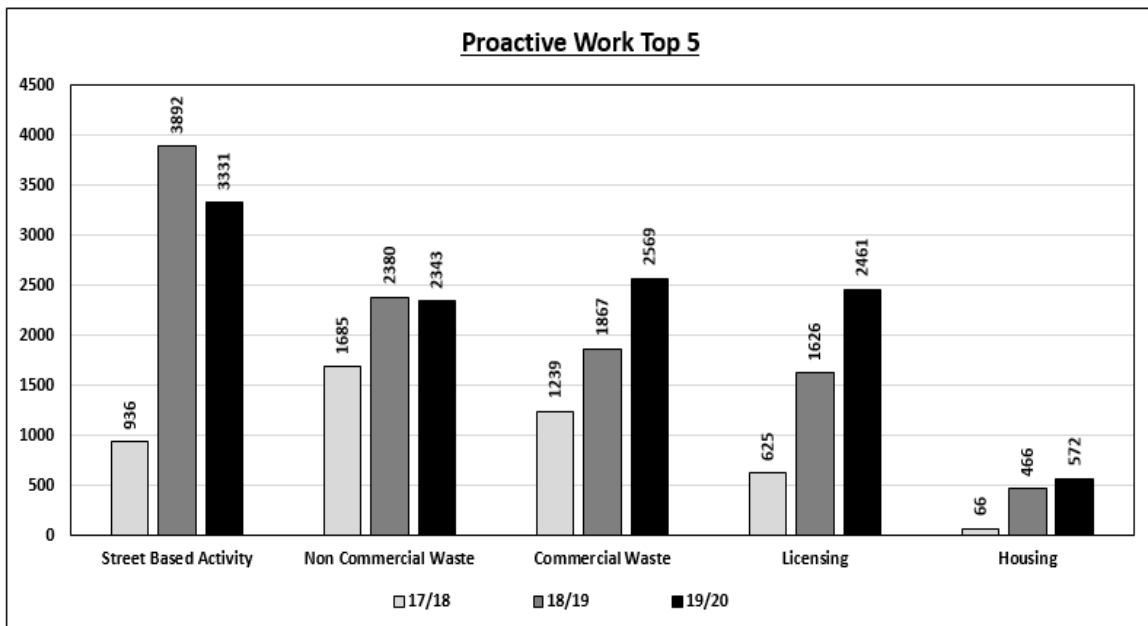
Figure 4. Total proactive work across the City compared by year



3.2 Fig. 5 shows the top 5 categories for proactive work. Combined these make up 88% of all proactive work done. The breakdown is commercial waste 2569 (20%), non-commercial waste related 2343 (18%) licensing work 2461 (19%), street-based activities such as peddling, busking and charity collections 3331

(26%) and housing 572 (4%). Waste jobs together account for almost 4 in 10 of all proactive jobs completed across the city.

Figure 5. Top 5 proactive work categories comparison by year



- 3.3 Street Based Activity has decreased by 561 (14%), however this area of work had shown a massive leap from the figure recorded in 17/18 which as mentioned earlier was due to improved recording. Non-Commercial Waste jobs have slightly decreased by 37 (1.5%). However, Commercial Waste increased by 702 (38%) meaning that overall, all waste jobs combined have increased by 665 (16%). Licensing work has increased for the second year running, an increase of 835 (51%) section 3.6 provides further details on the increase. Housing jobs have also increased again, by 106 (23%). This is in connection with a greater focus on rogue landlords, as evidenced in previous years figures.
- 3.4 Overall, the number of proactive jobs remains at a similar level to last year although the spread of jobs across the main areas of work has changed, with higher volume proactive work in relation to licensing and commercial waste.
- 3.5 The reduction in street-based activities is due to a reduction in interventions required for illegal peddling and trading activity as a result of consistent enforcement. LOOH Officers maintain the same level of visibility in high traffic areas of the City Centre, however traders are now more aware of what is required to be compliant, so less intervention is required.
- 3.6 The figures show that proactive Licensing work has increased significantly, this is mainly due to improved recording of visits to licensed premises to better reflect the work carried out. A new procedure was introduced in late 2018 so 2019 is the first full year of recording in this way and we believe provides a more accurate baseline.

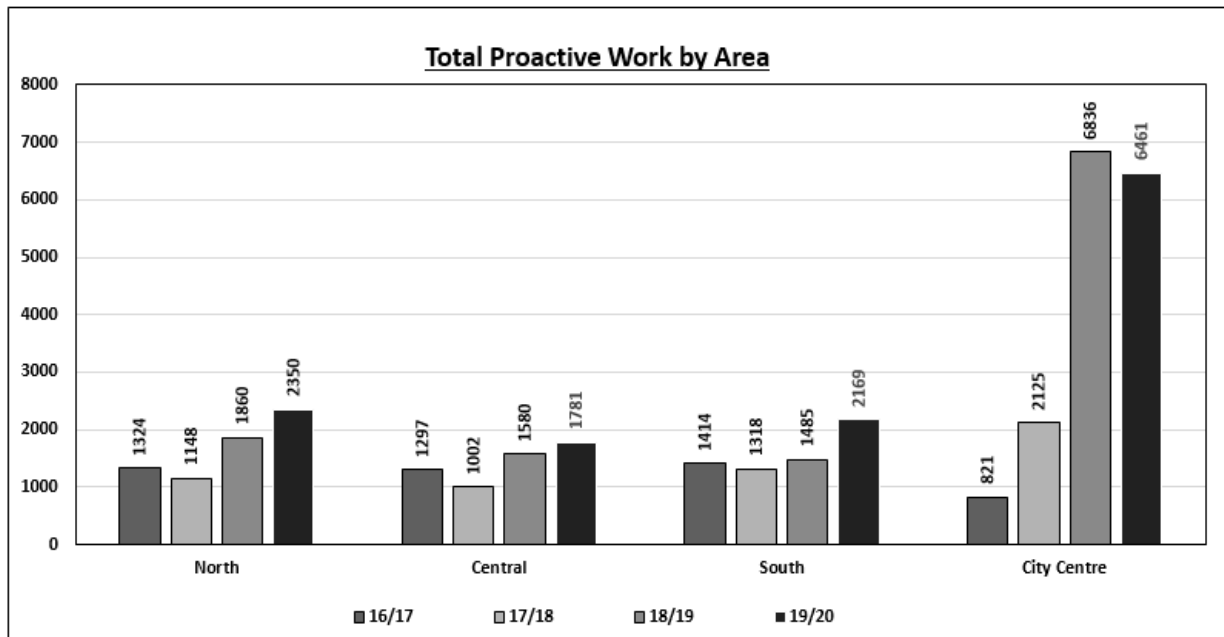
Case Study 5 - Breach of Licence

Officers received intelligence of off-sales of alcohol at a convenience store on High Street, Shudehill. The premises was not licensed to sell alcohol due to the premises licence having lapsed in June 2019 as the company was dissolved at this time. On arrival officers witnessed alcohol displayed for sale in fridges and behind the counter with staff confirming alcohol was sold from the premises. Officers advised that there was no licence in place and therefore they could not sell alcohol and if they continued to do so they faced prosecution.

A test purchase was immediately instigated, which the premises failed. LOOH Officers returned with GMP support and conducted a full seizure of all the alcohol from the premises. All estimated to cost in excess of £1,000. Prosecution is being pursued

- 3.7 The increase in commercial waste activities is in the main due to the extra funding the Neighbourhood Compliance Teams received which has enabled more targeted projects across the City. This is explained in more detail in section 6.0 of this report.
- 3.8 Proactive work, with the exception of the city centre, for the reasons noted in para 3.1, has continued to increase across the city Figure 6 shows City Centre has had a slight decrease of 375 (5%) but had shown the greatest increase last year; whilst all the other areas increased for the second year running, North by 490 (26%), Central by 201 (13%) and South by 684 (46%). The biggest increase in the South is waste related proactive activity which increased by 63% when compared to the previous year. The value of proactive work is immense as it provides the opportunity to give advice and support to businesses to enable them to become compliant before greater problems arise, as well as holding to account businesses who don't follow the advice given. Establishing positive relationships with businesses also supports compliance in times of great change, as we are currently experiencing, where businesses are having to quickly adapt to changes in legislation and advice.

Figure 6. Proactive volume comparison by year
NB Chart does not include jobs logged as Citywide or out of Manchester



- 3.9 In addition to requests for service and proactive work there are 2 key areas of programmed work in Housing and Food.
- 3.10 There are currently 2,123 Mandatory Licensed HMO premises in Manchester. All new applications for a Mandatory HMO Licence receive a pre-licensing inspection prior to a licence being issued, whereas existing licensed premises receive a compliance inspection within the licence period prior to a renewal licence being issued. In 2019/20 196 HMO properties were due a compliance inspection. All inspections were completed within the year. 73 pre-licensing inspections were outstanding at the time of lockdown, the team have inspected 23 of these properties. Virtual inspections have been piloted and are useful in certain circumstances, however, a physical inspection is more appropriate for pre-licensing inspections, as on most occasions, it is the very first time an officer has visited the property. The team has also made use of photographic and video evidence to confirm repairs have been carried out effectively. To date 50 pre-licensing inspections are being worked through.
- 3.11 The annual programmed inspection of food businesses is one of the largest demands on the team. In 19/20 there were 5119 food premises on the City Council's database. For 19/20 just over 4,000 premises were due an intervention which included approximately 834 newly registered food businesses. Levels of compliance among food businesses remain high with 93% of food businesses rated in Manchester within the broadly compliant category.
- 3.12 This aspect of the food team's work is vitally important as Manchester establishes itself as one of the UK's most exciting culinary destinations. The team's priority is to ensure good quality compliant food premises that contribute to the City's reputational success and economic growth.

3.13 The team continues to work to protect people with food allergies and ensure these individuals can purchase food safely. Voluntary Stop Agreements (VSA) are used when businesses cannot sufficiently demonstrate they can produce food safely. A VSA is a signed agreement that the food business will not serve customers who have a food allergy until they can demonstrate that the correct procedures are in place to enable them to do so safely. The introduction of increased resource to the team, was in part, to increase the level of formal enforcement in relation to non-compliance with allergen regulations, however the COVID pandemic has, for the time being, re-directed these resources as outlined in Sec. 8.0 of the report.

Figure 7. Enforcement actions 18/19 and 19/20

Enforcement Actions	2018/19	2019/20
Stop Agreements	571	526
Voluntary Closure	34	62
Seizure, detention & surrender of food	0	1
Prohibition Orders & Emergency prohibition Notices	2	3
Improvement Notices	3	3
Written warnings	1575	1472
Prosecutions concluded	2	1
Totals	1616	1542

Case Study 6 - Pest Infestation enforcement action

On 31 January 2020 the owner of a takeaway in Baguley was sentenced to two months imprisonment, suspended for 12 months.

He pleaded guilty to seven offences including a major cockroach infestation based on an initial inspection which took place on 1 August 2018. Food Team officers visited the property, following an anonymous complaint, and carried out a food safety inspection. The inspection revealed an extensive cockroach infestation throughout the premises. There was also evidence of serious cross contamination issues with ready to eat foods at risk of contamination from raw chicken and a container of mayonnaise stored in a pool of raw chicken juices.

Officers found live cockroaches crawling on the serving counter, around the pizza delivery bags, on the floor around cans of drinks and on cooking equipment, such as the pizza oven. There were numerous dead cockroaches littering the floor all through the food storage rooms. Other serious food safety concerns were found including dirty equipment, such as the ice cream machine, the deep fat fryer and the fridges.

In addition to the successful prosecution, the Council was awarded full costs of £3,126.12.

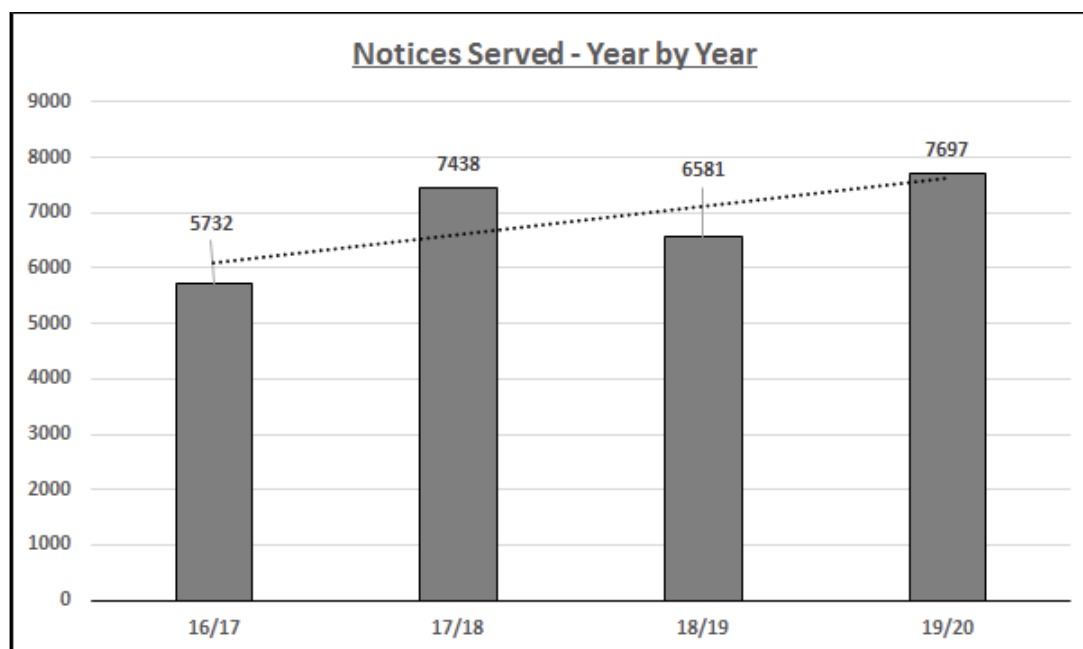
3.14 Due to the pandemic the Food, H&S and Airport team have had to re-assign resources to focus on infection control in the management of complex Covid-19

outbreaks affecting various business sectors around the City. Working with the Council's Public Health Team, Health & Safety Executive (HSE) and Public Health England (PHE) the team has provided advice in a number of complex and varied settings, including outbreaks in warehouses, large distribution centres and University Halls. This work has been extremely resource intensive with 6 Environmental Health Officers working full time on Covid-19 related referrals. This unprecedented period has called for a robust and prompt response from the Food team which will have an impact on programmed workload this year. Section 8. provides further information on the service's response to Covid-19.

4.0 Formal Enforcement Action

4.1 In line with the Corporate Enforcement policy and the Our Manchester approach in the vast majority of cases compliance is achieved through working with people and using informal means. However, where formal action is required to achieve compliance it will be taken. In 2019/20 7697 legal notices were served compared to 6581 in the previous year which is a 17% increase.

Figure 8. Notices served yearly comparison



4.2 Where a legal notice is served, as long as the person or business complies with the requirements of the notice, which may include discharging liability by paying a fixed penalty notice, no further enforcement action will be taken. There is a high degree of compliance with legal notices making them a successful tool. Due to the increased focus on commercial waste more businesses have been inspected and asked for proof of waste contracts. Where Compliance Officers have found businesses cannot provide evidence of a contract a section 34 EPA notice is served and the correct type off waste provision is put in place. Where a waste contract is in place, but the bin provision or frequency of collections is incorrect officers have been able to correct the situation without serving a

Section 47 EPA, which has meant a reduction in the number of these notices being served.

Fig 9. Top 5 Notice types served yearly comparison

Notice Type	18/19	19/20	%
EPA 1990 Sec.46 (Domestic waste)	2305	2269	-2%
Prevention of Damage by Pests Act 1949 Section 4 (Remove accumulation of waste that can attract pests)	540	1470	172%
FPN: EPA Sec. 87/88 - (Litter/ Fly-tipping)	1081	1181	9%
EPA 1990 Sec. 34 (Commercial waste – waste contract request)	408	542	33%
EPA 1990 Sec. 47 (Commercial waste – prescribing waste contract)	470	313	-33%
EPA 1990 Sec 80 (Noise)	302	308	-6%

4.3 In 2019/20 there is a marked increase of PDPA notices served compared to the previous year. This sharp increase is due to the increased proactive work the Neighbourhood Compliance Teams has carried out where they have found accumulation of waste that can attract pests (particularly if the waste consists of materials used by pests for bedding or provides them with a food supply). Of the 1470 PDPA notices served in 2019/20 1391 were complied with, 71 completed in default and costs charged to the perpetrator. 8 cases were referred to the Environmental Crimes Team to be taken forward for prosecution. As noted in 4.2 there is a high degree of compliance.

4.4 The Prevention of Damage by Pests Act 1949 is a good tool for dealing with accumulation and harbourage of waste on private land. It gives officers legal access to land and flexibility when serving, due to the varying compliance timelines that can be applied, i.e., 7, 14- or 28-day compliance periods can be stipulated on the notice for clearance by the landowner appropriate to the type and scale of the waste found. The table below shows the breakdown of PDPA notices served across the city compared to the previous year. North increased by 247%, Central by 19%, City Centre by 25% and South by 271% which is in keeping with the increased proactive activities in these areas. PDPA is used more extensively on private untidy land which is more common in the North and South areas. Central RFS for waste tend to be more concentrated on Domestic and Commercial waste dealt with by alternative legislation.

Fig 10. PDPA notice comparison by area

	North	Central	City Centre	South	Total
18/19	184	191	4	161	540
19/20	639	228	5	598	1470

Case Study 7 – PDPA

In August 2019 the North Neighbourhood Compliance Team received complaints regarding large amounts of waste in the rear yard of a private property in Moston.

Officers carried out a site visit and found the rear yard to be full of waste and miscellaneous items that if left could provide attraction or harbourage to rats or mice. A 7-day legal notice was served under the Prevention of Damage by Pests Act 1949 requesting that the owner cleared all the items from their property.

The serving officer was contacted by the property owner 2 days after service of the notice stating that they had cleared the rear yard of all items and complied with the notice. The serving officer returned to the premises the next day to ensure all work stipulated within the notice had been complied with by the owner, this was confirmed, and the case closed.

- 4.5 Where notices are contravened or where cases are of a more serious nature more formal enforcement action including prosecutions will be pursued. Figure 9 shows the number of successful prosecutions across all Compliance & Enforcement Teams. In 18/19 1061 prosecutions were carried out. In 19/20 a total of 1612 prosecutions were concluded by the service. The main increases were prosecutions for littering which increased from 717 to 1187 (66%), Fly-tipping prosecution which increased from 225 to 325 (44%) and prosecutions in relation to microchipping of dogs, 4 to 12 (200%). Figure 11 shows the number of successful prosecutions and results achieved in the year.

Fig 11. Number of successful prosecutions 2019/20

Prosecutions types 2019/2020	No. of Prosecutions	Total fines /charges /outcomes
Fly-tipping	325	£182,692.00
Commercial Waste Duty of Care – (Waste transfer/ escape of waste) EPA 1990 Sec. 33 /34	12	£34,650.00 and 1 x Community punishment order
Commercial Waste Duty of Care (Control of waste from the premises) EPA 1990 Sec 47	1	£1,140.00
Flyposting – Highways Act 1980 Sec. 132	2	£780.00
Littering prosecutions EPA 1990 Sec 87/88	1187	£327,079.00
Microchipping of dogs Regs 2015	12	£3,552.00
Breach of Public Spaces Protection Order (Dog Control)	1	£100.00
Food Safety & Hygiene Regs 2013 – (Pest infestation)	1	£3,126.12 and 2-month imprisonment suspended for 12 months
Local Gov. (MP) Act 1982	10	£2,544.00 and

		6 forfeiture of goods 1 x 18month conditional discharge
Local Gov. (MP) Act 1974	1	£1,000.00
Health Act 2006 Sec. 8 - Smoking	2	£3,442.00
Trademarks Act 1994	13	£26,005.00 and 7x forfeiture of counterfeit goods 3 x Suspended sentence 1 x Curfew
Tobacco and related products Regs 2016	4	£2,508.00 and 2 x forfeiture of goods
Criminal Justice Act 1988	4	£8,570.00
Criminal Behaviour Order	1	£346.00 1 x forfeiture
Toy Safety Regs 2011	3	£5,820.00 and 3 x forfeiture of goods
Civil Penalty - Breach of HMO Management Regulations	4	£65,000.00
Civil Penalty – Non-compliance with Improvement Notice	4	£47,350.00
Civil Penalty – Breach of HMO Licensing	4	£45,500.00
Civil Penalty – Operating a HMO without a licence	8	£61,850.00
Civil Penalty – Failure to obtain a Selective Licence	6	£22,500.00
Illegal Street Trading	7	£5,414.00
Grand Total	1,612	£850,968.12

5.0 Waste – Fly-tipping Demand

- 5.1 The Committee requested a breakdown by ward of the number of fly-tipping cases received by month with comparisons against the previous year's figures. This is contained in appendix 1 (Fly-tipping related RFS categories include untidy private land, fly-tipping, domestic waste offences and Biffa jobs). Please note, these are flytipping cases referred for investigation and does not include those incidents that are removed by Biffa.
- 5.2 A total of 8277 fly-tipping related cases were resolved by the service in 2019/20 compared to 8502 in the previous year. The chart below shows the number of flytipping related RFS the service received compared to previous years. Each year follows a relatively similar trend with a decline from July towards December and sharp increase in January, declining sharply again into February and March. Traditionally there has always been a spike in fly-tipping over Christmas and New Year linked to the increased waste created during these holiday periods.

Figure 12. Fly-tipping yearly comparison by month

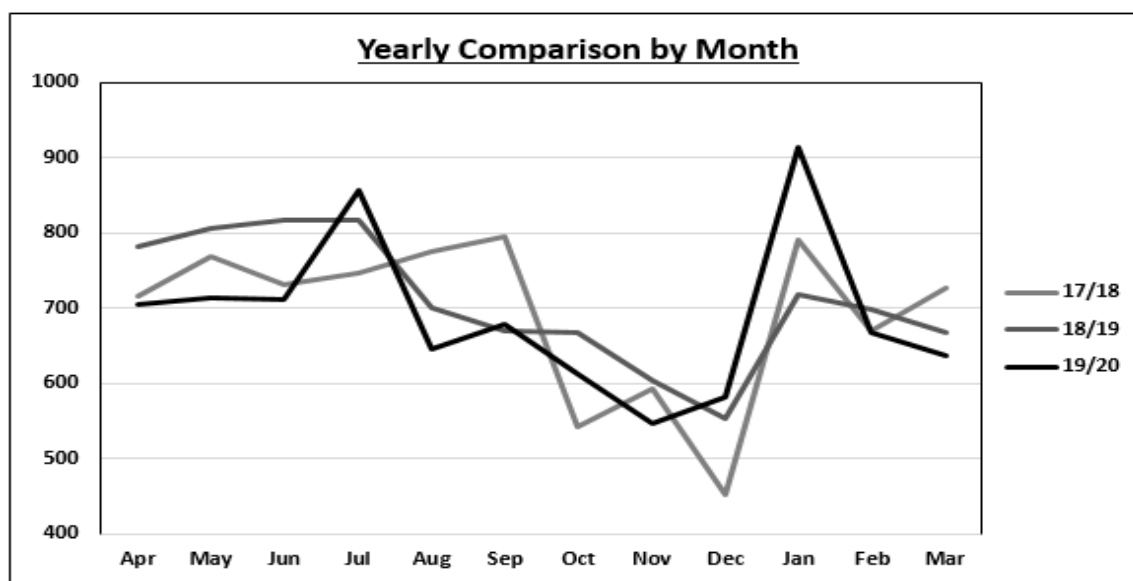


Fig. 13 Fly-tipping RFS received by area

The table below excludes jobs which are not linked to a specific ward across all years (17/18 - 3, 18/19 - 1, 19/20- 38). These are cases where the source of fly-tipping originated outside of Manchester or on the border of MCC boundary

	17/18	18/19	19/20
North	3333	3855	3906
Central	3145	2898	2641
South	1564	1584	1524
City Centre	271	164	168

6.0 Waste - additional investment

6.1 The Committee has also requested information on how the additional investment to tackle fly-tipping has been spent.

6.2 As part of the 2019/20 budget setting process additional investment of £500k was agreed to help towards tackling fly-tipping. The investment was spent in the following areas:

- CCTV **£30k** (Neighbourhood Compliance)
- Neighbourhood Compliance Officers **£110k** (Neighbourhood Compliance)
- Biffa Investigation Team - **£60k** (Waste & Recycling Team)
- Street Washing, Chewing Gum Removal, Beautification Projects and Additional Bin Washing, Target Hardening **£300K** (Waste & Recycling Team)

6.3 This update provides information on compliance activities, a detailed update on the other areas was presented to the Neighbourhoods & Environment Scrutiny Committee on 7th October 2020 as part of the Waste report (Section 6, para 6.8 and appendix 9)

CCTV

- 6.4 Part of this additional budget was used to fund a 2-year pilot scheme in July 2019 for the introduction of 8 overt mobile CCTV cameras and 6 concealed cameras to be deployed across the city. Concealed CCTV cameras can be placed in more remote locations where fly-tipping is taking place. These additional cameras have proved to be of great benefit in helping to tackle fly-tipping both as a deterrent and capturing the perpetrators.
- 6.5 Since the pilot started a total of 96 cases have been passed to the Neighbourhood Project Team and Environmental Crimes Team to investigate and wherever possible taken forward for prosecution. Not all cases can be progressed due to a lack of evidence i.e., illegal cloned number plates in use or the vehicle being unregistered with DVLA.
- 6.6 No prosecutions have taken place since March as the Magistrates Courts were closed during lockdown and now have a large backlog of cases. The courts have had to prioritise their workload, but dates are now being set and there are 4 pending cases going to trial.

Case Study 8 – Fly-tipping (Harpurhey)

Kingsbridge Road leads down to a small industrial estate hidden from public view and has, over a prolonged period, suffered from prolific fly-tipping incidents. Burning has also taken place and both GMFRS and GMP have been called out on a regular basis. A decision was made to place concealed cameras at this location.

Within the first 2 months, 5 separate incidents of fly-tipping and one case of littering were recorded, and evidence gained. The type of fly-tipping ranged from domestic waste from the rear of a car boot to large scale builder's waste.

3 Cases have sufficient evidence to pursue further action - one perpetrator who had been caught fly-tipping approximately 13 bags of household waste from his vehicle was questioned under PACE and admitted the offence, this case is with legal services for prosecution at Magistrates Court.

Another incident involved a van disposing of builders' waste, further investigations are taking place with the owner of the vehicle who is denying committing the offence, a case is now being compiled to take this case forward for prosecution. The third case involved, a car owner and his passengers who were witnessed littering, throwing their takeaway waste from the vehicle at this location, a £120 fine was issued to the registered owner of the vehicle. The area Neighbourhood Compliance Team has liaised with owners of this industrial estate on improvements, they could make to deter flytipping and an electronic closing gate has now been fitted. To date no further reports of fly-tipping have taken place at this location.

Commercial Waste Compliance Officers

- 6.7 2 Neighbourhood Compliance Officers have been funded from this additional resource since July 2019, to conduct programmed inspections of businesses to ensure appropriate and sufficient arrangements are in place to dispose of commercial waste.
- 6.8 This additional resource supports the Citywide Neighbourhood Compliance Teams to concentrate on problematic areas throughout Manchester. The team of two works closely with partners, Neighbourhood Teams and the Environmental Crimes Team to take action where businesses are operating illegally without commercial waste contracts, also known as a Duty of Care.
- 6.9 Figure 14 shows the work undertaken by this team. A total of 30 projects were carried out across the City between July 19 – March 20 with 562 premises visited for inspection, 225 legal notices served and a total £24,000 received in FPN fines during the 9-month period. 8 cases in total were referred to legal services. These cases take some time to get to court and have further been impacted by the closure of court as a result of the Covid-19 pandemic.

Figure 14. Overview of compliance and enforcement actions taken in relation to commercial waste projects

	(a) No. 14 day Demand Notices Sent	No. of Properties visited - initial inspection	No. Properties found non-compliant	(b) No of S34 Notices served	(c) No of businesses sent S34 offer letters	(d) No. of S34 Fixed Penalty Notices Served by NPT	(e) ECT referral from NPT (further action)	(f) No. of S34 Fixed Penalty Notices Served by ECT	(g) No. of S34 case referred to Legal Services by ECT
Q2	150	210	86	89	19	12	12	3	2
Q3	175	229	74	75	47	24	41	10	3
Q4	284	123	25	61	28	8	17	6	3
Tot.	609	562	185	225	94	44	70	19	8

Key:

(a) DEMAND NOTICES - Formal request to submit waste contract

(b) S34 NOTICES: Legal notice under the Environmental Protection Act imposes a duty of care on anyone who produces or handles waste to take reasonable steps to ensure that waste is managed properly.

(c) S34 FIXED PENALTY NOTICE OFFER: Sent when a business has not replied or no contract in place

(d) S34 FIXED PENALTY NOTICE: Issued when a S34 Notice is breached. The S34 FPN carries a £300 Fine SERVED BYNPT

(e) REFERRAL TO ENVIRONMENTAL CRIMES TEAM for non-compliance

- 6.10 As a result of this work there have been significant improvements to the overall waste management along key arterial routes and other key thoroughfares including Cheetham Hill Road, Levenshulme Road, Dickenson Road, Stamford Road, Princess Road, Stockport Road and Sale Road. The majority of businesses have been very responsive and welcomed the activities carried out by officers. It is key for the Council to work with stakeholders providing help and advice whilst carrying out enforcement against those who act in an irresponsible manner.
- 6.11 It is vital to build upon the work we have carried out so far. The initial stages of establishing the project have been time consuming but all the processes and procedures are now in place. This type of work has improved communication between the council and local businesses. Investing in working relationships with stakeholders is key to improving our communities.
- 6.12 The following case studies are examples of the type of work undertaken and the positive outcomes that can be achieved.

Case Study 9 - Commercial Waste Project (Cheetham)

Cheetham Hill Road is a main route into the city and had a range of waste related issues blighting it including commercial fly-tipping, abuse of public and domestic bins by businesses as well as inadequate storage of cardboard and waste.

The programme of work focused on commercial businesses including mixed retail, banking, accountancy, takeaways, hair and beauty, leisure, shisha shops, places of worship, storage units, car washes and vehicle hire.

Prior to visiting the Compliance Officers ensured every business had a valid waste contract in place and could provide documentation, for a minimum of 6 months, If documentation could not be provided on the visit a s.34 EPA notice was served. For businesses which already had a valid waste contract in place, officers would ensure that the volume of container(s) were suitable, the amount of collections adequate and the storage of the container was appropriate with no build-up of side or overflowing waste. If the business was non-compliant a referral was made to the area Neighbourhood Compliance Team to serve a s.47 EPA notice on business owner(s) to ensure compliance and monitor the ongoing situation. Officers would also look at, rear yards/land of business to ensure no build-up of waste or inappropriate storage of goods. Officers also reported any other issues found relating to the business e.g., Planning breaches, Trading Standards, Food hygiene issues witnessed. Relevant information and intelligence is shared amongst compliance officers to avoid duplication and progress the project efficiently.

A total of 210 commercial businesses were visited of which 67 resulted in service of legal notice to produce their commercial waste contracts, also known as 'Duty of Care'. Each business found to be non-compliant had further action taken for non-compliance including FPNs or referral for possible prosecution. Our contractors Biffa have also been providing evidence and information in relation to businesses not managing their waste correctly.

The project has ensured that the businesses have an appropriate waste contract in place and that there is no escape of waste. The programme of visits has helped achieve a cleaner environment to live and work in, with significant changed behaviours of business owners and their staff, which will include taking greater responsibility in keeping the area clean and litter free, reporting directly any issues and improved recycling.

Similar projects with equally positive outcomes have taken place across the city.

Case Study 10 - Commercial Waste Project (Didsbury West)

Background

The block of shops with flats above at 124-142 Burton Road, was identified as a priority/significant hotspot by the South Neighbourhood Team, in consultation with Ward Councillors and the South Neighbourhood Compliance Team.

It was suspected that some of the businesses may have been trading without adequate waste contracts in place as commercial waste was found in the alleyway. There were numerous complaints about commercial and domestic bins left out on Cavendish Road causing an obstruction for pedestrians. It also appeared that the residential flats above the shops were not managing their waste as domestic bins were left overflowing and recycling bins contaminated. These issues led to significant problems with waste mismanagement in the alleyway.

Compliance Officers carried out waste contract checks on the commercial businesses and served enforcement notices where the businesses were not acting appropriately around their waste disposal, this included businesses who were leaving their bins out on Cavendish Road.

The Neighbourhood Team worked jointly with the Compliance Officers to carry out the necessary checks on the flats, checking waste disposal provision was in place and ensuring occupiers were aware of their responsibilities. Both teams reported abandoned or contaminated domestic bins to Biffa which were removed. The main aim was to ensure that the general environment around the alleyway was improved for residents, with reduced fly-tipping & promote better waste management.

Outcomes:

- 22 commercial premises visited in total
- 16 commercial premises have produced valid waste contracts
- 6 Section 34 Notices served and now complied with
- Neighbourhood Team have visited all the residential properties above the commercial premises and carried out education work with the residents

Since the project has ended, there have been significant improvements to the overall waste management from the businesses and residents in the flats. The alleyway is now less cluttered as each business now has one general waste container. Officers

have seen a visual improvement to the alleyway as there are no overflowing bins, no oil debris around drains, no kegs being stored in the alleyway and bins are not being left at the end of the alleyway for numerous days at a time.

Target hardening

- 6.13 'Target hardening' means installing physical deterrents that make a fly-tipping location harder to access or less desirable (such as bollards, barriers and beautification). A framework has been developed to determine how this element of the funding is used and the Neighbourhood Compliance Officers have been heavily involved in the consultation and recommendation of suitable sites across the City (City Council land or highway). All schemes receive senior manager approval. The following case study illustrates the type of scheme being undertaken:

Case Study 11 – Fly-tipping, Bilbrook Street, Piccadilly

Following a number of large fly tipping incidents in this location, Section 33 fixed penalty notices were issued in September and October for cases where evidence had been found. There were a number of incidents where large amounts of waste from Cannabis growers were deposited at this location as well as approx. 30 full containers of medical sharps, none of which contained any evidence that would enable the perpetrator to be identified.

With the help of Redgate and Biffa, City Centre LOOH Compliance Officers cleared this area on a number of occasions and because of the frequency of these issues a request for CCTV was approved and fitted along with bollards and barriers which have significantly reduced the number of fly-tipping incidents in this location

7.0 LOOH Demand during lockdown

- 7.1 The Committee requested information on the number and nature of requests to the Out of Hours service during the Covid-19 lockdown period. The date range used to extract data is from the 23rd March 2020 to the 4th July 2020. Data by ward is provided in appendix 2.
- 7.2 The LOOH service City wide and City Centre Teams received a total of 2,255 RFS in the lockdown period (Fig.15). The breakdown of the categories is as follows: Noise including commercial and domestic noise, licensed premises, street and construction noise 1788 (79%). Licensing includes assessments of temporary event notices, licence renewals, table and chair licences, variations of licences and licence suspension 174 (8%). Environmental issues include flyposting and Light pollution and any visual disamenity. In the main these are predominantly flyposting complaints in the City Centre 87 (4%). Covid-19 is a new code category which covers requests for service in relation to businesses' adherence to Covid-19 regulations 94 (4%). Jobs include, social distancing concerns lack of PPE, and advice to businesses. This code was newly

introduced during lockdown so does not accurately reflect all the work carried out since the beginning of lockdown. Waste includes commercial waste offences, fly-tipping and untidy private land within the City Centre 48 (2%). Street based activity includes street-based trading activities 36 (1.5%). Highways includes obstructions to the footpaths, verges or road within the City Centre 19 (1%). Air quality includes odour, idling emissions, dust grit and smoke and smoking complaints 6 and Illegal encampments within the City Centre 3.

Figure 15. volume of RFS received by LOOH team during lockdown period

RFS Category	Central	City Centre	North	South	Grand Total
Noise	366	215	543	664	1788
Licensing	14	99	18	43	174
Covid-19	20	10	23	41	94
Environmental Issues	2	85			87
Waste Related	1	43	4		48
Street Based Activity	10	11	5	10	36
Highways		19			19
Air Quality		6			6
Illegal Encampments		3			3
Grand Total	413	491	593	758	2255

7.3 As expected, the largest proportion of jobs received during the period were in relation to noise. Fig.16 compares the number of noise jobs received as compared to the same period last year. In 2019, 1498 noise jobs were received compared to 1788 jobs received in the same period of 2020. That is an increase of 19%. The table below is a breakdown of noise types received from the 23rd March 2020 – 4th July 2020 as lock down began to ease for certain premises. Figures are compared to the same period in the previous year.

Figure 16. Noise jobs breakdown received during lockdown compared to same period previous year

Noise Type	2019	2020
Alarms	8	27
Barking Dogs	108	133
Commercial	156	74
Construction	156	157
Domestic	805	1307
Licensed Premises	172	12
Other	37	34
Street Noise	5	4
Street Works	0	1
Student Noise	51	39
Grand Total	1498	1788

7.4 The most notable observations are the 62% increase in domestic noise and significant 93% reduction in licensed premises noise. These results are not surprising as they are a direct result of residents spending considerably more time in their homes leading to a significant increase in noise complaints and many licensed premises were forced to close resulting in a significant reduction in the number of complaints during this period.

7.5 Fig.17 shows the North and South of the city had the biggest increases in noise RFS and by far the category of noise with the biggest increase was domestic noise. North increased from 201 to 402 (100%) the South from 338 - 512 (51%). Central 208 to 296 (42%) and City Centre 58 to 97(67%)

Figure 17. Noise jobs received during lock down period by area as compared to same period previous year

	Central		City Centre		North		South	
	2019	2020	2019	2020	2019	2020	2019	2020
Noise	318	366	306	215	341	543	533	664

7.6 Fig.18 and Fig.19 shows a ward-by-ward breakdown of noise jobs received for the highest volume areas - The North and South of the City.

Figure 18. Noise jobs received in the North during lockdown by ward, compared to previous year.

NORTH	18/19	19/20
Ancoats & Beswick	78	107
Miles Platting & Newton Heath	41	102
Higher Blackley	26	61
Cheetham	32	54
Moston	39	54
Harpurhey	32	52
Clayton & Openshaw	49	52
Crumpsall	17	40
Charlestown	27	21
Grand Total	341	543

Figure 19. Noise jobs received in the South during lockdown by ward, compared to previous year.

SOUTH	18/19	19/20
Withington	99	111
Old Moat	62	81
Fallowfield	62	41
Whalley Range	40	59
Didsbury West	37	53
Baguley	35	44

Chorlton	33	31
Woodhouse Park	31	34
Brooklands	28	33
Burnage	28	42
Chorlton Park	27	36
Northenden	21	36
Sharston	16	31
Didsbury East	14	32
Grand Total	533	664

7.7 In addition to the demand received during the lockdown period as outlined above, the LOOH team supported the City Councils Covid-19 response by carrying out proactive compliance inspections on licensed premises alongside Environmental Health Officers within the Food, Health & Safety and Airport teams and supported the wider council humanitarian response to covid. This will be discussed in more detail in Section 8.0 Covid-19 Response.

8.0 Covid-19 Response

- 8.1 LOOH Team - During lockdown the LOOH Team continued to operate proactively during the amended hours of 8am to 6pm, 7 days per week. Activities covered waste and environmental crime alongside the Licensing Officer remit including noise and compliance with Covid-19 Secure Regulations including ensuring non-essential shops were not operating and that those who continued to operate were doing so within the regulatory framework.
- 8.2 As lockdown was eased hours were increased to better manage the night-time economy sector that had begun to reopen. During this time restrictions remained in place for several types of Licensed premises, in particular night clubs. The LOOH team actively monitored these premises and identified 5 licensed premises operating as a nightclub whilst nightclubs were prohibited from operating. All five were served Coronavirus Restrictions Prohibition notices and 4 premises complied with these. One premises did not and a review of this premises' licence was submitted which resulted in the Committee revoking the licence
- 8.3 Between the 23rd March 2020 – 4th July 2020, 1,234 separate LOOH visits and observations were conducted to monitor closures and check compliance with social distancing measures in premises allowed to open
- 8.4 Food, H&S and Airport Team and Trading Standards - During the first lockdown both teams enforced the business closure restrictions alongside LOOH, with Neighbourhood Compliance Teams helping to triage cases. The Food, Health & Safety, Airport Team also led on providing health and safety advice in relation to those premises allowed to stay open. During the first lockdown Trading Standards were involved in preventing import of unsafe PPE, responding to complaints in relation to unsafe sanitiser and price hikes of such products. The teams dealt with:
- 355 complaints relating to business closures not being complied with

- 263 complaints relating to social distancing within premises allowed to open, 46 requests for advice from businesses
- 286 complaints to trading standards including safety of PPE, hand sanitiser and price hikes
- 419 businesses provided with advice on closure requirements and social distancing measures
- 35 prohibitions served in relation to premises opening when they should be closed (vast majority related to Strangeways area)

8.5 Resource in the Food, Health & Safety Team quickly became involved in managing outbreaks, clusters and cases of Covid-19 in business premises and workplaces. This work is aligned with the public health response to Covid-19 and six officers and one team lead continue to be dedicated to this full time. Four officers within the team are now dedicated to Covid-19 secure work in business premises, providing advice, carrying out visits and taking enforcement action where necessary. Five agency staff have been brought in to bolster resource within the team.

Case Study 12 – Covid-19 outbreak control

Environmental Health Officers from the Food Team were involved in a Covid-19 outbreak at a mail sorting office with a workforce of over 800 staff. The workforce live across GM and beyond.

After becoming aware of 20 positive cases amongst staff at the site, mass testing was agreed at an Outbreak Control meeting, arranged to establish potential asymptomatic staff who could be spreading infection on site. A mobile testing unit was set up to be on site over 3 days.

Outbreak Control meetings were arranged chaired by Environmental Health to include, MCC Public Health, Public Health England, the business and MCC comms. Officers also carried out site visits and gave advice to the business to improve Covid-19 controls.

Following mass testing, a total of 39 cases were established across a variety of roles and shifts between 28th July and 13th August. At least 77 Contacts were identified and told to self-isolate.

Advice and mass testing undoubtedly helped to stop the outbreak. Many staff who tested positive following mass testing were asymptomatic and as such could have spread the infection further completely unaware.

Case Study 13 – Covid-19 outbreak control

Environmental Health Officers were involved in responding to a Covid-19 outbreak amongst students in privately owned student accommodation.

The accommodation can accommodate around 5000 students from various universities/colleges. The potential for any outbreak to reach far into the student

population and into the local community from such accommodation blocks is significant.

Site visits were carried out by officers to certain accommodation blocks and advice given to improve Covid-19 controls. Advice was also given to the accommodation provider on how to improve their student self-isolation notification app and also how to better liaise with Universities/Colleges to ensure that students were suitably supported to self-isolate.

Outbreak Control Meetings were held involving Environmental Health, MCC Public Health, PHE, the business, Comms, Universities/Colleges.

A mobile testing unit was arranged to be on site for students to easily access testing. This helped to ensure that asymptomatic students who could be spreading infection self-isolated. 193 students conducted a test. 31 students tested positive.

The outbreak control meetings helped to ensure that accommodation providers/universities/colleges/students were aware of requirements and that suitable support networks were in place for students to enable them to properly self-isolate.

Case Study 14 – Seizure of non-compliant PPE

Trading Standards were notified by UK Border Force at Manchester airport of a consignment of 50,000 surgical face mask which had been imported by a limited company with an address in Manchester. Examination of the packaging revealed a spelling mistake. The masks were described as 'comfortagle'.

As they were surgical masks, it was important they did not mistakenly enter the NHS supplies and the consignment was referred to the Medicines and Healthcare products Regulatory Agency (MHRA) who seized the masks on the basis that there were no manufacturers details on the packaging, meaning that compliance could not be verified. In addition, a search on Companies House found that there was no such limited company listed.

- 8.6 During lockdown, food hygiene visits were restricted to those essential to protect public health. Work to complete the food programme is starting to increase, with inspections allocated to internal officers and external contractors. Due to pressures on resource and the inability to access many businesses for several months of the year, as they were closed during lockdown, it is unlikely that the full food programme will be completed this year, however resources are being directed to completing inspections in higher risk businesses to safeguard the public as far as possible.
- 8.7 Neighbourhood Compliance Teams – During the early part of the lockdown period the work of the Neighbourhood Project Team was temporarily suspended, and the staff were redirected to work on triaging business compliance complaints and carried out initial visits to premises to assist Environmental Health colleagues in the Food and Trading Standards Teams.

- 8.8 Once the suspension was lifted, Neighbourhood Compliance Teams were able to fully operate dealing with requests for service and proactive visits to sites. Activities covered waste, environmental crimes and compliance with Covid-19 secure Regulations including ensuring non-essential shops were not operating and that those who continued to operate were doing so within the regulatory framework, in total 261 RFS were received. Officers also worked in partnership with GMP in patrolling the city's parks and leisure areas ensuring people were adhering to the social distancing measures
- 8.9 Compliance Support Officers from the Compliance Support Team and the Housing Compliance Team are currently involved in the Level 2 Locally Supported Contact Tracing programme (LSCT). This is an additional intervention to the national mass contact tracing programme. Covid-19 positive cases that are not contactable within 24hrs through the National system are referred to LSCT.
- 8.10 The Compliance Support Officers work in an "Explorer" role which entails carrying out detailed checks against Council systems to verify/identify additional contact details for residents who have tested positive for Covid-19 and need to be contacted to be told to self-isolate. Cases which are checked by the Compliance Support Officer are referred daily, 7 days a week, to NHS Colleague's in the Covid-19 Acute Response Team who will make further attempts to contact residents using the updated contact information.
- 8.11 18 Compliance Support Officers have been trained in the explorer role. And are providing this additional service on an overtime basis 7 days a week from the 4th September 2020 -15th October 2020 officers processed over 1983 jobs at an average of 50 jobs a day. This has been an extremely valuable addition to our local contact tracing role enabling hard to reach people to be contacted.
- 8.12 In addition to above, CST ensure complaints in relation to businesses not adhering to Covid-19 regulations are directed to the correct team to enable them to be dealt with quickly. Complaints range from lack of social distancing on the premises to lack of PPE and businesses opening when they should be closed. To date 1186 Jobs have been received and allocated to the correct team for further action.

9.0 Conclusion

- 9.1 It can be seen from the report that during 2019/20 the Compliance and Enforcement service undertook a wide range of work, some of which has built on existing functions such as commercial waste, and others such as preparations for transition from the EU and latterly the Covid related work. The teams have shown that their greatest strength has been their ability and agility to adapt to changing circumstances and priorities, and to always ensure that the greatest risk to public health is addressed, whether that be from waste; noise; product safety; imported food or infectious disease. This has meant changes in the nature of work, hours of work and focus, particularly in relation to the ever-changing regulatory and epidemiological landscape in which we currently operate. Where priorities have had to change, teams have continued to monitor

and assess the impact on these areas of work. The value of proactive work and the relationships established through this has been really beneficial in enabling widespread compliance to be achieved, across a range of sectors, which has been invaluable in these times of great change, we are currently experiencing, where businesses are having to quickly adapt to changes in legislation and advice.

- 9.2 There is no doubt that the impact of COVID-19 will change throughout the coming year and the service will further adapt and develop to meet these challenges as well as ensuring that we are able to provide services to the public that we always have.