

## **REVIEW 2 - A REVIEW OF LOCAL PEST CONTROL SERVICES AND THE IMPACT OF WASTE MANAGEMENT PROCESSES ON THESE - SECOND WITNESS SESSION**

**Contact Officers:** Nadia Williams  
**Telephone:** 01895 277655

### **REASON FOR THIS ITEM**

To consider an updated draft scoping report for the Review and make amendments if required.

To hear from Chris Troy, Manager of the Environmental Protection Unit who carries out health inspections for the Council, providing Members with background on his role as a health inspector. Colin Edards, a Pest Control Contractor engaged by the Council will also be attending as a witness to give members an insight into his role as a contractor.

### **OPTIONS OPEN TO THE COMMITTEE**

1. To consider the updated draft scoping report (Appendix 1) and to make amendments if necessary.
2. Question the witnesses.
3. To make a note of possible recommendations for the review.

### **INFORMATION**

1. At the first witness session held on 22 January 2013, Members heard from the Council's ASB & Investigations Service Manager, Green Spaces, Sport and Leisure Senior Manger, Public Protection Services Manager and the Waste Division Manager. This provided Members with background information to understanding the roles and responsibilities in this area. It also enabled Members to examine the current and planned service provision for both domestic and commercial pest control and its relationship to waste management and anti-social behaviour.

### **Witnesses**

2. At this meeting, the Committee will hear from the Council's Health Inspector, Chris Troy and Colin Edards, a Pest Control Contractor engaged by the Council.

---

## **PART 1 – MEMBERS, PUBLIC AND PRESS**



# HILLINGDON

LONDON

## Residents' and Environmental Services Policy Overview Committee Review Scoping Report 2012/13

### **OBJECTIVE**

#### **Title and aim of review**

**A REVIEW OF LOCAL PEST CONTROL SERVICES AND THE IMPACT OF WASTE MANAGEMENT PROCESSES ON THESE**

#### **Terms of Reference**

1. To understand the Council's roles and responsibilities in this area;
2. To examine the current and planned service provision for pest control (domestic and commercial) and its relationship to waste management and anti-social behaviour;
3. To understand the different types of pests, populations and likely infestation trends, including how this may impact public health and social stigma;
4. To examine the problems pests cause to individuals, local neighbourhoods, commercial businesses and the wider environment;
5. To review the effect of temperature, climate, urban development and underground infrastructure (and any other factors) on pest populations;
6. To explore how waste management processes and practices in Hillingdon (by residents, businesses, contractors and the Council) can help to mitigate any pest infestations;
7. In particular, to explore how food waste generated by residents and businesses is managed prior to, during and after the collection process;
8. To review any existing policies in this area and best practice elsewhere;
9. To consider the importance, relevancy and adequacy of public information available to residents and businesses;
10. To examine opportunities for improved partnership working to ensure pest problems are addressed as efficiently and swiftly as possible;
11. To bring forward considered (and costed, where applicable) proposals to Cabinet for consideration.

## **Reasons for the review**

It is estimated the number of rodents has rocketed by over 40 per cent in the last decade due to a variety of factors. Housefly populations are predicted to more than double by 2080. Members will also be aware of the recent stories around the increase in bed bug infestations. Nationally, this is a significant issue impacting on all local authority, particularly those in urban areas.

Trends and patterns in population, development, cleanliness standards, waste processes, funding for pest control services and even the weather (amongst many others factors) all impact upon pest populations. Pest infestations can affect individuals, their health and have knock on consequences for others and the local environment.

The Committee is keen to ensure that the services Hillingdon Council provides aim to tackle this problem in a proactive and joined-up way.

## **Types of Pests**

The dictionary definition of “pests” is that it is a general term for organisms which cause a nuisance, but more specifically may cause illness, damage or consume food crops and other material important to humans. Environmental Health Practitioners consider the following pests to be the ones which are of Public Health significance – Rats/Mice; Cockroaches; Pigeons, Bedbugs; Fleas; Lice. Other key pests include Foxes and Pigeons.

Prevention of Damage by Pest Act 1949 defines “infestation” as the presence of rats, mice, insects or mites in numbers which involve an immediate or potential risk of substantial loss or damage to food.

## **Responsibilities for Local Authorities**

Local Authorities are not legally required to provide a pest control service, but the Prevention of Damage by Pests Act 1949 (PDPA) imposes a duty on a local authority to “take such steps as may be necessary to secure as far as practicable that their district is kept free from rats and mice” and in particular to keep the local authority’s own land and land the local authority occupies free from rats and mice. The PDPA also imposes a duty on local authorities to enforce the same duty on other owners and occupiers of land. It is worth noting that occupiers of land (except agricultural land) are required to give written notice to the local authority if it comes to their knowledge that rats or mice are present on the land in substantial numbers.

### **Current Service Provision**

Pest control, waste collection and enforcement of waste management in food and non-food premises are covered by different teams and there is a need for the different units to work as a team to solve problems.

It is suggested that the approach had been fragmented in dealing with issues relating to Commercial waste and issues relating to residents putting rubbish out at the wrong time for collection.

The issue of how waste was presented for collection need to be explored, as residents would need to be made aware of how they contained waste and how best to present them for collection days.

### **Current Service Provision (Open Spaces)**

In Green Spaces and Golf Courses, the Council uses Rentokil to undertake surveys and provide control measures for rats in parks and mice in buildings.

The Council has also been using a local pest controller to assist with moles in fine turf. There is also an issue with foxes on the golf courses as both numbers and damage is increasing.

### **Current Service Provision (Domestic Premises)**

London Borough of Hillingdon Residents Services Directorate provides a pest control service for rats (and mice internal to properties only). The Council has landlord responsibility for Hillingdon Housing Services tenants and a free service is provided to them. In April 2011, however, fees were introduced for non-council tenants and owner occupiers resulting in a reduction in demand for the service. Consequently, the in-house pest control service has assumed pest control work around the Civic Centre and the Council tenant service from Hillingdon Housing Services.

Callers can book appointments and make payment either by telephone or on-line on the Council website. Information and advice on the website for Pest control was up-dated in the summer of 2012.

The charges for the service can be categorised as follows:

1. Resident Owner Occupiers were no concessions apply - £60 for x 3 visits
2. Resident Owner Occupiers were concessions apply, i.e. in receipt of benefits - £15 for x 3 visits
3. Any additional visit or initial visit £36 or £15 were concessions apply
4. Private Landlords (rented houses) £93.60 for x 3 visits
5. Hillingdon Housing Services tenant's request – no charge
6. Council Buildings – Civic Centre requirements, Green spaces and any council buildings – internally re-charged at cost.

### **Current Service Provision (Commercial Premises)**

The Residents Services Directorate's Food Safety Team carries out an inspection programme of food business, dealing with structural, operational and hygiene requirements. The inspection considers the layout and design of the food business concerned to ensure good food hygiene practices including protection against contamination and in particular pest control. Inspections cover provisions for storage and disposal of food waste, non-edible by-products and other refuse. The officer will consider the design and management of refuse stores so as to ensure that they may be kept clean and free from animals and pests. Hygiene Improvement Notices may be served on the food business operator where there is a record of continued non-compliance.

Other provisions in relation to the cleanliness of the work place and facilities for rest and eating meals etc extend to non-food business. These controls may be applied through the Health and Safety at Work Act and associated workplace health, safety and welfare regulations.

The Hygiene Improvement Notice does not deal with accumulations of rubbish or harbourage of pests in non food related locations. Non-food establishments are inspected in response to reports by the Residents Services Directorate's Anti Social Behaviour Investigations Team.

On the first inspection, advice will be given by the officer to the trader to make sure they are aware of their responsibilities, with particular effort made to assist small traders to be aware of the steps they must take to manage waste.

If advice is not effective in resolving the problem, consideration will be given to serving a Legal Notice (see above) on the person responsible and or the owner of the land. With regard to commercial waste the following additional provisions apply:

- Environmental Protection Act 1990
  - S.47 requirement to store trade refuse in a suitable container
  - S.34 duty of care for persons responsible for waste to take all measures applicable to prevent any contravention by any other person of law and to ensure that transfer of waste is only to a person authorised for transport purposes
  - Regulations under s.34 relating to the requirement to have in place a waste management plan and if necessary a contract with a provider of waste removal and transfer services

### **Current Service Provision (Mixed Premises)**

There are often occasions where more than one type of premises or land is affected by rodent activity. An example might be:

- A parade of trading premises

- Private flats above
- Yards that form part of those premises to the rear
- The yards abut an un-adopted service road and
- The service road backs onto public open space
- The flats gain access via staircase from the service road to balconies.

Due to poor waste management by traders and residents, accumulations of both trade and domestic waste build up giving a food source for rodents that are seen to have habitat in the public open space.

In such situations officers break down the various elements that have combined; these being:

- Pest control action (ie baiting and poisoning) in the public open space. There are no enforcement actions to be taken as the open space is owned by the Council
- Investigation of whether the trading premises are meeting their waste management and property ownership duties. Officers will conduct inspections of trading premises where waste must be securely contained, normally using bulk waste bins that have secure lockable lids. These bins should be regularly emptied by a registered waste collection company who will ensure correct disposal. This process must be recorded and audited. Should the officer find any failing in this duty enforcement action will be instigated under Environmental Protection Act 1990 s34. Owners or occupiers have a requirement to keep land clean, tidy and sanitary, or formal actions will be taken to enforce clearance of accumulations and treatment for any rodents upon land under Prevention of Damage by Pests Act 1949 s4). In cases where an un-adopted service road is not kept clear of waste, occupiers of premises that directly abut the service road will be served a notice to clear it under Public Health Act 1936 s78.
- Whether the residents of the flats have sufficient knowledge about how their waste should be stored prior to collection and when and where their waste should be presented for collection. Residents of flats will be visited to ensure that they are fully aware where domestic waste should be stored and that residents are aware of the collection day. Each flat will be given a guidance leaflet confirming the correct practice. Should there be continuing failure to store or present domestic waste in the agreed manner, notice can be served to formalise storage and presentation for collection under Environmental Protection Act 1990 s46.

### Costs to the Council of providing the Pest Control Service

<b>Cost</b>	2011/2012	£113,000
<b>Income</b>	2011/2012	£76,000 (£36,000 external income and £40,000 recharges from other Council departments)
<b>Net Cost</b>	2011/2012	£37,000

### Proposed changes to the pest control service from April 2013

Following a BID review, it is proposed that the delivery of the Pest Control Service will be outsourced to local contractors to cover the following services within one maintenance service:

- Hillingdon Housing Services tenants - free service
- Owner Occupiers where concessions apply – charge £15
- Residents in receipt of state pension (over age of 65 years) - free service
- Council Buildings, Civic Centre, Green spaces

The offer of Pest Control Service to owner occupiers or private tenants who do not qualify for concessions will be discontinued - they will be directed to private sector local contractors.

Concessions and Over 65 requests will be directed to Hillingdon Housing Service to action and monitor alongside their own requests from tenants - this will allow a simplified billing system for the Council and contractor.

Hillingdon Housing Service will identify eligibility for those that qualify for concessions by asking for National Insurance Number or using Council Tax records. Older people will be classed as those in receipt of state pension.

### Enforcement of the duties of occupiers of land

Properties are inspected by the Residents Services Directorate's Anti Social Behaviour Investigations Team in response to reports, as it is deemed that not dealing properly, either deliberately or negligently, with waste accumulations, or build up of undergrowth providing food or shelter for rodents is anti-social by nature as it is likely to cause nuisance for other people or a health risk.

On the first inspection, advice will be given by the officer to the occupier to make sure they are aware of their responsibilities, with particular effort made to assist older or vulnerable residents to be aware of the steps they must take to manage their property, or how to seek assistance if they cannot manage it themselves.

If advice is not effective in resolving the problem, consideration will be given to serving a Legal Notice on the occupier and / or owner under one of the following provisions:

- Environmental Protection Act 1990
  - S.46 requirement to present refuse in a prescribed manner
  - S.59 requirement to remove waste stored or deposited on land not licensed for such
  - S.80 requirement to abate a statutory nuisance connected to land in such a state as to be prejudicial to health or a nuisance
  - S.92 requirement to remove litter from land where it is detrimental to the amenity of the area
- Prevention of Damage by Pest Act 1949
  - S.4 requirement to remove or prevent conditions which provide harbourage for rodents
- Public Health Act 1961
  - S.34 requirement to remove waste from land which is seriously detrimental to the amenities of the neighbourhood
- Public Health Act 1936
  - S.78 requirement to sweep or cleanse passages or yards
  - S.79 requirement to remove noxious matter from land
  - S.83 requirement to cleanse filthy and verminous premises
- Town and Country Planning Act 1990
  - S.215 requirement to remedy the condition of land which is seriously adverse to the amenities of an area

If these notices are not complied with there are various penalties set out in legislation and in most cases, the Council will carry out the necessary work (“work in default”) and charge the cost to the person responsible.

### **Hillingdon’s Waste Management Services**

Hillingdon operates three separate collection services to households across the Borough:

- Residual waste collection (black bags to landfill)
- Co-mingled recycling (paper, card, glass, plastic, tins,)
- Garden waste – including vegetables peelings etc.

Residual waste and co-mingled recycling are collected weekly. Garden waste is collected fortnightly.

Schedules are designed to ensure that the fortnightly collection of green waste co-insides with the collection of other waste collections.

In all circumstances, residents are required to:



- Place bags out for collection in their front garden, drive or path, but not on the pavement or grass verge
- Not to place bags out for collection earlier than 17:30 on the evening before
- If collection is via rear service road, waste to be placed at a regular and convenient collection point
- At no time during the week should refuse/recycling be stored anywhere other than within the property boundary.

Waste Services also collect trade waste under contract from commercial premises and rent to them waste collection bins. This is a chargeable service with the Authority duty bound to recover its costs.

The Street cleaning Service will collect dumped rubbish from roads and pavements, green and open spaces where these are the duty of the local authority to maintain. There are a number of locations in the Borough where private land; such as rear access roads, attract fly-tipped rubbish and often pests. In some areas, Council adds private roads like this to street cleansing regimes, but this does set a precedent and could expose the Council to a permanent arrangement and a considerable increase in costs. Unless the circumstances are unique, householders and fly-tippers become aware and may leave even more waste in the knowledge that it will be taken away at regular intervals.

### **Public health considerations**

Public health problems arising from pests are not limited to diseases. Quality of life for people can be affected by infestations of pests such as mice, fleas, cockroaches and bedbugs, in particular among vulnerable people.

It is said the presence of rats and mice in a home could “trigger psycho/social stresses on people of all ages and backgrounds”, and mental anxiety could be caused by embarrassment from lice and flea bites. The report by the World Health Organization said demonstrated “a clear association between pest-infested premises, depression, migraines, allergies and asthma”. These ailments could result from anxiety, lack of sleep and allergic reactions.

### **Supporting the Cabinet & Council’s policies and objectives**

Hillingdon Cabinet’s decision not to reduce the frequency of waste collection will have assisted in tackling this problem. This is in stark comparison to a large number of Councils (almost half) who have stopped collecting bins on a weekly basis, resulting in more fly-tipping and more refuse being piled up outside properties and consequential pest infestation problems.

## **INFORMATION AND ANALYSIS**

### **Key Issues**

- A clear definition of what the Council classes as pests
- Clarification of what the Council is responsible for dealing with and who is responsible for the cost occurred
- Establish whether there are policies in place for dealing with rats and mice and see whether these need to be reviewed
- Consider the legislation relating to public health issues and environmental laws and explore the issue of enforcement
- To find out what the trend is in Hillingdon
- Concern about issues relating to people living in social housing, particularly about who is responsible for dealing with pest control and the issue of finance
- Recurring problems of pest infestation arising from commercial premises
- Action to be taking against persistent occurrences after a warning has been given

### **Remit - who / what is this review covering?**

The review covers the remit of the following Council services:

- Public Protection / Consumer Protection
- Community Safety (Anti-social behaviour)
- Housing Services (tenants)
- Waste Services
- Public Health (from April 2013)

The review covers the following Cabinet portfolios:

- Cabinet Member for Finance, Property and Business Services (Public protection)
- Cabinet Member for Social Services, Health and Housing (Housing / Public Health)
- Cabinet Member for Planning, Transportation and Recycling (Waste)
- Cabinet Member for Community, Commerce and Regeneration (Anti-social behaviour)

**Connected work** (recently completed, planned or ongoing)

The Committee will need to be mindful of the BID review recently completed on this service area (as indicated earlier in the report) with any recommendations proposed to Cabinet having regard to this and compatibility with other BID review outcomes.

This will enable any issues identified by the Committee to be tackled in the most comprehensive, cost effective and efficient way possible.

**EVIDENCE & ENQUIRY**

**Possible Witnesses (tbc)**

- ASB & Investigations Service Manager - LBH
- Green Spaces, Sport and Leisure Senior Manger – LBH
- Public Protection Services Manager – LBH
- Waste Division Manager – LBH
- Service users, e.g. lettings agencies / management companies, private leaseholders and restaurant owners
- Public health professional
- Housing Associations

**Key information required / intelligence**

- Current Council Policy in place for dealing with rats and mice
- Legislation in place for dealing with public health issues in relation to enforcement
- Information provided on the Council website regarding pest control
- Data on the number of cases by type and trend
- The impact on drain clearance services by water companies in rat populations.
- Statistical information on the numbers of pest infestations and pest types.
- Performance indicators and budget information etc...
- Local Government Association studies
- Press articles
- Government guidance and regulations
- Practices in other local authorities

**Useful Websites**

*Hillingdon website:*

<http://www.hillingdon.gov.uk/pestcontrol>

*Chartered Institute of Environmental Health*

<http://www.cieh.org/advresult.aspx?SearchBox=pest%20control>

British Pest Control Association (BPCA)  
<http://www.bpca.org.uk/pages/index.cfm>

### **Consultation and Communications**

To be considered and, if appropriate, aligned with any planned service consultations.

### **Lines of enquiry**

To be confirmed at a later stage.

### **PROPOSALS**

To be confirmed at the review report development stage.

### **LOGISTICS**

#### **Proposed timeframe & milestones**

<b>Meeting Date *</b>	<b>Action</b>	<b>Purpose / Outcome</b>
22 January 2013	Agree Draft Scoping Report Witness Session 1	Information and analysis Evidence & enquiry
13 February 2013	Witness Session 2	Evidence & enquiry
26 March 2013	Witness session 3	Evidence & enquiry
24 April 2013	Draft Final Report	Proposals – agree recommendations and final draft report

*\* Specific meetings can be shortened or extended to suit the review topic and needs of the Committee*

### **Risk assessment**

The review needs to be resourced and to stay focused on its terms of reference in order to meet this deadline. The impact of the review may be reduced if the scope of the review is too broad.

**Equalities Implication**

The Council has a public duty to eliminate discrimination, advance equality of opportunity and foster good relations across protected characteristics according to the Equality Act 2010. Our aim is to improve and enrich the quality of life of those living and working within this diverse Borough. Where it is relevant, an impact assessment will be carried out as part of this review to ensure we consider all of our residents' needs.

DRAFT