Environmental Health – FOI 7131

‘I am looking for more information on your Environmental health officer/department. In particular I’d be interested in receiving anything you have relating to the functions of the department/person. For what reasons should people contact them (e.g. types of: pests/repairs/environmental issue/anything else), what things do they not cover, the normal wait time before the environmental health officer/department addresses the reported issue.’

In order to respond to the FOI request above, we have split the inquiry into four questions:

1). What does an Environmental Health Department do?
2). What doesn’t an Environmental Health Department do?
3). When should an Environmental Health Department be contacted? and
4). What are the response and resolution times?

We can only answer the above questions in general terms and as they apply to Thurrock Council because other councils may have different arrangements within their organisations.

**Question 1**

The National Environmental Health Association ([www.NEHA.org](http://www.NEHA.org)) defines environmental health as:

‘Environmental health is the branch of public health that is concerned with all aspects of the natural and built environment that may affect human health.’

To understand what an Environmental Health Department does it is important to understand its history. Environmental Health can trace its origins to the 1840’s when a connection was made between poor sanitation and ill health which resulted in the Public Health Act of 1848. This Act provided for the appointment of Inspectors of Nuisances in areas of need.

In 1883 the Association of Public Sanitary Inspectors was established and is the forerunner of the modern Chartered Institute of Environmental Health (CIEH). During this period important legislation was passed by Parliament which was intended to improve the environment of the public and to be enforced by Local Authorities. Notable among these Acts are:

The Public Health Acts 1936 and 1961;
Clean Air Acts 1956 and 1993;
Control of Pollution Act 1974;
Environmental Protection Act 1990; and
The functions of Thurrock Council Environmental Health can be found using the following link under pollution and noise, health and safety and food safety:

https://www.thurrock.gov.uk/environment-and-safety

All these functions are as a result of a duty placed on the Authority by acts of Parliament. In addition to the above Thurrock Council Housing Department employ Environmental Health Officers (EHO’s) to ensure that the legal standards of sanitary conditions are met across the borough both in the public and private housing sectors.

Environmental Health is also a statutory consultee in the planning process. This means that Environmental Health can recommend conditions be placed on an application to protect the local amenity of residents and future residents affected by the proposed development e.g. hours of work, dust control, land remediation etc.

Pest control is not a statutory function required by law for Local Authorities to provide. Pest control was provided by Thurrock Council as a policy decision until 2008 when the service was cut after approval from a full council meeting.

**Question 2**

Environmental Health Departments are responsible for the environment within their borough areas but not nationally. The national health of the environment is regulated by organisations such as the Environment Agency (EA), Health and Safety Executive (HSE) and Public Health England (PHE).

For example the health of all water courses and bodies within the UK lies within the remit of the EA. If a company was found to be polluting the Mar Dyke the EA should be informed not the Local Authority.

Other examples of when Environmental Health should not be contacted in the first instance include;

- Illegal waste transfer activities (EA);
- Regulation of landfill sites (EA);
- Illegal discharges to water or land (EA);
- Large scale industrial discharges to air (EA);
- Health and safety on building sites (HSE); and
- Radiation incidents (PHE).

Another notable example of the difference in the function of an Environmental Health Department and a national organisation is in the area of emissions to air. The EA is responsible for all activities which may affect global warming (e.g. emissions from power stations) whereas Environmental Health is responsible for local air quality (e.g. emissions from motor vehicles).

Although there is a demarcation between local and national bodies’ duties it is the case that they work alongside each other on a regular basis.
Question 3

Environmental Health does not enforce anti-social behaviour legislation. Thurrock Council has a separate team for the investigation of such alleged activities.

Environmental Health should be contacted whenever you feel that there is an activity happening near you that you think may affect your health. A common example of this is noise nuisance. Your neighbour is playing loud music late at night that is disrupting your sleep and you have work the next day. Other common examples include:

- Smoke from bonfires;
- Dust from building sites;
- Noise from commercial activities;
- Odours; and
- Accumulations encouraging verminous infestations.

The full list of statutory nuisances of which the Environmental Health Department should be contacted, if they are occurring, can be found in section 79 of the Environmental Protection Act 1990. The link is given below:


Other instances of when Environmental Health should be contacted include:

- Concerns with local air quality;
- Concerns with regard to potentially contaminated land e.g. former landfills;
- Concerns with filthy or verminous housing;
- Food poisoning;
- Insanitary food serving/preparation businesses;
- Inspections of tattoo parlours;
- Health and safety within business premises; and
- Smoke control areas;

Question 4

Environmental Health endeavours to be as proactive as possible and tries to resolve issues before they affect members of the public.

Examples of this include:

- Advising planning before a development is built that may have an adverse effect of the surrounding environment;
- Undertaking air quality monitoring and making recommendations to other council departments with regard to potential actions that could be taken to maintain good air quality;
- Investigating and risk assessing potentially contaminated land that may affect local residents;
Regular inspection of food premises;

Monthly swimming pool sampling; and

Giving advice to members of the public who are planning a noisy celebration that may affect their neighbours.

However, the majority of Environmental Health issues have to be investigated in a reactive manner after being raised by a member of the public. Generally a response to the alleged issue is within three working days, resolution of the issue should be within four weeks.

The response/resolution times are dependent on the level of service requests being recorded and the number of staff available to respond to them. Resolution times in particular can vary considerably depending on the nature of the issue.

For example a complaint received by the Out of Hours team with regard to noise nuisance can be resolved fairly quickly. Complaints received because of activities on a building project, which can take four years to complete, will occur for the whole duration of the development with resolution only when the works have finished.