

East Herts Council Report

Licensing Committee

Date of meeting: 19/03/2025

Report by: Councillor Sarah Hopewell, Executive Member for Wellbeing

Report title: Environmental Health Regulated and Licenced Activities
Performance Update

Ward(s) affected: All

Summary – The council’s Licensing Committee’s remit, as laid out under paragraph 6.5.2 of the council’s Constitution, includes to *‘address issues relating to the registration and regulatory [oversight] of... food premises’*. Thus, this report presents an overview of the regulated and licenced activities undertaken by Environmental Health in relation to food premises. While not within the remit of the Licensing Committee, to aid members’ understanding of the delivery of the wider range of services across Environmental Health, information pertaining to other activities licensed by the team is also included.

RECOMMENDATIONS FOR Licensing Committee members:

- a) consider and scrutinise the performance of Environmental Health with regards to regulated and licenced activities pertaining to food premises and pass any comments to the Executive Member for Wellbeing for consideration
- b) consider the performance of other activities regulated and licenced activities by Environmental Health and pass any comments to the Executive Member for Wellbeing for consideration.

1.0 Background

1.1 The council’s Licensing Committee’s remit, as laid out under paragraph 6.5.2 of the council’s Constitution, includes to *‘address issues relating to the*

registration and regulatory [oversight] of... food premises'. For contextual purposes, information on other Environmental Health functions is also included, although the Licensing Committee's remit does not extend to address issues relating to these other services.

- 1.2 Thus, this report will principally review the council's activities relating to food premises, with other activities included for context. While the Environmental Health team issues licences, registrations and permits on behalf of the council, for brevity, these will collectively be referred to herein as licences, though each has the following distinct meaning:
- a) **Licence** – an official permission granted by the council that allows a person or entity to engage in a particular activity. These typically require meeting certain qualifications, standards or criteria
 - b) **Registration** – an official recording or listing of a person or activity with the council. This process is mandatory for tracking, identification or legal purposes.
 - c) **Permit** – a formal permission that allows a company to undertake specific activities that would otherwise be restricted. Permits are issued for activities that may impact the environment.

2.0 Environmental Health overview

- 2.1 While this report is focused on activities which the Environmental Health are required to licence, it is important to put this work into context. Within the council, Environmental Health covers a wide range of statutory public health functions; ranging from the air we breathe, the food we eat and the water we drink to the wider impacts on health derived from poor air quality or poor housing conditions.
- 2.2 **Appendix A** lists the functions undertaken by the three constituent teams within Environmental Health – commercial (pertaining to business activities), environment and residential.
- 2.3 The Chartered Institute of Environmental Health (CIEH) in their latest workforce survey, the findings from which were published in 2021, identified that that across local authorities there is a shortage of environmental health staff, with 56% of local authorities reporting they

have had vacancies left unfilled for six months or more. The full survey can be found on the [CIEH website](#).

- 2.4 East Herts Council is not immune to the challenges faced by Environmental Health services up-and-down the country; we have struggled to recruit and retain staff, for example one of our Technical Officer (Commercial) posts has been vacant for the past four months simply because of the paucity of suitably qualified and experienced officers in the jobs market.
- 2.5 To help combat the paucity of suitably qualified and experienced officers in the jobs market the council has two Technical Officer (Commercial) posts which have been occupied by two 'trainees'.
- 2.6 Operating with a high number of vacancies / trainee posts has a significant impact on the team's performance and ability to deliver statutory services. To help mitigate some of these risks, we tend to use underspends arising from vacancies to fund temporary agency cover. We match agency spend to underspend in the staffing budget so as not to incur overspend pressures.

3.0 Summary of licences issued by Environmental Health

3.1 The table below provides a summary of the licences issued by Environmental Health, the type of licence, their duration and the current number of licences issued by the council. The table demonstrates that food premises licences are by far the large single area of licensing activity within the service. For comparison the table includes the figures at the time of the last report to Licensing Committee.

Licensable activity	Licence type	Licence duration	Number as of 20/09/24	Number as of 04/02/25
Food premises <i>See paragraph 4.2</i>	Registration / Approval	In perpetuity	1,658	1,592
Skin piercing <i>See paragraph 5.2</i>	Registration	In perpetuity	485	546
Houses in multiple occupation	Licence	Up to 5 years	102	106
Animal activities <i>See paragraph 5.3</i>	Licence	Up to 3 years	60	57
Environmental permits <i>See paragraph 5.4</i>	Permit	In perpetuity	34	34
Mobile homes sites	Licence	In perpetuity ^[1]	11	11
Cooling towers	Registration	In perpetuity	6	7
Dangerous wild animals	Licence	Up to 2 years	1	1
Zoos	Licence	Up to 6 years	1	1
Camp sites	Licence	In perpetuity ^[1]	0	0

^[1] Or until planning permission for the site expires.

3.2 Some of the licensable activities listed in the table in paragraph 3.1 have been grouped together, based on their similarities. Where this is the case additional tables have been included in the following paragraphs expanding these groupings.

4.0 Food hygiene interventions

4.1 As noted above, the Licensing Committee has a specific remit within the council's Constitution with regard to activities relating to food premises.

4.2 Food businesses need to be registered with the council. In addition, certain businesses which process meat, fish or animal products will need approval and are subject to additional regulatory control. The table below shows the number of different businesses in the district under categories used by the Food Standards Agency (FSA).

Category of food premises	Number as of 04/02/25
Restaurants and catering	1,183
Retail	325
Manufacturers and packers	40 ^[2]
Distributors and transporters	24
Primary producers	14
Importers and exporters	6

4.3 As set out in the report received by the Licensing Committee on the [22 October 2024](#), following a focused audit by the FSA, the council was placed on 'Stage 1' of the FSAs four-stage performance improvement process (PIP) in February 2024, which resulted in the council drawing up an action plan to address the shortfalls. The action plan was agreed by the FSA who subsequently de-escalated the council and committed to scrutinise our progress against the action plan.

^[2] Figure includes three approved premises consisting of two dairy products producers and one meat products producer.

- 4.4 In order to address the backlog of food premises inspections and thus recover acceptable performance levels, the council has appointed several temporary contractors to accelerate the rate of food hygiene inspections.
- 4.5 The action plan, together with an update on progress against each action, can be found in **Appendix B**. Of the 21 actions within the action plan, 12 have been completed, six are on track to be completed within target times, two have been delayed and one has missed its target.
- 4.6 The missed target relates to the backlog of the category 'C' premises. The backlog of inspections was due to be cleared by the end of December 2024, however one premises remains overdue for their inspection. This premises is a seasonal business who is not currently trading. This business will be inspected later in the calendar year when trading again.
- 4.7 To reassure members, it is worth noting that the delayed actions do not relate to a customer-facing issue, it is concerned with training officers on the new performance monitoring software and a review of the service.
- 4.8 **Appendix B** shows that that while good progress is being made to recover the inspection plan and gain performance data on the service, we are yet to identify how best to maintain the performance gains. As part of the council's ongoing budget reviews and transformation work, officers are considering how best to ensure another backlog does not build up once the additional short-term injection of resources come to an end.
- 4.9 The next report to the FSA on the performance of the food safety and hygiene service is due in April 2025. In light of the recent audit, we expect this return to be closely scrutinised by the FSA.

5.0 Overview of other activities regulated and licensed by Environmental Health

- 5.1 As set out in the report received by the Licensing Committee on the [22 October 2024](#), the Environmental Health team are still producing reports to allow the council to extract meaningful management information relating to the licences it produces, which is why the information in this section is limited to a count of licences rather than how many were licences within target times.

- 5.2 ***Skin piercing activities*** - These activities include ear piercing, tattooing, acupuncture and electrolysis. To operate a skin piercing businesses both the business and the skin piercer need to be registered with the council. The table below shows our current registrations.

Type of skin piercing registration	Number of premises as of 04/02/25	Number of operators as of 04/02/25
Acupuncture	44	73
Cosmetic piercing including ear piercing	37	95
Derma-rolling	2	2
Electrolysis	16	18
Microneedling	7	12
Semi-permanent skin colouring	64	72
Tattooing	45	59

- 5.3 ***Animal activity licences*** - This covers a range of different activities. The table below breaks these down into each type of activity, not the number of premises who operate these licences; a premises may operate with more than one licence type.

Type of animal activity licence	Number as of 04/02/25
Animal boarding (dogs)	20
Animal boarding (cats)	11
Animal boarding (home boarding for dogs)	7
Riding establishments	5
Animal boarding (day care for dogs)	4
Dog breeding	4
Pet shops	3
Performing animals	3

- 5.4 **Environmental permits** - These permits are needed where a business's activity could pollute air, water or land. These permits set out the monitoring that needs to be undertaken by the business and the levels at which the business must operate below. The table below shows the current permits issued by the council.

Type environmental permit	Number as of 20/09/24
Stage 1 & Stage 2 – Petrol vapor recovery	12
Bulk cement	6
Dry cleaning	6
Vehicle refinishing	4
Mobile crushing and screening	3
Crematorium	1
Road coating	1
Vehicle coating	1

- 5.5 **Houses in Multiple Occupation (HMOs)** - Landlords who rent out a property to five or more people (who form more than one household) with shared amenities need to be licenced by the council. The council currently licences 107 HMOs, which house up to 708 people.
- 5.6 **Mobile homes sites** - If someone allows caravans on their land for more than 28 days per year, they are likely to need a mobile homes site licence. There are some exemptions to this, for example those sites who are a member of an approved organisation, such as the Caravan and Camping Club do not need a licence (though they will still need the correct planning permission). The council currently has 11 registered sites.
- 5.7 **Cooling towers** - Cooling towers are not only registered by the council for premises where the council enforces health and safety legislation, they also register those sited on premises where the Health and Safety Executive (HSE) have enforcement responsibility. The council currently has six sites registered with cooling towers.

- 5.8 ***Dangerous Wild Animals*** – If someone houses an animal listed in the [Schedule](#) of the Dangerous Wild Animals Act 1976 and they are not covered by a zoo licence, then they will require a licence from the council. The council currently has one dangerous wild animals licence holder.
- 5.9 ***Zoos*** – Someone needs a zoo licence if they intend to keep wild animals and open the premises to the public for seven or more days a year. The council currently has one zoo licenced within the district.
- 5.10 ***Camp sites*** – Someone needs a campsite licence if they plan to use land as a campsite for tents for more than 42 consecutive days or 60 days in a year. The council currently has no licensed camp sites.

6.0 Conclusion

- 6.1 Given the current staffing and financial challenges of the council as well as the backlog from the unprecedented COVID-19 pandemic, the Environmental Health team are correctly focusing their work on higher-risk activities, most notably food safety and hygiene work, along with housing standards, planning consultations and statutory nuisances.
- 6.2 The team will continue to review working practices to ensure they are making best use of their time and technology as it becomes available and actively participate in any review proposals as a result of the council-wide structure review.

7.0 Implications/Consultations

- 7.1 Community Safety
- a) None arising directly from this report.
- 7.2 Data Protection
- a) None arising directly from this report.
- 7.3 Equalities
- a) None arising directly from this report.
- 7.4 Environmental Sustainability
- a) None arising directly from this report.
- 7.5 Financial

- a) None arising directly from this report although the need to ensure capacity to avoid a reemergence of a food premises inspection backlog is being kept under close review.

7.6 Health and Safety

- a) None arising directly from this report.

7.7 Human Resources

- a) None arising directly from this report.

7.8 Human Rights

- a) None arising directly from this report.

7.9 Legal

- a) None arising directly from this report.

7.10 Specific Wards

- a) N/A

8.0 Background papers, appendices and other relevant material

8.1 Background Information:

- a) Licensing Committee report from 22 October 2024
<https://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=120&MIId=5388&Ver=4&j=2>

8.2 Appendices

- a) Appendix A – Overview of Environmental Health functions
- b) Appendix B – Update on the 2024 FSA action plan.

Contact Member

Councillor Sarah Hopewell, Executive Member for Wellbeing

sarah.hopewell@eastherts.gov.uk

Contact Officer

Jonathan Geall, Head of Housing and Health

Contact Tel. No. 01992 531594

jonathan.geall@eastherts.gov.uk

Report Author

Paul Thomas-Jones, Service Manager – Environmental Health

paul.thomas-jones@eastherts.gov.uk