

Environmental Health Services

**Annual Report
2023 2024**



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

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

Environmental Health Services

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INTRODUCTION

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

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

This report is a summary of the work of Environmental Health between 1 April 2023 and 31 March 2024 and covers the following enforcement areas:

- Food Safety and Infectious Diseases
- Health and Safety
- Public Health Training
- Licensing
- Trading Standards
- Noise and Nuisance
- Construction Management
- Private Sector Housing
- Pollution Regulatory Team
- Street Enforcement Team
- Supported by Business support within EHS until March 2024

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

This report includes details about our service aims, objectives, key achievements, and performance in 2023/2024 and some of our planned work in 2024/2025.

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

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

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

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

ROYAL BOROUGH OF KENSINGTON AND CHELSEA
FOOD SAFETY AND INFECTIOUS DISEASE TEAM
ANNUAL REPORT
2023 – 2024



1. PURPOSE OF THE FOOD SAFETY AND INFECTIOUS DISEASE TEAM

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

2. THE FOOD SAFETY AND INFECTIOUS DISEASE OBJECTIVES

- 2.1. To investigate food safety complaints from the public and deal with enquiries.
- 2.2. To respond to food alerts and incidents and encourage food safety at high profile events.
- 2.3. To investigate infectious disease cases including food poisoning and outbreaks.
- 2.4. To deliver a food hygiene and food standards inspection programme for all food businesses trading within the borough.
- 2.5. To deliver a targeted food sampling programme and seize and remove unfit and illegally imported food.
- 2.6. To provide food safety information to customers by participation in the national Food Hygiene Rating Scheme to enable them to make informed choices about the food they eat.
- 2.7. To provide advice and coaching to businesses on Food Safety and Food Standards.
- 2.8. To engage with event organisers and inspect food stalls at all events within the borough.
- 2.9. To participate in the London Healthier Catering Commitment Scheme that targets obesity priorities which fits with the wider Public Health Agenda.

- 2.10. To monitor and risk assess private drinking water supplies e.g. boreholes.
- 2.11. To deal with significant health and safety hazards observed during food safety inspections and investigate health and safety complaints.
- 2.12. To take appropriate and proportionate enforcement action, in accordance with the Council's Enforcement Policy, including food safety improvement notices, emergency closures, seizure of unfit and illegally imported food, health and safety improvement and prohibition notices, Simple Cautions and prosecutions.
- 2.13. To work with partners; the Food Standards Agency (FSA), Public Health England, Northwest London Sector Food Group, UKHSA (Northwest London Health Protection Team), London Food Coordinating Group, and other Council departments e.g. Waste Management and Pest Control to maximise the effectiveness of the Service.

3. KEY ACHIEVEMENTS FOR 2023/24

- 3.1. We responded to 956 service requests and complaints which is a considerable increase from the previous year, due to businesses now fully operational and many new businesses opening since the pandemic.
- 3.2. Officers continued to engage and regularly visit our Contingency Hotels and following up on any concerns when raised. All complaints where raised were investigated by the team.
- 3.3. There were 1958 food premises registered in the Borough at the end of the financial year, an increase from last year and a total of 1579 food safety inspections were carried out. In addition, a further 327 inspections were made to new food businesses that registered with us. This is a significant increase from the previous year.
- 3.4. 96 per cent of food businesses were broadly compliant with food hygiene requirements and 99.78 per cent broadly compliant with food standards requirements.
- 3.5. Officers engaged with event organisers on 36 events across the borough, including notable events such as Chelsea Flower Show and Notting Hill Carnival and officers inspected these events and attended the SAG meetings.
- 3.6. A Hygiene Emergency Prohibition Notice was served on a business that was deemed injurious to health due to a mice infestation. The premises was closed until improvements had been made.
- 3.7. A legal investigation continued and concluded regarding a business that had been formally closed the previous year for serious food hygiene offences. Summons were served on the Food Business Operators to attend court. The case has been adjourned and is still being investigated.
- 3.8. We worked with our Markets Team and Communications Team in updating and refreshing our Market Stall Standards.
- 3.9. We visited and engaged with all our foodbanks to ensure standards of hygiene being met and to offer advice.
- 3.10. We investigated a serious complaint in a food business regarding an allergen incident to a child.
- 3.11. We worked closely with UKHSA and other agencies and partners on a case of serious infectious disease where we had to serve Part 2A Orders over several months requiring a patient to receive treatment.

- 3.12. We worked with the Health & Safety Team in providing free online safety training courses, which included food hygiene to approximate 607 candidates. The e-learning offering has now stopped and ceased on the 31 March 2024.
- 3.13. 98 businesses within the Borough now have the Healthy Catering Commitment Award. 13 new businesses signed up to the London's Healthier Catering Commitment Scheme which encourages food businesses to offer some healthy options, reduce saturated fat and salt content and make smaller portions available. 33 businesses were visited and re-audited and all still meet the HCC criteria and were re-awarded.
- 3.14. We took 57 food / water samples, which included Public Analyst and microbiological samples as part of national and local sampling programmes as well as our own targeted initiatives and complaint samples.



4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2023-2024	2022-2023	2021-2022
Number of Registered Food Premises	1958	1820	1803
Food Businesses that are Broadly Compliant for Food Hygiene	96%	96%	94%
Food Hygiene Inspections	997	720	898
Food Standards Inspections	582	677	525
New Premises Rated for Food Hygiene and Food Standards	327	256	216
Covid-19 Service Requests	0	1	120
Covid-19 visits	0	1	27
Food Hygiene Interventions Revisits/Surveillance	365	179	30
Food Hygiene Interventions Sampling Visits	22	17	20
Food Hygiene Interventions Advice/Coaching/Information Visits	62	57	93
Food Standards Interventions Revisits/Surveillance	40	4	6
Food Standards Interventions Sampling Visits	11	1	0
Food Standards Interventions Advice/Coaching Visits	12	8	7
Food Safety Requests for Service**	956	819	1234**
Food Safety Event Visits	36	15	5
Food Samples Taken and Analysed	58	57	20
Food Alerts and Allergy Alerts	128	143	148
Infectious Disease Notifications	251	223	989
Food Safety Letters Advisory	832	996	876
Food Safety Letters Warning	719	646	494
Food Safety Improvement Notices	4	4	3
Food Safety Emergency Closures	1	0	0
Food Safety Voluntary Closures	2	2	0
Food Seizure, Detention, Voluntary Surrender and Food not Hygienically Produced	0	1	0
Food Illegally Imported	0	0	0
Food Safety Major Investigations	2	2	1
Food Safety Simple Cautions	0	0	0
Food Safety Prosecutions Instigated	2	0	0
Food Safety Service Complaints	1	0	0
Food Hygiene Re-Rating Request Visits***	23	17	4

**This includes covid-19 notifications of workplace outbreaks and our involvement with the Contingency and Quarantine Hotels during the Pandemic.

***This work was limited during the Covid-19 pandemic, and we suspended fees to food business operators for a while to support businesses.

5. KEY PRIORITIES FOR 2024-2025

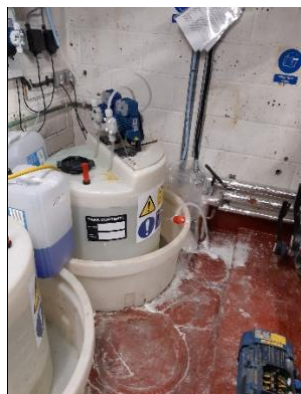
- 5.1. To integrate the Borough's values into everything that we do.
- 5.2. To carry out interventions that contribute to the improvement of Public Health.
- 5.3. To target resources towards food premises that are high risk and poor performing (i.e., not broadly compliant) in line with our Enforcement Policy, the FSA strategic policy and local priorities.
- 5.4. To continue with allergy awareness and targeted enforcement to improve the standards of our food businesses and ensure they comply with the relevant food safety legislation such as Natasha's Law.
- 5.5. To continue to engage with our Licensing and Events Teams and ensure that all events in the Borough where food is served is done safely and in accordance with the relevant food safety legislation.
- 5.6. To visit all of our Markets and schedule a programme of visits over a number of weekends and engage with our Markets Team and Markets Providers.
- 5.7. To undertake our Statutory Requirements to ensure private drinking water supplies within the Borough are regulated. Authorised officers to be re-assessed and our procedures to be examined by the DWI.
- 5.8. To undertake Public Health England, National, Local, and in-house sampling initiatives to encourage greater compliance with food standards including allergens, food authenticity, and imported food by targeted food sampling and advice to businesses.
- 5.9. To monitor businesses that are part of the Healthy Catering Commitment and encourage other businesses to participate in the Scheme targeting obesity priorities.
- 5.10. To work with the Food Standards Agency on Achieving Business Compliance and targeted initiatives aimed at improving how businesses can register and our approach to food standards inspections.
- 5.11. To engage with residents and businesses in North Kensington to ensure we feed into the wider Council Grenfell recovery work.
- 5.12. There are significant changes to Food Law Code of Practice regarding food standards inspections and interventions and we have to prepare for this.

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

HEALTH AND SAFETY & EVENTS TEAM

ANNUAL REPORT

2023 – 2024



1. PURPOSE OF THE HEALTH AND SAFETY AND EVENTS TEAM

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

2. HEALTH AND SAFETY AND EVENTS TEAM OBJECTIVES

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

3. KEY ACHIEVEMENTS FOR 2023/24

- 3.1. Carried out Carbon Monoxide inspections of solid fuel grills in catering premises.
- 3.2. Completed a local intelligence led project inspecting budget hotels for the control of working at height, gas safety, electrical safety, welfare conditions and pest control. Enforcement action was required at 75% of the premises inspected.
- 3.3. Completed the back log of MST inspections left from COVID.
- 3.4. Inspected hospitality premises for outdoors electrical compliance as part of the Health and Safety Executive proactive inspection strategy.
- 3.5. Developed a new onsite inspection form to improve efficiency.
- 3.6. Checked the safety plans and risk assessments for a wide range of events such as Christmas Fairs, food festivals and the Chelsea Flower Show.
- 3.7. Organised and chaired the Safety Advisory Groups for events and worked with internal and external partners to improve the safety planning process.
- 3.8. The Borough was the Lead Authority and chaired the All London Health and Safety Liaison Group.
- 3.9. Represented local authorities at the National Work-Related Deaths Committee.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2023-24	2022-23	2021-22
High Risk Health and Safety Inspections	50	25	15
Other Health and Safety Visits/Event Visits/Face to Face Contacts	349	347	125
Health and Safety Service Requests (excluding accidents)	308	282	391
Reactive Visits to Investigate Service Requests (excluding accidents)	158	N/A	N/A
Accidents Received	168	111	141
Accidents Investigated	67	51	40
Health and Safety Revisits	142	43	26
Serious Health and Safety Investigations	5	4	4
Health and Safety Events	18	8	10
Massage and Special Treatment / Licence Renewal Inspections	82	142	1
Licensing Applications Reviewed for Public Safety	34	29	46
Health and Safety Notices	6	0	0
Health and Safety Simple Cautions	0	0	0
Health and Safety Prosecutions	0	0	0
Health and Safety Service Complaints	0	0	0

5. KEY PRIORITIES FOR 2024-2025

- 5.1. To provide ongoing advice and support to residents and licensed businesses in regard to Health & Safety.
- 5.2. To carry out interventions that contribute to the improvement of event management in the Borough.
- 5.3. To continue with our project inspections focusing on local priorities e.g., gas safety, asbestos management and legionella controls hotels, gas safety in catering premises and radon risks in deep basement workplaces.
- 5.4. To target resources towards high-risk premises and poor performing businesses in line with local and HSE priorities to ensure public safety.
- 5.5. To continue to improve the customer service of the Health and Safety Team to ensure our service standards are met and any feedback from service users is acted on to improve our services.
- 5.6. Further develop the use of onsite digital inspection forms to improve efficiency.
- 5.7. To look for any further opportunities to capture potential efficiency or financial savings.
- 5.8. To engage with residents and businesses to ensure we feed into the wider Council Plan.
- 5.9. To integrate the Borough's values into everything that we do.

**LICENSING TEAM
ANNUAL REPORT
2023 – 2024**



1. PURPOSE OF THE LICENSING TEAM

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

2. LICENSING TEAM OBJECTIVES

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

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

3. KEY ACHIEVEMENTS FOR 2023/24

- 3.1. The Team has continued to suffer ongoing staffing issues. As part of the re-organisation of the department at the beginning of 2023, one of our Licensing Officer posts, which had been vacant since mid-2022 following the retirement of an experienced officer, was deleted. In addition, a Licensing Assistant vacant post was being covered by a temporary contractor until mid-March 2024. We also had one member of staff who had been on long term sick leave between November 2023 and April 2024. All 3 posts are on the processing and administration side, despite our staffing issues the Team still managed to achieve an 89% success rate in granting unopposed applications within 10 days of the end of the consultation period.
- 3.2. On 1 April 2023 there were **1166** Premises Licences and **9** Club Premises Certificates. There were also **2357** Personal Licences, **25** Gambling Premises Licences and **264** premises licensed for Massage and Special Treatment.
- 3.3. In 2023/24 the Licensing Team dealt with **960** Temporary Event Notices (TENs), **93** Personal and **497** Premises Licence applications and notifications and **44** Special Treatment Licence applications.
On 1 April 2023, the Licensing Team took over the processing and issuing of tables and chairs licences from Highways, together with the Tables and Chairs Licensing Officer post. and acquired an additional Licensing Officer in the process. Until 2020, if businesses in the borough wished to place tables and chairs on the highway (specifically, on footways), they were required to apply to the Council for a licence under Section 115E of the Highways Act 1980. In addition, planning permission was needed to place tables and chairs on the highway beyond the curtilage of the premises. In July 2020, the Government introduced pavement licences under the Business and Planning Act 2020 ('the BPA 2020') as an emergency measure to permit hospitality businesses to operate on-street with minimal bureaucracy. In order to support al fresco hospitality, the Council introduced the concept of British Summer Time Licensing, a scheme that facilitates al fresco dining on temporary footway extensions during the period of daylight savings time. This has proved to be effective and popular with businesses. The Team received 42 applications for tables and chairs,

548 pavement licence applications and 94 applications for Summer Time Terraces.

3.4. **Non-payment of premises licence/suspension**

Following an amendment to the Licensing Act 2003 in April 2012, the Licensing Authority is required to suspend licences for non-payment of annual fees. This has reduced the burden on officers trying to recover late or unpaid fees, and licensees are now sent an invoice for their annual fee one month before its due date, with reminders sent 21 and 31 days after the initial invoice. The Licensing Team aims to issue suspension notices for any non-payments within 14 days of the actual due date. During the period 1 April 2023 to 31 March 2024, 390 suspension notices were issued for non-payment of the annual fees and 76 licences were subsequently suspended. Officers continued to monitor these premises to ensure that licensable activities did not take place while the licences remain suspended.

3.5. **Pre-Application Advice Requests**

The Team continued to offer a pre-application advice service to support licensing applications made under the Licensing Act 2003. The aim is to help businesses mitigate any problems which may arise during the application process. However, the Officers advice cannot prejudge the outcome of the licensing application, especially if representations are received and a hearing takes place before the Licensing Sub-Committee. During this period officers dealt with many pre-application requests such as, Roof Gardens, ICE at Kensington Gardens, Natural History Museum. Officers dealt with 58 requests for pre- application advice during this period.

3.6. **Chelsea Football Home Games**

Licensing Enforcement Officers still regularly engage with operators regarding high-risk football games. Together with the Police, Licensing Enforcement Officers have been visiting premises to ensure compliance with their match day conditions and general management of licensed premises. There has been a significant reduction in complaints by the Licensing Team following this work.

3.7. **Notting Hill Carnival**

The Team worked collaboratively with Notting Hill Carnival Ltd., partner agencies and all the teams involved with the management of the carnival. Licensing Enforcement Officers were amongst those on duty over the August Bank holiday weekend for the second on street Carnival since the pandemic to ensure that no unauthorised licensable activities occurred and that licensed premises adhered to their licence conditions. A number of warnings were issued when officers came across these issues. This period, without exception, first level warnings were sufficient to ensure that there was no requirement to carry out any alcohol seizures. There were a few issues with sound systems. Members may have been made aware of one such issue which involved a strap on a speaker box becoming loose resulting in a speaker box falling onto a member of the public. This incident is still part of an ongoing investigation.

3.8. **Animal Welfare Licensing**

The Team has seen an increase in the number of premises licensed under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, primarily for doggy day care. The Team has also seen

an increase in complaints in this area. Within this period, the Team received a complaint about an illegal entry of a monkey and reports of 10 dogs and 35 cats being accommodated within a single residential property in the Borough. It transpired that the animals had been brought into the UK for care following being subject to abuse in France. This investigation involved partnership working with City of London Animal Health inspectors, who were very grateful for the Licensing Enforcement Officer's assistance and accompanying them on the visit to the property. The resident has stayed in touch with the Licensing Enforcement Officer and has offered to take in any abused pets that the officer is made aware of. Last year the Team wrote to DEFRA requesting a change in the legislation to make the legislation more applicable and better suited to establishments within inner London Boroughs. A decision has yet to be made on this.

3.9. Notting Hill Gate Licensed Premises Forum

At a licensing sub-committee hearing last year, one of the residents who had submitted a representation in respect of the application being determined requested that a Forum be set up allowing residents to engage and discuss issues especially those affecting more than one licensed premises with the Notting Hill Gate area. This first meeting was organised by the Licensing Team and was held on Thursday 21 March at 14:00 2024 at Archer Street, 126-128 Notting Hill Gate, W11. The operators of Archer Street kindly agreed to host the first meeting. Officers envisage this group to work together independently, providing feedback to the Licensing Team when necessary and officers would be open to attend any meetings where our presence is requested.

3.10. Safety Advisory Group Meetings (SAG's)

Initially Licensing Enforcement Officers only attended Chelsea Flower Show and Chelsea Football Club SAGs, but SAGs have now become a more regular occurrence, especially in relation to large outdoor events such as events at Royal Hospital.

3.11. Premises Licence Review

Licensing Enforcement Officers supported residents in their premises licence review of a licensed premises, following several instances of nuisance and contraventions of the premises licence. The review resulted in additional conditions being added to the premises licence.

3.12. Simple Cautions

Casa Cruz, 123A Clarendon Road, W11

On 21 September 2023, Mr Juan Santa Cruz, one of the owners of Casa Cruz accepted a simple caution for smoking and failing to prevent individuals from smoking within the premises (which is deemed smoke free) on Wednesday 3 May into the early hours of Thursday 4 May 2023. Both of which are contraventions under the Health Act 2006.

Mams 136 Brompton Road SW3

On 11 May 2023, Mamounia Lounge Knightsbridge Ltd (the licensee) was administered a simple caution following an investigation by Licensing Enforcement Officers into the potential breach of 5 conditions attached to the premises licence when officers visited the premises on 9 December 2022. The 5 breaches can be summarised as follows:

- (i) No notices were displayed at the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

- (ii) No incident/logbook was available for inspection at the premises.
- (iii) The terrace area on the first floor was still being used by customers after 22.00 hours.
- (iv) There was no CCTV available at the premises.
- (v) The Cheval Place entrance was being used by customers between 23.00 hours and 08.00 hours.

3.13. **Hybrid Noise and Licensing Enforcement Officer**

The Licensing Team continued to trial a hybrid Noise and Licensing Enforcement Officer within the Team. The Officer is an experienced Noise Officer with many years of service and continues to be an extremely valuable and essential asset.

3.14. **Planned Inspections and Enforcement**

The Licensing Team aims to inspect premises at intervals that reflect risk associated with the premises ("risk assessment"). Officers' assessment of risk takes into account whether or not there have been any licence breaches or complaints, fire safety, general housekeeping, and the confidence the officer has in the management of the premises. Premises rated as "high" are due to be inspected at least once every 9 months and "medium rated" premises every 18 months. As agreed by Committee on 21 November 2012, premises rated "low" and "very low" risk are no longer visited under the planned inspection regime as these premises have good operational management and are not the source of complaint to the Council, Police, or other responsible authorities. These low risk premises will only be targeted for inspection if the operation of the premises changes, and they come to the attention of regulators, in which case the "risk rating" will change accordingly. In the past year Licensing Enforcement Officers completed **173** risk assessed inspections, focusing on premises which were previously unrated, high, or medium rated, and those which were previously low rated but where complaints had been received. A further **119** risk assessed inspections were carried out on special treatment premises. Licensing Enforcement Officers also received and investigated 259 complaints during this period. Officers liaised with licensees and businesses regarding each of these complaints and in the majority of cases advice was given. 27 premises were found to be operating in breach of one or more licence conditions, which resulted in 17 verbal warnings and 9 written warnings being issued.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2023-2024	2022-2023	2021-2022
Number of Temporary Event Notices	960	877	609
% of Licences issued on time	89%	98%	89%
% of High Risk Premises Inspected	100%	97%	100%
Premises Licences	1166	1158	1143
Unopposed New Premises Licence Applications 78% of which were completed within agreed Team Service Standards	53	43	76
Unopposed Variation of a Licence/Club Premises Certificate Applications 76% of which were completed within agreed Team Service Standards	22	24	20
100% of Minor Variation Applications completed within agreed Team Service Standards	28	26	22
Variation of a DPS 94% of which were completed within agreed Team Service Standards	192	249	259
Transfers and Interim Authorities 86% were completed within agreed Team Service Standards	55	75	74
Number of Licence Reviews	1	1	2
Number of Notification of Change of Name and/or Address	63	75	132
Club Premises Certificates	9	9	9
Personal Licences	2357	2313	2260
Number of Personal Licence Applications 100% of which were completed on time	55	61	67
Massage and Special Treatment Licences	264	246	235
Massage and Special Treatment Applications	44	36	268

- 4.1. As can be seen from the above table there was an increase in the number of applications received in 2022/23 from the previous year, although temporary event notices in particular have not reached pre-pandemic levels. Overall, there was a 50% increase in the number of applications received when compared to 2021/22.
- 4.2. Once again this has been an extremely busy year for the licensing team. The volume of general enquiries and email traffic has continued to increase and this, together with the processing of incoming applications, has had to take priority over the issuing of licences. This has been a significant factor in us failing to reach the 90% target we aspire to for issuing unopposed premises licence applications. We have, however, continued to prioritise issuing licences where an applicant could be disadvantaged by any delay, such as applications for new personal and premises licences and the variation of existing premises licences.

5. KEY PRIORITIES FOR 2024-2025

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

- (i) Late night inspections
 - (ii) Underage alcohol sales
 - (iii) Licence conditions check
 - (iv) Gambling premises inspections
 - (v) Sales of illegal alcohol
 - (vi) Illegal provision of shisha smoking in licensed premises or premises providing illegal licensable activities; and
 - (vii) Employment of illegal workers.
- 5.13. To carry out a minimum of two test purchases on premises suspected of sales of alcohol outside their permitted hours.
 - 5.14. To continue to work in partnership with the Director of Public Health to facilitate A and E data sharing, and other licensing issues.
 - 5.15. To ensure that the licensing web pages are maintained and up to date, with relevant guidance for residents and businesses, and to maintain an accurate Licensing Register.
 - 5.16. To maintain partnership working with the Metropolitan Police.
 - 5.17. To explore ways to continually improve our services and ensure that customer engagement establishes whether the quality of our services to businesses and residents are fit for purpose. To monitor our Customer Satisfaction Survey results and take any necessary action to rectify any dissatisfaction shown in these results.
 - 5.18. To engage with residents and businesses in North Kensington to ensure we feed into the wider Council Grenfell recovery work.
 - 5.19. To work with event organisers, the Council's Events Team, and Parks Team to ensure that 'one off' events in our parks are properly licensed and safe for staff and the public.
 - 5.20. To maintain, and update where necessary, our procedures to ensure the Licensing Team is in full compliance with the General Data Protection Regulations 2018.
 - 5.21. To work with colleagues in the IT department to enhance the online licensing registers to include licensing plans.
 - 5.22. To review and consult on the Council's Gambling and Licensing Policies.
 - 5.23. Organise initial WAVE, VAWG and Ask for Angela Training for licensed premises.
 - 5.24. Review how licensed premises inspections are carried out with a view to adopting a traffic light system, similar to City of London.

**TRADING STANDARDS TEAM
ANNUAL REPORT
2023 – 2024**



1. PURPOSE OF THE TRADING STANDARDS TEAM

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

2. TRADING STANDARDS TEAM OBJECTIVES

- 2.1. Achieve compliant businesses using Better Regulation principles to reduce burdens.
- 2.2. Support businesses using proportionate enforcement sanction to tackle any non-compliance including advice, warnings, notices, Simple Cautions, licence reviews and prosecution.
- 2.3. Undertake pro-active intelligence led project work to ensure businesses legal compliance allowing consumers to shop with confidence.
- 2.4. Respond to and investigate consumer complaints.
- 2.5. Protect consumers from dangerous and mis-described goods and services, including investigating the supply of counterfeit and unsafe goods and enforcing as appropriate.
- 2.6. Restrict access to age restricted goods such as tobacco, vapes and alcohol by children and young people via enforcement of underage sales of age restricted goods (including Challenge 25).
- 2.7. Protect residents, especially the elderly and vulnerable, and businesses in relation to scams awareness and unscrupulous traders.
- 2.8. Provide a consumer advice service in partnership with Citizens Advice Consumer Service, and business advice in conjunction with key stakeholders, partners and Primary Authority businesses.
- 2.9. Work with key stakeholders and partners including Chartered Institute of Trading Standards, National Trading Standards and the specialist teams, London Trading Standards, Regional Trading Standards Teams and other Council departments to maximise effectiveness.
- 2.10. To maintain high standards of customer service.

- 2.11. To provide excellent service efficiently anticipating the future and increasing income.

3. KEY ACHIEVEMENTS FOR 2023/24

Our key achievements were:

- 3.1. Several investigations were undertaken by officers including breaches of the Health Act 2006 (smoking in enclosed premises) (2 cases), counterfeit goods (3), underage sales (5), rogue builders (2) and misleading claims. Following extensive investigation, 24 warnings were issued along with 3 simple cautions 4 cases are going through the Court process (the two Health Act cases, the misleading claim, and counterfeit goods).
- 3.2. The sentencing result for a car clocking case was received, the defendant was sentenced to two years imprisonment, suspended for two years, a 12-month community requirement of 100 hours of unpaid work and 15 days rehabilitation activity requirement at Southwark Crown Court. Press article.
- 3.3. A 3-week trial at Southwark Crown Court took place against a builder who substantially defrauded a consumer. The trader was subsequently found guilty and was sentenced to 4 years imprisonment and disqualified from being a director for eight years. A Proceeds of Crime investigation is ongoing. Press article.
- 3.4. 3 cases under the Proceeds of Crime Act are being considered by an Officer to determine if the defendants have derived monies from their ill-gotten gains and can be confiscated.
- 3.5. We have contributed to the public health agenda by supporting efforts to discourage young people from smoking (including vapes) and drinking underage, by making 23 test purchases with young volunteers. We have encouraged the "Challenge 25 Policy", which helps traders to establish the age of people buying cigarettes, vapes and alcohol.
- 3.6. 1193 electronic cigarettes (vapes) have been seized by officers for being illicit and/or unsafe, this number is relatively low as a result of our campaign in 2022. Work on electronic cigarettes remains high on our agenda however having fed into the recent consultations on the draft disposable vapes legislation and fed into working groups with Public Health and other stakeholders.
- 3.7. We sent guidance to 57 businesses on the Botulinum Toxin and Cosmetic Fillers (Children) Act, which makes it a criminal offence to administer Botox or a cosmetic filler to a person under 18 years of age.
- 3.8. An email was sent out to 32 charities/ organisations providing information on Trading Standards offering scams material and to give talks to their members/ residents on scams and fraud prevention. We have undertaken 6 scams and fraud prevention presentations, attended 2 community resilience workshop events, returned money to victims of fraud, and provided content to our communications teams on frauds which appeared in resident newsletters.
- 3.9. Virtual Offices were visited as part of a London wide project, inspecting records of businesses that offer mail forwarding and holding services to ensure their compliance with Section 75 of the London Local Authorities Act 2007.

- 3.10. Numerous shisha premises have been visited by Officers at various times of the day to ensure their compliance with the Health Act (Smoke Free premises) and that any shisha tobacco sold is compliant with legislation. We worked with colleagues in Licensing and the Police undertaking multi-disciplinary visits to non-compliant premises. Our work resulted in non-compliant shisha tobacco being seized from 3 premises, verbal and written advice being provided to all premises visited and formal action being taken against one premises for breaches of the Health Act 2006 (allowing persons to smoke in an enclosed premises).
- 3.11. Work with our 4 Primary Authority businesses continues, we have provided them with tailored advice, training, and acted as a single point of contact between the business and other regulators. Our work on Primary Authority has also involved working in conjunction with other stakeholders including the Medicines and Healthcare products Regulatory Agency (MHRA), the British Toy and Hobby Association and the Hallmarking Council to name a few.
- 3.12. We have welcomed a new Primary Authority business to our small portfolio, and we are looking to enhance our portfolio further by considering businesses we can undertake as a joint partnership with our Food Team colleagues.
- 3.13. Officers attended and gave evidence at an inquiry by the All-Party Parliamentary Group on Consumer Protection and the Chartered Trading Standards Institute (CTSI) on unsafe goods in the UK's supply chains and online marketplaces.
- 3.14. The team continues in its anti-counterfeiting efforts:
- Advice given to a business on copyright and trade marked goods, all infringing goods removed from sale.
 - Visits undertaken to Portobello Market on numerous occasions, including on a joint day of action with the Police and Street Enforcement Team colleagues, resulting in the seizure of 173 counterfeit goods and 5 warning letters being sent as they were first time offenders.
 - Simple caution signed by a seller of counterfeit cashmere scarves from a premises on Portobello Road.
 - 105 pairs of counterfeit Levi jeans were seized from 2 premises (Portobello Rd & Pembridge Rd). The case is under investigation.
- 3.15. Advice given to a business on copyright and trade marked goods, all infringing goods removed from sale.
- 3.16. Visits undertaken to Portobello Market on numerous occasions, including on a joint day of action with the Police and Street Enforcement Team colleagues, resulting in the seizure of 173 counterfeit goods and 5 warning letters being sent as they were first time offenders.
- 3.17. Simple caution signed by a seller of counterfeit cashmere scarves from a premises on Portobello Road.
- 3.18. 105 pairs of counterfeit Levi jeans were seized from 2 premises (Portobello Rd & Pembridge Rd). The case is under investigation.

- 3.19. We have been participating in a London Wide project aimed at the Cost of Living. The project aim is to ensure accurate and clear pricing of food, and that businesses use compliant weights and measures equipment, so consumers get what they pay for. Officers have undertaken visits to premises and high number of non-compliances were found with weighing equipment. Non- compliances have been dealt with through advice, and premises have been brought back into compliance.
- 3.20. Officers in conjunction with Dorset Trading Standards instigated a product recall in relation to magnetic hematite gemstones being sold from a museum in the Borough. The product was identified as presenting a serious risk of choking and internal injuries as a young child could place the magnet in their mouth and choke. The magnet was found to have a magnetic flux index of 240 KG²mm², greater than the maximum permissible level of 50 KG²mm² for toys. Small, high-powered magnetic products can be easily swallowed and, when ingested, have the potential to cause serious internal injuries within the gastrointestinal tract.
- 3.21. Issues with magnets and magnetic products have been an ongoing concern for various safety bodies including Trading Standards for some time. The difficulty with this case was that the items were not necessarily toys but as witnessed by the officers when visiting the items in situ at the Natural History Museum, the items were clearly very appealing to children which was a major factor in our decision-making process on the action required.
- 3.22. A variety of unsafe goods have been removed from sale, including toy plush dinosaurs, imported wooden toys and crochet toys. In the cases, where the toys were found to be safe but not labelled in compliance with the legislation officers worked with the businesses, providing advice and resulting in labels being reworked and the items being placed back on sale. 125 electrical adaptors and tobacco products were seized from 5 premises; all businesses received warning letters.
- 3.23. A complaint was investigated regarding a Bureau de Change with over 200 UK wide branches, the complaint concerned the misleading description of a buy back currency offer promoted in their stores. The Officer discussed the complaint with the Company's Head Office and as a result the offer was removed from all 200 branches and a goodwill gesture was offered to the consumer who raised the complaint.
- 3.24. We continued to provide advice to letting agents on Estate and Lettings agency legislation and work with colleagues in Private Sector Housing assisting and advising on complaints.
- 3.25. Officers attended a variety of London Wide specialist group meetings to keep abreast of current issues, legislative changes and discuss best practice in certain areas including product safety, tobacco, online marketplaces, and age restricted sales to name a few. Officers have also become chair and vice chair of certain groups.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2023-24	2022-23	2021-22
Number of Referrals Received for Action via the Citizen Advice Consumer Helpline	424	403	471
Number of Notifications Received for Information via the Citizen Advice Consumer Helpline	1163	1303	1558
Number of Service Requests Received Directly from a Business	19	10	16
Number of Service Requests Received in Connection with Home Authority and/or Primary Authority Businesses	151	135	4
% 1st responses made within agreed service standards	94.10%	94.23%	93.71%
Number of Licensing Act 2003 Applications Received for Consultation	78	55	26
Number of Criminal Investigations Started	16	10	15
Number of Criminal Investigations Completed	6	3	8
Number of Warning Letters	24	13	9
Number of Investigations Resulting in a Simple Caution	2	0	1
Number of Investigations Pending Legal Proceedings	4	4	5
Number of Investigations Resulting in Prosecution	2	0	1
Number of Investigations Resulting in a Licensing Review or Voluntary Variation to add/amend Conditions	0	0	0
% High Risk Premises Visited	100%	100%	100%
Number of Tobacco Related Visits	29	31	19
Number of Underage Sales Attempts for Alcohol, Knives and Tobacco (inc vapes), and Challenge 21/25	23	33	26
Number of Joint Action Partnership Days	6	4	5

5. KEY PRIORITIES FOR 2024-2025

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

- 5.8. Raise resident's awareness of current consumer issues by working in partnership with our Communications Team.
- 5.9. To continue our work with scams victims and partner agencies.
- 5.10. To improve the use of intelligence from both internal and external partners to enable officers to focus on commercial activities that pose the highest risk and cause the largest detriment to consumers and businesses. To monitor current and ongoing trends and react to them where required.
- 5.11. To integrate the Borough's values into everything that we do.

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

OPERATIONAL SUPPORT TEAM ANNUAL REPORT 2023 – 2024



1. PURPOSE OF THE OPERATIONAL SUPPORT TEAM

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

2. OPERATIONAL SUPPORT TEAM OBJECTIVES

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

- 2.9. To ensure all planning applications are logged to the relevant departments.
- 2.10. To provide support to managers regarding the appointment of contractors through Comensura, raise new orders, upload relevant CV's, confirm payments, and authorise accordingly and extend contracts where relevant.
- 2.11. To liaise with customers who are requiring 'Empty Property' letters. Ensure prompt payment for these letters is made from the enquirer.
- 2.12. To ensure all officers are furnished with their relevant authorisation letters, warrant cards and holders. Update whenever a change in Director is made.

3. KEY ACHIEVEMENTS FOR 2023/24

- 3.1. We received 218 requests for FOI/DPA/EIR information all of these requests were completed within the statutory timeframe along with the VIP/Councillor/Service complaints through iCasework for the department.
- 3.2. We work together to ensure that any building maintenance issues are reported and monitored creating a good link with the relevant teams, the Council's service provider and attend the Building User Group Meetings. All issues with maintenance of equipment around the department is also monitored, repaired, and replaced accordingly, e.g., photocopiers, calibration of equipment, monitors, and other I.T. equipment.
- 3.3. Power BI reports have been written for the Noise and Nuisance Team, Additional Licensing for the Housing Team, Pest Control, and other independent reports written to inform Senior Management of information gathered on complaints and enquiries for the Environmental Health Department.
- 3.4. We work closely with the Council's complaints team to ensure all customer complaints are completed within the Council's timeframe.

4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2023-2024	2022-2023	2021-2022
IT Requests Completed Including, Set-up, Support, Development and Training	715	932	964
Number of FOI/DPA/EIR Requests Completed	218	167	187
Number of Housing Act Notices	57	29	3
Number of Non-Housing Act Notices prepared for service:			
Food Safety	0	12	1
Health and Safety	7	0	0
Housing	10	15	115
Noise and Nuisance	455	482	690
Number of Planning Applications Received for Processing	1610	2010	688
Number of Section 16 Requests for Information	35	30	26
Number of Land Registry Searches	1372	1054	926
Number of Work in Default Cases Actioned	1	1	1
Number of Land Charges completed	921	1,621	3,328
Number of Documents Scanned	1057	5,010	12,288
Number of Pages Indexed	1121	1,879	7,485

5. KEY PRIORITIES FOR 2024-2025

- 5.1. To integrate the Borough's values into everything that we do.
- 5.2. To include SET administrative roles within Business Support for Environmental Health.
- 5.3. To review Licensing documentation in line with GDPR and our own retention policy.
- 5.4. Continue our review of all reports and move them over to the PowerBI framework across Environmental Health.
- 5.5. A review of our Environmental Health database is in progress and our input will assist in determining a suitable replacement.
- 5.6. Development of the new database for Environmental Health and processes put in place to move over existing teams from Acolaid to the new database.
- 5.7. Rename the team and re-evaluate posts, job descriptions and job specifications.
- 5.8. Data Cleansing in preparation of new Database
- 5.9. Update/Create new procedures for the teams especially around CPN's for the Housing Team
- 5.10. Continued support for EH and new teams that are joining, e.g. Parks Police
- 5.11. Look at the Environmental Health archiving space at Pembroke Road with a view to adhering to the retention policy and saving space.

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

NOISE AND NUISANCE TEAM ANNUAL REPORT 2023 – 2024



1. PURPOSE OF THE NOISE AND NUISANCE TEAM

- 1.1. To protect residents from the harmful impacts of unreasonable and preventable nuisances, through reactive and proactive interventions, dealing with a range of noise and nuisance complaints including building sites, parties, house alarms, car alarms, neighbour noise, air conditioning units and smells from commercial premises.

2. NOISE AND NUISANCE TEAM OBJECTIVES

- 2.1. To respond within 30 minutes to residents when they complain about a noise or nuisance that is ongoing, and to try to visit and witness the problem within 1 hour.
- 2.2. To progress and resolve complaints through engagement with complainants and subjects.
- 2.3. To take enforcement action, consistent with the departmental enforcement policy, to ensure nuisances are abated within appropriate timescales and compliance with Council policies are achieved.
- 2.4. To carry out proactive work to protect the living conditions of residents and to prevent nuisances from occurring, through input into the planning and licensing regimes.
- 2.5. To provide the out-of-hours Borough Duty Officer function for the Council and the first responder to all requests for intervention to deal with public realm hazards in the borough, ensuring the safety of residents, road users and the wider public.
- 2.6. To in work in partnership with colleagues in the planning and licensing enforcement teams, sharing information and undertaking joint visits, to address premises and complaints of mutual concern and provide a joined-up and consistent intervention.
- 2.7. To work in a co-operative and coordinated way with teams within the CREST group of services, Environmental Health Services group and wider Council,

referring service requests and sharing data where instances of mutual interest arise, to provide a better and more complete service to residents.

3. KEY ACHIEVEMENTS FOR 2023/2024

- 3.1. We dealt with 10,594 noise and nuisance service requests (this is a 5% reduction on 2022/23)
- 3.2. In response, we carried out 3801 visits to investigate complaints 2738 were directly in response to complaints; 1063 were pro-active visits.
- 3.3. We served 77 enforcement notices where noise nuisance had been witnessed to protect residents from excessive noise.
- 3.4. We served 285 enforcement notices on construction sites (in addition to the 258 served by the Construction Management Team) to protect residents from excessive and out of hours noise from building work.
- 3.5. Issuing of 10 Fixed Penalty Notices for breaches of Noise Abatement Notices.



Figure 1 The team works closely with operators and colleagues in the Licensing Team to ensure that the borough's licensed premises are run in accordance with their licences and conditions and do not cause public nuisance to residents.

- 3.6. The team works closely with operators and colleagues in the Licensing Team to ensure that the borough's licensed premises are run in accordance with their licences and conditions and do not cause public nuisance to residents.
- 3.7. We have responded to over 690 requests from the planning department for observations on applications that have noise or other amenity considerations. This work is often highly technical in nature and requires expertise in acoustics to interpret the consultant's noise reports that are often submitted in support of an application. Our work ensures that existing residents are protected from any adverse effects of new development (such as air conditioning equipment) and living conditions for occupants of proposed dwellings are appropriate and that they are constructed to ensure internal noise levels meet modern standards.

- 3.8. A new Supplementary Planning Document (SPD) for noise, that will replace the current version that has been in place since 2009, is ready for consultation. The revised document updates our local standards and brings them into line with the latest national guidance. For the first time the SPD includes guidance on minimising odours from commercial kitchen extract systems; this has been introduced in response to a number of challenging cases involving smell nuisance created by commercial kitchens.
- 3.9. As a Responsible Authority under the Licensing Act (under the Prevention of Public Nuisance key licensing objective), we responded to 926 Temporary Events Notice (TEN) applications, checking each one to ensure that it was appropriate and there would not be a risk of causing a public nuisance to the borough's residents. We also examined each application for new Premises Licences and variations to existing licences that were submitted and made.
- 3.10. We carried out comprehensive monitoring of noise levels at Notting Hill Carnival to ensure sound systems were operating within agreed levels. This involved teams of officers working across the Carnival footprint in three sectors, and a further team monitoring noise levels from moving vehicle floats.



- 3.11. We worked with colleagues to monitor the impact of street terraces and parklets associated with licensed premises, to ensure they were complying with the terms of their licenses and were not causing a significant impact on residents or road users.



4. PERFORMANCE INDICATORS & KEY STATUTORY RETURNS

	2023-2024	2022-2023	2021-2022
Number of Nuisance Calls During Working Hours	10,238	10,760	12,836
Number of Nuisance Calls Out of Hours - *When officers are not on duty	356	325	721
Number of Calls Combined	10,594	11,085	13,577
Number of Construction Complaints	1877	1,907	1,831
Number of S80 Notices	77	76	120
Number of S60 Notices ¹	284	281	221
Number of S61 Prior Consents ¹	3	7	19
Number of Planning Applications Received	690	832	259
Number of TENS	926	860	597

¹ Function is also carried out by the Construction Management Team

5. KEY PRIORITIES FOR 2024-2025

- 5.1. To ensure the service responds to the needs of the residents and adapts to emerging issues and demands from members and residents.
- 5.2. Ensure the team is well placed to maintain existing service standards and performance following the proposed summer service review.
- 5.3. To work with ISD colleagues on the design, development and implementation of a replacement database record system, maximising case management, data sharing (with other IT systems), reporting and performance management functionality.
- 5.4. To use the new co-location of the team with Streetscene Enforcement Team and CMT to increase the level of joint working and data-sharing in line with the CREST model.

- 5.5. To build on the existing Borough Duty Officer by undertaking Local Authority Liaison Officer (LALO) training for all Noise & Nuisance Officers to provided additional resilience to the Council's emergency and Major Incident response functions.
- 5.6. To work with colleagues across the Council and with the corporate Health and Safety Team to establish a comprehensive database of addresses of concern to ensure the safety of officers.
- 5.7. To enforce the PSPO for antisocial vehicle noise and continue the work on acoustic cameras.

**CONSTRUCTION MANAGEMENT TEAM
ANNUAL REPORT
2023 – 2024**



1. SERVICE AIMS

- 1.1. To proactively protect residents from the harmful impacts of construction work, on a cost-recovery basis, through a regime of chargeable site monitoring visits to ensure compliance with the borough's Code of Construction Practice.

2. CONSTRUCTION TEAM OBJECTIVES

- 2.1. To provide an inter-disciplinary multi-skilled team of officers, covering noise, nuisance, highways, building control and planning enforcement functions, carrying out proactive monitoring and complaint investigation in relation to major developments and sites controlled by construction-related planning conditions.
- 2.2. To operate and manage the Construction Bond scheme to ensure that, through a regime of proactive chargeable site inspections, qualifying construction sites carry out works in accordance with the Code of Construction Practice and with minimal impact on residents.
- 2.3. To undertake a site inspection upon the commencement of notifiable building work, on behalf of Building Control, under the Initial Notice Regime to check compliance with the 5-day notice period.
- 2.4. To proactively identify unauthorised building work on behalf of building control.
- 2.5. To hold corporate responsibility for the revised Code of Construction Practice and associated webpages.
- 2.6. To lead on the monitoring, investigation and enforcement of Construction Traffic Management Plans, and other associated pre-commencement construction-related planning conditions.
- 2.7. To identify unauthorised use of parking bays for construction activity in CMT monitored sites and lead on the fee recovery.
- 2.8. To work in a co-operative and coordinated way with teams within the CREST group of services, Environmental Health Services group and wider Council, referring service requests and sharing data where instances of mutual interest arise, to provide a better and more complete service to

residents.

3. KEY ACHIEVEMENTS FOR 2022/23

Construction bond

- 3.1. The team carried out 988 chargeable visits to bond sites within the borough. The principle of the scheme is that developers deposit the bond at the start of the works which covers the cost of visits by officers from the team; poorly run sites will require more visits to monitor compliance with the Code of Construction Practice, resulting in less of the bond being returned to the developer at the completion of works. There is therefore an incentive for sites to be well managed and compliant with the Code, minimising their impact on neighbouring properties.
- 3.2. In total, the team carried out 1,678 visits made to construction bond sites across the year, proactively monitoring compliance with the requirements of the Council's Code of Construction Practice. Where sites are found to be deficient, the frequency of inspections is increased to ensure that the site improves its working practices. In 2023-23, the bond scheme generated £140,000 in inspection fees, a 24% increase on 2022-23.

Construction Bond Metric	2023 – 2024
Construction Bond sites commenced	216
Construction Bond Initial Site Visits	203
Construction Bond Chargeable Site Visits	872
Construction Bond Non-chargeable Site Visits	690
Construction Bond administration fees	£53,994
Construction Bond monitoring fees	£86,652
Total Construction Bond fees	£140,656

Building Control inspections

- 3.3. The team carries out checks on behalf of the Building Control team to determine compliance with Initial Notices that have been submitted to the Council. A 'Site Notification Initial Notice' is a statutory form submitted to the Council's Building Control Department setting out the applicant's intention to carry out building works with the use of an Approved Inspector (rather than the Council's Building Control Department).
- 3.4. The Initial Notice must be served a minimum of 5 working days before work starts on site. If works are found to have commenced within the 5 days from the date that the notice has been submitted, the Initial Notice is rejected in accordance with the requirements of the Building Act and the responsibility for building control function reverts to the Council.
- 3.5. In 2023-24 the team processed 1,432 Initial Notices, inspecting each site to check whether works had commenced. 122 sites were found where works had commenced within the 5-day period. This resulted in the Initial Notices being reject with the building control function reverting to the Council.
- 3.6. Additionally, the team uncovered 187 sites where unauthorised works (i.e. those without the necessary building control permission) were taking place.
- 3.7. The team's work generated £60,534 in fees for Building Control.

Control of working hours

- 3.8. One of the functions of the team is to proactive control the hours for noisy works in the borough. Since 2016 the borough has banned all noisy works on Saturdays – prior to this, along with all other boroughs in the UK, the Council had permitted

noisy works between 8am and 1pm on Saturdays. We remain the only local authority in the country to ensure residents have two days' respite from noisy building works.

- 3.9. This is achieved through the pro-active service of S60 Notices under the Control of Pollution Act 1974 prior to works starting, principally as part of the construction bond scheme, building control inspection work and other street surveys and site visits. Larger, more complex sites (classified as Category 1 sites under the construction bond scheme) are regulated under S61 Prior Consents.
- 3.10. Over the course of 2023-24, the team served 258 S60 Notice and issued 61 S61 Prior Consents. The legislation does allow for developers to apply to the Council to work outside of the permitted hours where there are justified reasons to do so (e.g. traffic management, health and safety, etc.) – this is known as a dispensation. A charge is made to process all applications; 10 dispensations were granted last year generating £2,325 in fees.

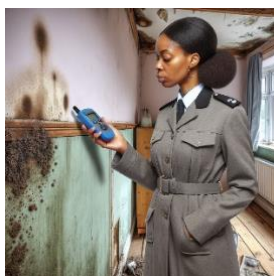
4. PERFORMANCE

	2023 – 2024
Number of Initial Notices processed	1432
Number of unauthorised works investigated by the team	187
Number of Initial Notices rejected for non-compliance	122
Number of S60 Notices served	258
Number of S61 Notices served	61
Number of Highway and Waste Enforcement Fixed Penalty Notices	105
Number of Construction Bond site visits	872
Total number of visits to construction sites	1,672
Construction bond income	£140,656
S61 Dispensation income	£2,325
Building Control fees generated	£60,534
Fixed Penalty Notices	£10,500
Total income	£214,005

5. KEY PRIORITIES FOR 2024-2025

- 5.1. To operate the Construction Bond scheme for monitoring construction site activity within the borough, ensuring fee recovery for all relevant monitoring.
- 5.2. Ensure the service responds to the needs of the residents and adapts to emerging issues and demands from members and residents
- 5.3. Ensure the team is well placed to maintain existing service standards and performance under the current budgetary restrictions.
- 5.4. To use the new co-location of the team with Streetscene Enforcement, Wardens and CMT to increase the level of joint working and data-sharing in line with the CREST model.
- 5.5. Explore sources of information from building control and planning to ensure automatic notification to the CMT of the commencement of works on any sites subject to construction bond, CTMP or any other undischarged planning conditions.
- 5.6. Work with colleagues in ISD and Digital Strategy to develop and implement a new database and case management system that maximises automated processes, mobile working and data entry, document generation, income and fine recovery, and connectivity with other relevant IT systems.
- 5.7. Collaborate with colleagues in Traffic Management, Parking Services, Street Enforcement and others, to develop a resource to focus on the identification of unlicensed structures and license/permit breaches, and discovery and recovery of unpaid parking suspensions fees

**PRIVATE SECTOR HOUSING TEAM
ANNUAL REPORT
2023 – 2024**



1. AIMS OF THE PRIVATE SECTOR HOUSING TEAM

- 1.1. To improve and safeguard housing standards in the private rented sector, in partnership with landlords, managing agents and residents to ensure residents feel safe in their homes and have confidence in our approach.
- 1.2. To improve housing conditions in Registered Provider (RP) properties.
- 1.3. To reduce the negative impact of poor housing on residents' health.

2. PRIVATE SECTOR HOUSING TEAM OBJECTIVES

- 2.1. Focus on high-risk properties through targeted and intelligence-led interventions, using a range of enforcement tools, including licensing of Houses in Multiple Occupation (HMOs).
- 2.2. Continue to progress implementation of our Additional HMO licensing scheme, in addition to existing mandatory HMO licensing, to bring into scope all non-exempt HMOs, increasing licensing reach by an estimated 3600 properties.
- 2.3. Challenge poor performing landlords and managing agents to raise their standards, using robust enforcement action where necessary
- 2.4. Provide advice, guidance and assistance to residents on energy efficiency and fuel poverty issues, and ensure landlords comply with minimum energy efficiency standards.
- 2.5. Work in partnership with Registered Housing Providers ("Housing Associations") to ensure poor housing conditions and poor property management standards are improved, using enforcement powers, if necessary, to protect the health, safety and welfare of tenants in that sector.
- 2.6. Support well-intentioned landlords through advice and assistance, and support for accreditation schemes.

3. KEY ACHIEVEMENTS IN 2023/2024

- 3.1. Following the designation of an Additional Licensing scheme, a new team was established and recruited to deliver the licensing of an estimated 3,600 properties to be in scope over the next 5 years. The Private Sector Housing service was re-structured to implement the effective delivery of services in responding to residents' complaints concerning poor housing

- conditions, in homes outside the scope of HMO licensing.
- 3.2. The entire service undertook an extensive training programme during the months of May & June to ensure officers were equipped with the necessary knowledge and skills to function within their new teams, and to deliver services effectively and efficiently.
 - 3.3. A new software system, Metastreet, has been deployed to seamlessly facilitate online licence applications, and to manage the case management of applications through to licence issue. A new process to allow remote printing and postage has been implemented within Private Sector Housing, lead by the Licensing Support team, to allow timely provision of correspondence to stakeholders and customers. Officers have been equipped with iPads to allow remote working in the field, bringing about real-time transfer of information and inspection findings to in-house database management systems.
 - 3.4. Partnerships and information sharing have been developed with internal departments to allow effective service delivery, and to identify key areas, properties, or entities for intervention (e.g. Leasehold Services, Council tax).
 - 3.5. The Private Sector Housing Team has worked closely with the internal Media & Communications team to promote, publicise, and inform all stakeholders of the new Additional Licensing scheme. This has involved measures including organising publicity within trade publications, the creation of a short video of a typical licensing inspection aired on social media channels and features on a key landlord licensing website
 - 3.6. Our joint-working relationship with partners in London Fire Brigade has been refreshed to ensure regular consultation around joint-enforcement responsibilities in private sector housing. This has included updating of a joint-working protocol and agreement on joint regulatory approach.

3.7. **ENFORCEMENT**

The service continues to take a proportionate approach to enforcement, seeking to resolve issues informally where possible. In cases where this approach does not bring about a timely resolution, and in cases where there is a risk to residents' health, safety and welfare we will take necessary enforcement action, in line with our Enforcement Policy.

Some examples of types of enforcement action taken are outlined below. These represent persistent failure by certain landlords to take action to improve housing conditions and to protect tenant safety.

36 Hyde Park Gate – enforcement action and prosecution with fine

A Grade 2 listed Georgian, six storey property, originally 4 flats illegally subdivided into 22 bedrooms, operating as a House in Multiple Occupation (HMO). The Landlord refused to apply for an HMO licence. The property was inspected and multiple hazards putting tenants at risk were identified, these included damp & mould, lack of fire safety precautions, fire alarms covered with cling fling, camp-style cooking in bedroom and burnt-out electrical sockets. An improvement notice under the Housing Act 2004 was served on the landlord, which was not complied with.

The Private Sector Housing team prosecuted the landlord for operating an unlicensed HMO, breaches of the HMO Management Regulations 2006 and failure to comply with an Improvement Notice. On 1 November 2023, at Westminster Magistrate Court, Blackstone Properties Management Limited and the landlord, Mr Mohamed Ali Rasool, who was also a director of the company, were found guilty of putting tenants at risk and fined a combined total of £480,000 plus costs which is believed to be the highest fine for this type of offence.

Flat E, 200 Ladbroke Grove – improvement notice, and civil penalty notice with fine

In May 2022 an inspection was carried out at studio flat following a report of damp and mould and the lack of window restrictors within the property. In June 2022 an Improvement Notice was served on the landlord to undertake remedial works.

The landlord failed to comply with the Improvement Notice, as a result a Notice of Intention to Serve a Financial Penalty was served for failure to comply with the Improvement Notice. The landlord failed to respond to the Notice of Intention or to complete the required works. A financial penalty of £15,000 was then served on the landlord. Remedial works are still ongoing at the property.

31 Watts House – Prohibition for category 1 damp and penetrating water – significant health hazard

A three bedroomed maisonette, located on the upper floor of a purpose-built block of flats, affected by severe damp and mould and a significant amount of water penetration, which was occupied by a family. The block is life-expired and has been scheduled for demolition.

An inspection was carried out by the team, after which a Prohibition Order, under the Housing Act 2004, was served on the landlord, a Registered Housing Provider. The Prohibition Order prohibited the use of the whole premises as a living accommodation. Despite the landlord's appeal, the Court upheld the Prohibition Order. Following that, a Consent Order was agreed between the PSH team and the landlord. Tenants have been given alternative accommodation and the property will remain unoccupied until building demolition.

3.8. REGISTERED HOUSING PROVIDERS (Housing Associations)

One of our aims is to improve housing conditions in Registered Provider (RP) properties. We have worked to improve our engagement and liaison with them, and to influence behaviour leading to good housing outcomes for residents. We have instigated regular meetings and worked closely with them on some cases. However, service requests concerning RP properties are investigated on an equal footing with those concerning other private landlords and where

necessary, appropriate and proportionate enforcement action has been taken to improve housing standards.

3.9. **ENERGY EFFICIENCY**

This year has seen the completion of our Local Authority Delivery and Home Upgrade Grant projects, we are waiting to see what the next Government backed initiative will be. We continue to provide support for residents in fuel poverty through our energy efficiency advice services. We are currently working with the Green Doctors and SHINE to provide home energy visits providing small measures, energy efficiency advice, debt and tariff advice and referrals to a range of support agencies. This is supported by our work on Minimum Energy Efficiency Standards aimed at improving the energy efficiency of rented properties and cutting energy costs for tenants. We also support social services through our provision of emergency heaters for vulnerable residents in cold weather.

3.10. **FIRE SAFETY**

We have worked with the London Fire Brigade to bring about improved engagement and liaison on fire safety enforcement cases. We have scheduled monthly consultation meetings for consultation on cases where we have a legal duty to consult, and on cases where it is good practice to do so, e.g. applying fire safety conditions to HMO licences.

We have adopted an interim draft protocol for joint working on fire safety enforcement in cases where RBKC (Royal Borough of Kensington and Chelsea) and LFB (London Fire Brigade) have parallel enforcement jurisdiction and have agreed to adopt a joint approach to cases where action could be taken by both authorities. We have agreed an interim protocol for joint working with the aim of avoiding duplication and bring to bear the most effective enforcement powers for any given case with the aim ensuring optimum fire safety for our residents. The interim protocol is in place pending the introduction of a national initiative by the Government.

3.11. **PUBLIC HEALTH**

We have continued to deal with complaints of Public Health significance including statutory nuisances, filthy and verminous premises and hoarding. Our approach has been engagement, advice and explanation given at the earliest opportunity. Referral to other health professionals is made where appropriate and active participation with the social services protocol and self-neglect / hoarding case conferences. Our objective in each case is to achieve a reduction in the level of hazard risk in these properties and reduce the negative effects on the community, whilst balancing the welfare of tenants and activities at their properties.

4. PERFORMANCE INDICATORS

	2023-2024	2022-2023	2021-2022
Number of Housing Service Requests Received	1122	1065	1363
Number of Licensed Properties	441 (as at 29.2.24)	152	151
Enforcement Notices Served (excluding Section 16 and 235)	67	70	50
Number of Civil Penalty Notices Issued	4	0	1
Value of Civil Penalty notices issued	£22,500	0	n/a
Number of Cases Where Works Were Carried Out in Default of the Owner	3	1	3
Number of Prosecutions	3	0	0
Number of filthy and verminous/hoarding cases	63	n/a	n/a

5. KEY PRIORITIES FOR 2024-2025

- 5.1. Respond swiftly to requests for service from tenants living in the private rented sector relating to poor housing standards and management problems, and to councillor enquiries and other calls for action from the community.
- 5.2. Focus on prompt regulation and enforcement where there is disrepair, public health failures and/or management standards have not been met.
- 5.3. Continue to effectively deliver our Additional and Mandatory HMO licensing schemes.
- 5.4. Guided by increased knowledge and intelligence collated from our HMO licensing activities, enhance our enforcement activity to tackle licensing evasion and non-compliance, including using civil penalties.
- 5.5. Strengthen our monitoring and enforcement approach to licensed HMOs, including breach of licence conditions and use of civil penalties, and carry out targeted inspection of high-risk HMOs.
- 5.6. With the knowledge gained in implementation of Additional HMO licensing review existing HMO standards.
- 5.7. Review our fees for HMO licensing to ensure value for money and cost neutrality in delivering work.
- 5.8. Increase engagement with key stakeholders, design and host a Private Landlords' forum to understand external views and priorities, whilst also sharing key information and updates regarding the private rented sector.
- 5.9. Respond to increasing number of Public Health service requests regarding filthy and verminous and suspected hoarding.
- 5.10. Build on our work to implement Minimum Energy Efficiency Standards in

the Private Rented Sector.

- 5.11. Continue to work with other agencies to monitor hotels used as asylum seeker accommodation.
- 5.12. Deliver a comprehensive training programme across the team to support use of all enforcement tools available to us, licensing, and fire safety
- 5.13. Continue to interact with Registered Providers, working in partnership whilst using enforcement to drive up housing conditions where necessary
- 5.14. Review the Fire Safety Protocol with the London Fire Brigade (LFB) considering the Fire Safety Act, Building Safety Act and pan London approach, considering the publication of any national guidance or initiatives from the Government.
- 5.15. Integrate the Council's values into everything that we do.

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

POLLUTION REGULATORY TEAM ANNUAL REPORT 2023 – 2024



1. PURPOSE OF THE POLLUTION REGULATORY TEAM

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

2. POLLUTION REGULATORY TEAM OBJECTIVES

- 2.1. To identify risks associated with air quality and contaminated land that may arise while land is re-developed through the planning process and make sure the completed site is suitable for its future use and environmental setting.
- 2.2. To address contaminated land through our Contaminated Land Strategies and in line with legislation and regulations.
- 2.3. To monitor and model air quality to gauge the extent to which National air quality objectives and World Health Organisation Guideline Values are met.
- 2.4. Work in partnership, to raise awareness and tackle poor air quality, by overseeing and implementing our Air Quality Action Plan to improve air quality, health outcomes and inequalities and maximise co-benefits to support the Council's ambition to achieve net zero carbon targets.
- 2.5. To control emissions to air through authorisation and inspection of small industrial processes.

3. KEY ACHIEVEMENTS FOR 2023/24

- 3.1. At the end of May, we submitted our Annual Status Report to the GLA reporting on all air quality data collected during 2022 and reported on progress with delivering the Council's Air Quality Action Plan. The report can be viewed on the Council's website <https://www.rbkc.gov.uk/media/document/annual-status-report-2023-covering-2022>
- 3.2. Throughout the year, Council officers continued implementing the programme of air quality and climate change audits. Planning permissions and listed building consent (where necessary) were obtained for the measures recommended at five schools where audits had taken place previously. So far, a green screen has been installed at one school (with permission granted for another to be installed next year) and shelters and bike/scooter storage have been installed at five schools.

- 3.3. Towards the end of the year, the Council carried out a tender exercise to appoint a consultant who will begin auditing all of the Council's schools and nurseries in the borough over the next three years (and review those audits already undertaken). Council officers will work alongside the consultant and lead on the process of securing any necessary planning permissions. This should expediate the rate of audits completed.
- 3.4. At the end of 2023, the Council was able to report, for the first time, that the annual mean national Air Quality Objectives for nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) had all been met.
- 3.5. We have responded to all planning consultations commenting on the potential impacts of development on air quality and contaminated land. This is one of the main duties of the team and what we spend most time on. We have also provided pre-application advice to developers on matters relevant to air quality and contaminated land and provided guidance to other Council Teams on progressing Council led developments.
- 3.6. We have overseen completion of all required Environmental permitting regulation inspections e.g., dry cleaners, petrol stations, etc. and a statutory return was provided to DEFRA. Permits were updated and re-issued and these can be viewed at <https://www.rbkc.gov.uk/environment/air-quality/public-register>.
- 3.7. We have responded to 70 requests for environmental searches asking for information about historic uses of land.

4. PERFORMANCE INDICATORS AND KEY STATUTORY RETURNS

	2023-2024	2022-2023	2021-2022
Planning Consultations	840 cases 1658 formal responses	845 cases 1081 formal responses	697 cases 934 formal responses
Environmental Searches	70	104	58
Permitted Processes	28	27	32

5. KEY PRIORITIES FOR 2024-2025

- 5.1. The Pollution Regulatory Team has six posts. Currently the Air Quality Officer post is vacant and in July, the Environmental Pollution Officer post also becomes vacant. Therefore, a priority for 24/25 is to successfully obtain permission to recruit to these posts and fill them.
- 5.2. The Council has recently appointed a consultant to oversee the air quality audit programme. We hope this work will now proceed at pace with completion of audits at approximately 15 schools per year. It may take more time to obtain any planning permission required to implement any measure, but this will be progressed by Council officers. In addition, we plan to install an air quality mobile sensor at each of these schools taking part in this phase of the programme. Raising awareness with the school community about the impact that poor air quality can have on health and sharing information about what actions people can take themselves to improve it will also be a key part of the programme.
- 5.3. We will assist the Planning Department with the adoption of new Local Plan policies on air quality and contaminated land. This will require the production of a new Air Quality Supplementary Planning Document and

- updated contaminated land guidance. Work will also commence to update the Council's Contaminated Land Strategy.
- 5.4. We previously commissioned the Environmental Consultant 'CERC' to update the air quality modelling that was undertaken in support of the Council's Air Quality Action Plan. Maps were produced to show the areas exceeding air quality objectives for 2019 and further work needs to be undertaken to produce maps for 2022 and 2025.
 - 5.5. We will remain part of several pan London working groups, part funded by the Mayor of London, centred around improving air quality. These include the London Wood Burning Group which seeks to raise awareness about the impact that using wood burners has on concentrations of PM_{2.5} and the impact this can have on health. We will also be seeking to introduce new financial penalties for emitting smoke from a chimney and arranging training for enforcement officers for these investigations. Other groups are focussed on raising awareness and reducing emissions from idling engines and creating healthy waterways.
 - 5.6. The contracts for the service, maintenance and data management of the Councils automatic monitoring stations will need to be renewed.

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

STREET ENFORCEMENT TEAM ANNUAL REPORT 2023 – 2024



1. PURPOSE OF THE STREET ENFORCEMENT TEAM

- 1.1. To provide a pro-active and re-active patrolling presence across the borough, working in partnership to provide safe and clean streets. The team works to protect the environment and the community by tackling concerns for environmental crime and anti-social behaviour, providing reassurance, assistance and enforcement to create a safer, cleaner more pleasant living environment for those who live work and visit the Borough.
- 1.2. The SET team consists of 23 Street Enforcement Team Officers and 3 Senior Supervisors. Each Senior Supervisor has responsibility for an area of the borough: North, Central or South, with at least one officer assigned responsibility for a ward.
- 1.3. The SET service is managed by x2 SET managers, ensuring delivery against objectives and managing performance.
- 1.4. The team work to a single Rota that ensures officer coverage 7 days a week with shifts ranging from 7am to 11pm:
 - Mon – Fri 7am – 11pm
 - Sat 10-11pm
 - Sun 10-7pm

2. STREET ENFORCEMENT TEAM OBJECTIVES

- 2.1. Respond to instances of non-compliance with appropriate action including the issuing of Fixed Penalty Notices and Prosecution to enact behavioural change and positive outcomes for the environment and our community.
- 2.2. Deter crime and anti-social behaviour, providing a reassuring presence, promote community safety and aim at supporting the reduce residents' fear of crime.
- 2.3. Identify issues affecting our communities in the public realm, being responsible for ensuring compliance across a broad range of legislation and policies.

- 2.4. Educate communities on the impact of their actions and where necessary using enforcement powers to enact behaviour change.
- 2.5. Provide an outcome focused approach to dealing with residents' concerns, bringing in and working with partners to effect positive resolution where possible.

3. KEY ACHIEVEMENTS FOR 2023/2024

- 3.1. The SET team formed in November 2023. A number of transformational work strands were progressed, in order to ensure services are fit for purpose and fit for the future. Work has included:
 - Uniforms – Sourcing and ordering of branded uniforms for all SET officers.
 - Technology - Ordering of tablets and laptops so all officers have the technological capability of investigating concerns, issuing notices and can undertake duties out on the street.
 - Rota and Cluster areas – A three shift rota developed and introduced on the 8th of January 2024. The SET officers were assigned to a ward and cluster area within the borough; North, Central or South along with a designated Senior Supervisor.
 - H&S – Risk assessments in place to cover activities and review of PPE including protective gloves and boots.
 - Authorisations - Delegated authority provided for all staff and contract staff, enabling FPNs and enforcement to take place across the SET service.
 - Training – Internal training sessions held in December with colleagues from community safety, Waste Management and Environmental Health. External training bespoke to the needs of the service has been arranged week commencing January/February. Including Personal Safety and Conflict Management / FPNs and ASB / Core Skills / First Aid. A second round of training took place in April/May to cover those returning from long-term sick and new recruits to the team.
 - HR – management and support for sickness and other Employment Relationship matters.
 - Work with the communications and web services team on the launch of the SET service

4. PERFORMANCE

Since November 2023 the team have investigated, educated and enforced across a broad range of concerns, this has been on a reactive basis in response to residents and members reports via Streetline or pro-actively as part of the visible patrols and visits to known hotspot locations.

Between November 2023 and March 2024, 14,818 cases have been logged as actions/investigations on our Netcall system, these are in response to service requests from residents recorded via Streetline, as well as pro-active activity

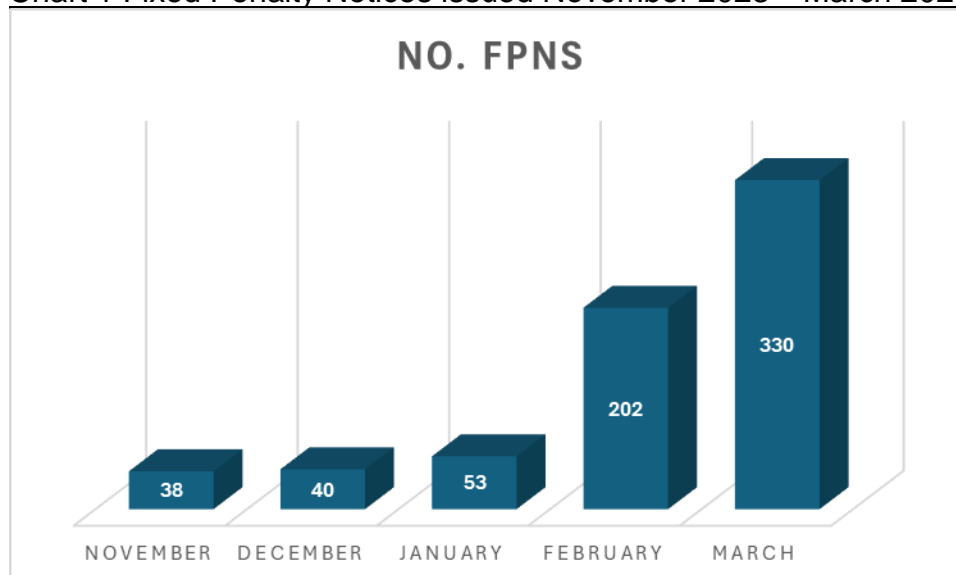
when officers are out on patrols. Table 1 highlights the top 15 categories dealt with by officers.

Category	Total
Dumped Bags - Residential	3898
Bulky Waste	1991
Other - Community Engagement	1386
Dockless Bikes and Scooters	1171
Begging	833
PSPO-Vehicles	492
Abandoned Bicycle	397
Cycling on Pavement	348
Rough Sleeping	330
Dumped Bags - Commercial	309
Graffiti	277
Idling Engine	254
Illegal Street Trading	226
Littering	185
PSPO-Busking	180

*SET was launched in January 2023

Where appropriate and evidence is provided, the street enforcement team will issue fixed penalty notices. Since 1st November 2023 to 31st March 2024 the team have issued 663 FPNs for littering/waste and highways related offences. Chart 1 shows number of FPNs issued by month for this period. During this period the team also issued 34 Section 34 notices and 110 Section 47 notices to commercial premises, ensuring compliance around their waste.

Chart 1 Fixed Penalty Notices issued November 2023*- March 2024



Public Space Protection Orders

The Anti-Social Behaviour, Crime and Policing Act 2014 enable local authorities to introduce Public Space Protection Orders, to respond to concerns and issues of anti-social behaviour impacting on residents and communities.

On summary conviction in a Magistrates' Court, breaching the PSPO can result in a maximum fine of £1,000. In most cases, however, a person who breaches a PSPO will be given the opportunity of discharging their criminal liability by paying a fixed penalty of £100.

The SET have been responding and investigating concerns of breaches of the Busking PSPO (186 reports) and PSPO for Nuisance Vehicles (492 reports).

RBKC currently has three Public Space Protection orders in place:

- Busking - Controlling busking in the Borough - Public Space Protection Orders (PSPOs) | Royal Borough of Kensington and Chelsea (rbkc.gov.uk)
- Nuisance Vehicles - Antisocial Behaviour (ASB) Nuisance Vehicles Public Spaces Protection Order (PSPO) | Royal Borough of Kensington and Chelsea (rbkc.gov.uk)

A new PSPO is due to be introduced in Earl's Court Ward responding to concerns for crime and anti-social behaviour.

The SET have undertaken a number of partnership events and operations with policing colleagues and partners, such as,

- Supporting Trading Standards Operation for the selling of counterfeit Levi Jeans – leading to the seizure of 105 Levi Jeans and enforcement action being taken.
- Tent events with Policing partners at Notting Hill Gate and Portobello Market.
- In February the team supported in keeping the public safe by reporting a large fallen tree in the borough, activating the emergency scheme, cordoning the area until the area was made safe.

5. KEY PRIORITIES FOR 2024-2025

- 5.1. To ensure the service responds to the needs of the residents and adapts to emerging issues and concerns within the public realm around environmental crime and anti-social behaviour
- 5.2. Ensure those who live, work and visit are compliant with legislation to keep RBKC clean and safe, taking appropriate enforcement action against those who offend.
- 5.3. To work with communications team in order to educate and inform residents and businesses around their waste and public realm related obligations.
- 5.4. Review of policies and procedures associated with the Street Enforcement Team.
- 5.5. Review of enforcement actions and ensure the most appropriate legislation is being taken.
- 5.6. Training and joint partnership operations to enforce the Earl's Court PSPO
- 5.7. Ensure effective use of data and intelligence to target resources and activities.
- 5.8. To increase the level of joint working and information sharing with internal and external partners including Metropolitan Police Safer Neighbourhood Team, Licensing, SUEZ, Community Safety etc.