

# Protecting the Public



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# Pest control

**W**e provide advice and treatment services for a variety of pests including:

- Ants
- Fleas
- Cockroaches
- Mice
- Wasps
- Fumigation of empty properties
- Rats
- Bed bugs
- Other insects, e.g. silverfish, carpet beetles, grain weevils, cluster flies

There is a charge for this service - visit [www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk) or call us on the number below for up to date prices, and details of concessions for people on low-income.

We will treat, wasps, mice and rats without charge on public land when the infestation causes a threat to public health.

We don't deal with complaints about foxes, rabbits, squirrels, moles, slugs, spiders, bats or birds. We can't treat every pest problem, but are happy to give free advice on any type of infestation and can identify most types of pest.

## Contact us

For more information contact us on Environmental Health (01246) 231111 or visit the website at [www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)

# Food safety and communicable diseases

**W**e regularly inspect premises where food is prepared and sold, to make sure they meet hygiene and food safety requirements, and that safe working practices are maintained. Those businesses which represent the highest potential risk to consumers will be inspected more frequently.

We also investigate all reported cases of food poisoning and communicable diseases, along with complaints about unfit food.

Our Food Safety Team can also give advice and support to people wishing to start a new business to help them comply with the law right from the start.

## Food Hygiene Rating Score

All businesses have now been rated under this National Scheme which is designed to help choose where to eat or shop, and to drive up hygiene standards.

Each Business is given a rating from zero to five (the highest score) when they are inspected by our Environmental Health Officers. All businesses have been issued with a sticker and certificate with their rating on which they can display on their premises.

You can search to find a rating of a local business on the Food Standards Agency website at [www.food.gov.uk](http://www.food.gov.uk)

The ratings show the hygiene standards of the business as follows:

- 0 - Urgent improvement necessary
- 1 - Major improvement necessary

- 2 - Improvement necessary
- 3 - Generally satisfactory
- 4 - Good
- 5 - Very good

## How do I make a food safety or hygiene complaint?

Please contact us on the number below. We will respond to all complaints within five working days, or in food complaints or food poisoning incidents, we will respond within one working day.

Where adequate standards are not being met we will require the business owner to make the necessary improvements. We will take enforcement action where appropriate.

## Information for businesses

Most types of food business need to be registered with us at least 28 days before they start operating - registration is free and can be done online at [www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)

All food businesses have to put in place procedures based on what are known as the Hazard Analysis Critical Control Point (HACCP) principles. This simply means thinking about what could possibly go wrong with the foods produced or sold, and taking practicable steps to reduce or remove these hazards.

We are happy to provide information and guidance to help businesses to comply with food safety law, but we can and do take legal action against traders for food related offences.

## Contact us

For more information contact Environmental Health on **(01246) 231111** or visit the website at [www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)

# Local markets

**A**lthough we do not currently own or operate any markets, we do support them.

A number of local markets operate in North East Derbyshire, as well as the surrounding area of Chesterfield and Bolsover.

For up to date information about local markets, along with contact details for the operators, visit our website at [www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)

## Contact us

For more information contact us on **(01246) 231111**.

# Licensing

**W**e license and regulate individuals and businesses across North East Derbyshire to make sure that the people and animals of the district stay safe and healthy. We deal with pub, theatre, cinema and taxi licences. We also regulate amusements, fund-raising, piercing/tattooing, and businesses involving animals.

## Do I need a licence?

Licences are required for hackney carriages (taxis) and private hire vehicles, regulated entertainment, the sale/supply of alcohol, lotteries and to regulate a range of commercial and non-commercial activities. If you want to open a new business or arrange any fund-raising event, it is always best to check with us if any licence or permission is required.

The process for getting a licence varies according to the type of activity. Contact us on the number below or visit the website at [www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)

## Will I have to pay for a licence?

A fee is charged for most licences but this should be no more than is necessary to cover the cost of administration and inspection. Some fees are set by the government and we have no control over these.

## Is the information I provide confidential?

Generally, yes, but for some types of licence we may need to publish details to allow people to comment on the application.

## How long will it take to get a licence?

This depends on the type of licence you are applying for. We will normally give you a decision within six weeks of your full application, except where it needs to be considered by the Licensing Sub-Committee.

We will aim to acknowledge general enquiries and complaints, within three working days, and give a detailed response within 15 working days. If you're planning an activity that might need a licence, contact us as early as you can.

## Will the licence have conditions attached?

Almost all licences have conditions attached, but we will ensure these are not excessive and only require what is necessary to address the various licensing objectives.

If your application is refused or you think the conditions are unreasonable generally you have a right of appeal. We'll provide details of how to appeal when we notify you of our decision.

## Contact us

For more information contact Environmental Health (01246) 231111 or visit the website at [www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)

# Noise and other nuisance

**W**e deal with complaints from people who are affected by noise nuisance, and take steps to curb people and businesses that create a nuisance. The most common enquiries are about disturbance from neighbours, such as loud music and televisions, barking dogs, vehicle repairs and DIY noise.

For us to take action we need to be sure that the problem is a 'statutory noise nuisance' - that is, 'noise emitted from premises so as to be prejudicial to health or a nuisance.'

## How do I make a complaint?

Initially the best way to deal with the problem is to go to the source and talk to the person or company responsible. You may find that they don't know they are disturbing you and often a friendly informal approach is enough to sort out the problem.

Alternatively we can contact them on your behalf - call us on the number below or make a complaint online at [www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)

## What action can you take?

If we agree that the noise is a 'statutory nuisance' we can ask the person to reduce the amount of noise they are making, or can serve an 'Abatement Notice' demanding that the noise stops or reduces.

If this doesn't work we may be able to seize the equipment being used to make the noise or ultimately take court action which can result in a fine of up to £20,000. Where an offender is aggressive or violent we can also work with the police to serve a Criminal Behaviour Order.

## How do I avoid causing a noise nuisance to others?

Often, the person making the noise doesn't realise they are causing a nuisance to other people - visit our website for advice on how to avoid being a noisy neighbour.

## Other statutory nuisance

There are other kinds of statutory nuisance which we have powers to deal with under environmental protection laws. These include:

- Smoke emissions from burning materials, e.g. bonfires
- Fumes, gases and offensive odours from dwellings
- Animal odours and faeces from the keeping of animals
- Artificial light
- Insects (industrial, trade or business premises only)

## Contact us

For more information contact Environmental Health on **(01246) 231111** or visit the website at **[www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)**

# Contaminated land and air quality

**W**e make sure that land in North East Derbyshire is fit for use and does not pose a health risk to people, animals, water or property. We also monitor local air quality.

## Land pollution

We identify, inspect and (where necessary) arrange work to improve land which has been contaminated by its former use.

Land can become contaminated when potentially harmful substances are released into the land and water sources. It may have happened many years ago as a result of poor working practices or accidental spills, or may be from more recent or ongoing activities. We now regulate industry to minimise pollution, but historical land contamination must still be dealt with.

We can provide advice and information to businesses, solicitors, developers and members of the public on potentially contaminated sites, and will investigate complaints about land pollution and take action to ensure that polluted land is cleaned up.

You can find out more about contaminated land and the laws that help us to take action against it on the Environment Agency website at

[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

If you have a query about potentially contaminated land, or think that land is currently being polluted, please contact us on the number below.

## Air quality

We regulate industrial premises and inspect them according to their risk rating to ensure that their activities and processes do not emit harmful substances to the atmosphere (See also section on Industrial Processes).

We operate a monitoring programme for atmospheric pollutants and take action to make sure that problems are dealt with swiftly.

We report air quality in the district to the government on a regular basis and work with other agencies to ensure that the National Air Quality Standards are not exceeded.

If you have a query about air quality, or think that someone near you is polluting the air, please contact us on the number below.

## Contact us

For more information contact Environmental Health on (01246) 231111 or visit the website at [www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)

# Industrial processes

**C**ertain types of industrial processes need a permit to operate from the Council. The types of processes which come under these controls are wide ranging and include open cast coal working, foundries, paint sprayers and petrol stations.

These are generally processes which may give rise to dust, smoke, odour, fumes and noise, and the aim is to limit the amount of pollution the process may create in order to protect the health of the general public and the environment as a whole. Each process is subject to regular inspection according to their risk rating.

## What can I do if I encounter pollution?

If you come across pollution, whether from a specific premises or on land, in the air, or in the water, please contact us on the number below.

We will investigate complaints of pollution within three working days of being notified or sooner if deemed urgent. Not all incidents of pollution fall within our power to act - some are dealt with by the Environment Agency. However, we will make sure your complaint is passed onto the relevant body.

You should keep animals and children away from the location, for their own safety. If the pollution is on your property, you must take reasonable steps to protect others that may be in the vicinity, such as footpath users.

If you are responsible for the pollution, we will advise you of your legal responsibilities, and the action we propose to take. This may include enforcement action, in which case we will also advise you of any right to appeal against our decision.

## Contact us

For more information contact Environmental Health on **(01246) 231111** or visit the website at **[www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)**

# Drainage

## Public sewers

We are not responsible for the maintenance of public sewers or main sewers - this is the job of the regional water providers, Yorkshire Water and Severn Trent Water.

They are responsible for clearing blockages and repairing defects in public sewers and main sewers in the district. Problems with public sewers and main sewers should be reported directly to your provider: **Yorkshire Water: 0845 1 242424 / Severn Trent Water: 0800 783 4444**

## Homeowners and businesses

Homeowners and businesses are responsible for maintaining drains and sewers on their property up to the point where they join the main sewer.

## Private sewers

A private sewer is a pipe which is taking water from more than one property, but which is not a public sewer. This sewer is the joint responsibility of each of the properties that drain into it. This responsibility continues up to the point where the private sewer (including the connection) joins a public sewer. This means that often people are responsible for the repair and maintenance of drainage pipes that are beneath land owned by somebody else, such as a neighbour.

Responsibility for private sewer problems and blockages lies with the owners /occupiers of properties draining into the sewer upstream of any defect or blockage.

## Land drainage and culverts

Land drains, open ditches, streams and rivers are generally the responsibility of the owner of the land in which they are situated. The Environment Agency is the enforcement authority for main rivers.

A culvert is a watercourse, stream, or natural flow of water that is piped or channelled underground. The owner of the land through which the culvert or water course is running is responsible for clearing a blocked culvert.

We act in an advisory capacity only with land drainage enquiries, but in the case of culverts we may act to make sure they are kept free of debris, as there can occasionally be a flooding risk, depending on the location.

## Contact us

For more information contact Engineers or Environmental Health on **(01246) 231111** or visit the website at **[www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)**

# Smoke-free legislation

**W**e are responsible for enforcing the smoke-free legislation, which makes it illegal to:

- Smoke in any public enclosed premises
- Permit others to smoke in any public enclosed premises
- Fail to display warning notices in public enclosed premises

## Smoke-free premises

The law applies to all ‘enclosed’ and ‘substantially enclosed’ public places and workplaces. This includes both permanent and temporary premises, such as tents and marquees.

A premises is considered enclosed if it has a roof or ceiling and, with the exception of doors, windows or passageways, is wholly enclosed either on a permanent or temporary basis.

Substantially enclosed premises have a ceiling / roof, but have an opening in the walls which is less than half the total area of the walls. This does not include doors, windows or any fittings that can be opened or shut.

If you are not sure which type of premises you have, please contact us on the number below.

## Smoke-free vehicles

The vehicles covered by the smoke-free law are:

- Public transport vehicles (buses, trams, trains, taxis etc)
- Any work vehicle used by more than one person, regardless of whether there is more than one person in the vehicle
- Vehicles that are primarily used for private purposes will not be required to be smoke-free unless a child (under 18 years of age) is also travelling in the vehicle at the same time

## Exceptions

There are some exceptions to the smoke-free legislation:

- The legislation does not cover domestic settings
- Workplaces that are also someone's home, e.g. residential care homes, long term residential mental health units and prisons
- Designated rooms in hotels, hostels, etc are also exempt since they are places where someone is living, even though they are not private homes

This does not mean that smoking is allowed throughout the premises, however.

Premises with exemptions will have to identify permanent designated smoke rooms which will have to meet the following specifications:

- The room is completely enclosed except for windows and doors
- The ventilation system does not ventilate into a smoke-free part of the premises
- If a door opens in to smoke-free premises, it can be closed by mechanical means to prevent any smoke drift
- The room needs to be clearly marked as a room where smoking is permitted

## What action can be taken?

Any owner who allows smoking in smoke-free premises, or fails to display no smoking signs, risks a fine of up to £2,500. Members of the public, or employees, who smoke in smoke-free premises can also be fined.

## Contact us

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