

NEIGHBOURHOOD SERVICES SCRUTINY FORUM AGENDA



Wednesday 8 August 2007

at 4.00 pm

**at the Red Room, Avondale Centre,
Dyke House School (Raby Road Entrance), Hartlepool**

MEMBERS: NEIGHBOURHOOD SERVICES SCRUTINY FORUM:

Councillors Akers-Belcher, R W Cook, Coward, Cranney, Flintoff, Gibbon, Henery, Richardson, Simmons, Turner and Wistow

Resident Representatives:

Ann Butterfield, Ian Campbell and Linda Shields

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

3.1 To confirm the minutes of the meeting held on 4 July 2007 (to follow).

4. RESPONSES FROM THE COUNCIL, THE EXECUTIVE OR COMMITTEES OF THE COUNCIL TO FINAL REPORTS OF THIS FORUM

No items.

5. CONSIDERATION OF REQUEST FOR SCRUTINY REVIEWS REFERRED VIA SCRUTINY CO-ORDINATING COMMITTEE

No items.

6. CONSIDERATION OF PROGRESS REPORTS/BUDGET AND POLICY FRAMEWORK DOCUMENTS

6.1 Food Law Enforcement Service Plan 2007/08 – *Head of Public Protection*

6.2 Six Month Progress Report – Public Conveniences – *Director of Neighbourhood Services*

7. FORWARD PLAN

7.1 The Executive's Forward Plan – *Scrutiny Support Officer*

8. ITEMS FOR DISCUSSION

8.1 Scrutiny Investigation into School Meals - *Head of Neighbourhood Management*

8.2 School Meals – Evidence from the Authority's Portfolio Holder for Neighbourhoods and Communities – *Scrutiny Support Officer*

8.3 Feedback from Site Visit:-

a) School Meals – Site Visit Verbal Update – Covering Report – *Scrutiny Support Officer*; and

b) Verbal feedback/findings from Members of the Forum in attendance at the Site Visits.

9. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

ITEMS FOR INFORMATION

- i) **Date of next meeting Wednesday 19 September 2007 at 4pm at Owton Manor Community Centre, Wynyard Road, Hartlepool.**

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

MINUTES

4 July 2007

The meeting commenced at 4.00 pm at Owton Manor Community Centre,
Wynyard Road, Hartlepool

Present:

Councillor: Stephen Akers-Belcher (In the Chair)

Councillors: Rob W Cook, Bob Flintoff, Steve Gibbon, Gordon Henery,
Christopher Simmons and Mike Turner

In accordance with Paragraph 4.2 (ii) Councillor Sheila Griffin
was in attendance as substitute for Councillor Gerald Wistow

Resident Representatives:

Ann Butterfield, Ian Campbell and Linda Shields

Officers:

Denise Ogden, Head of Neighbourhood Management
Jonathan Wistow, Scrutiny Support Officer
Denise Wimpenny, Principal Democratic Services Officer

9. Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Carl
Richardson and Gerald Wistow.

10. Declarations of interest by Members

None.

11. Minutes of the meeting held on 13 June 2007

Confirmed.

12. Responses from the Council, the Executive or Committees of the Council to Final Reports of this Forum

None.

13. Consideration of request for scrutiny reviews referred via Scrutiny Co-ordinating Committee

None.

14. Consideration of progress reports/budget and policy framework documents

None.

15. Recycling (*Head of Neighbourhood Management*)

The Scrutiny Co-ordinating Committee on 13 March 2007 considered a referral from the North Neighbourhood Consultative Forum regarding the current operation of the door to door recycling collection scheme. As part of the referral it was suggested that Scrutiny:-

- (a) Look at the way in which contractors carried out the work of recycling; and
- (b) Review the procedure specification on the door to door collection of recycled material in light of the perception of dissatisfaction from Ward Councillors and members of the public.

The Scrutiny Co-ordinating Committee accepted the referral in principle for inclusion in the Neighbourhood Services Scrutiny Forum's 2007/8 Work Programme. Members were, however, mindful that the authorities recycling contract (blue box and bag) was currently out to tender, working on the basis of procuring a new contract from June 2007. It was recognised that timescales would not allow a full inquiry to be undertaken prior to the new contract being agreed and recommended a meeting be arranged between the Chairs of the three Neighbourhood Forums, the Chair and resident representatives of the Neighbourhood Services Scrutiny Forum, the Portfolio Holders for Regeneration, Liveability and Housing, Culture and Transportation as well as the Head of Neighbourhood Management.

The meeting was held on 10 April 2007 to discuss operational issues and statistics relating to service performance. The concerns raised at the meeting included, side waste, containers/bins having bagged waste removed and not collected, group collection points, operatives running during collection rounds and education awareness. The meeting concluded that in view of the tendering process currently underway for the provision of recycling operations the most appropriate course of action would be for the Neighbourhood Services Scrutiny Forum to monitor rather than directly scrutinise the service and receive regular progress reports of the new contract including details of projections on staffing and a comparison of services with other Tees Valley Authorities together with details on the service during the coming year.

The report included details of kerbside recycling services within the Tees Valley. Appendix 1 outlined comparators to other neighbouring authorities in relation to the number of materials collected with Hartlepool and Redcar providing more opportunities to recycle. Appendix 2 gave details of how the recycling service had developed over the years and Appendix 3 demonstrated how the Council's recycling initiatives had enabled the authority to achieve the government targets set for recycling household waste over the last five years.

The Head of Neighbourhood Management was in attendance at the meeting and gave a detailed presentation which focused on the following:-

- Side Waste
- Group Presentation Points
- Service Standards
- Kerbside Comparisons – Neighbouring Councils
- Tees Valley Performance
- Contract Position

Members were advised that to achieve economies of scale it was agreed that four authorities investigate the procurement of the blue box and bag service. The contract had been advertised in April with nine expressions of interest, five of which passed the pre-qualification evaluation. Out of the five that were invited to tender, three withdrew. Tenders had been received and tender evaluations and contract negotiations had taken place.

Discussion ensued in which Members raised the following issues:-

- (i) Members referred to the following types of complaints received from residents in relation to the standards of service. No attempts were made to collect additional poly bags, if bins were over-flowing all the rubbish was not collected, operatives did not pick up any over-spills and were reluctant to do so if requested, bags were not returned to the collection point and blue bags often blew away.
- (ii) Drivers experienced difficulties accessing various streets due to parked cars and were driving over pavements to gain access.
- (iii) The importance of training operatives to improve service provision. Members were advised that training was an issue and arrangements were in place for training to be provided once the new contract was in place.
- (iv) Open receptacles were not designed for convenience of residents as papers blew away during windy conditions. Due to fortnightly collections bins quickly filled up particularly those households with large families. The Head of Neighbourhood Management advised that prior to the blue boxes being introduced various focus groups were carried out and residents preferences were taken into consideration. It was highlighted that an alternative type of bag could be explored.

- (v) The use of recycling centres and maintenance responsibilities were discussed as well as the lack of receptacles for disposal of yoghurt cartons and plastic carrier bags and the household waste recycling centre on Burn Road.

During further discussions, whilst some Members acknowledged that there had been teething problems with the service, examples of good service provision were also highlighted. Members wished to congratulate the team in relation to their prompt response to complaints reported by Members and highlighted the need to ensure that the same level of service was maintained in response to residents' complaints.

Following discussion in relation to a possible in-house recycling service, the majority of Members expressed a preference that this option be considered.

Decision

That the information given, be noted and an update report be submitted in six months time.

16. Scrutiny Investigation into School Meals *(Scrutiny Support Officer)*

The Scrutiny Officer presented a scoping report for the Forum's investigation into school meals which included the following issues for consideration by the Forum:-

The aim of the investigation

To gain an understanding of school meal provision within the town and how Hartlepool compared nationally and regionally for this issue.

The terms of reference for the investigation

- (a) To gain an understanding of the Government's guidance in relation to the delivery of school meals;
- (b) To gain an understanding of how school meals were delivered locally;
- (c) To examine how, and to what standard, school meals were provided locally in comparison with national and regional standards, in particular in relation to:-
 - (i) The take-up of school meals (e.g. the average amount spent on meals, take up of free school meals, procurement arrangements and comparisons with other local authorities);
 - (ii) The standard of meals (e.g. quality, variety, choice and price, sources of food supplies etc.);

(iii) The school meals experience (e.g. length of break, size of dining facilities, helpfulness of staff etc.)

(iv) Nutritional value of school meals;

(d) To seek the views of people from minority communities of interest or heritage, in particular in relation to awareness around the availability and provision of school meals.

Potential Areas of Enquiry/Sources of Evidence

- (a) Cabinet Member with Portfolio Holder for Neighbourhoods and Communities
- (b) Head of Neighbourhood Management
- (c) Catering Manager
- (d) Local Residents
- (e) Representatives of minority communities of interest or heritage;
- (f) Ward Councillors; and
- (g) Youth Groups

Timetable of the Scrutiny Investigation

The proposed timetable for the review, which may be changed at any stage, was as follows:-

- 4 July 2007 – Scoping Report
- 8 August 2007 – Main evidence gathering session
- 19 September 2007 – Consideration of draft final report
- 19 October 2007 – Consideration of final report by the Scrutiny Coordinating Committee
- 12 November 2007 – Consideration of final report by the Cabinet (tentative date)

Discussion ensued in which the following issues were raised:-

- Methods to encourage take-up of school meals and the need to look at examples of good practice.
- The importance of obtaining views of users, head teachers, school cooks, catering manager, residents and parents. The Scrutiny Support Officer advised that views could be obtained through the groups as outlined in the report together with a list of questions for young people. It was suggested that a Head Teacher and School Cook be invited to the next meeting to discuss this issue.
- The length of breaks and the impact of pupils leaving the school premises at lunch times. The Head of Neighbourhood Management advised that schools dictated the length of lunch periods and pointed out that forthcoming legislation would place more emphasis on

improvements.

- Members considered that a visit to a school would assist with the inquiry.
- It was essential that there was a clear focus on the healthy eating agenda
- Consistency of school meals provision across the town

Following further discussion, the Scrutiny Support Officer stated that the purpose of the inquiry was to clarify the level of service, compare the level of service standards within the town as well as regionally and nationally, as detailed in the terms of reference. One of the key aims was to ensure that the service was maintained and determine how the service would be delivered in the future in light of new pressures relating to government guidance.

Decision

That the remit of the Scrutiny investigation as outlined in paragraph 5.2 of the report be agreed and the comments received be taken into consideration as part of the Forum's inquiry.

COUNCILLOR AKERS-BELCHER

CHAIRMAN

NEIGHBOURHOOD SCRUTINY FORUM REPORT



Report of: Head of Public Protection

Subject: Food Law Enforcement Service Plan 2007/08

1. PURPOSE OF REPORT

- 1.1 To consider the Food Law Enforcement Service Plan for 2007/08, which is a requirement under the Budget and Policy Framework.

2. BACKGROUND

- 2.1 The Food Standards Agency has a key role in overseeing local authority enforcement activities. They have duties to set and monitor standards of local authorities as well as carry out audits of enforcement activities to ensure that authorities are providing an effective service to protect public health and safety.
- 2.2 On 4 October 2000, the Food Standards Agency issued the document "Framework Agreement on Local Authority Food Law Enforcement". The guidance provides information on how local authority enforcement service plans should be structured and what they should contain. Service Plans developed under this guidance will provide the basis on which local authorities will be monitored and audited by the Food Standards Agency.
- 2.3 The service planning guidance ensures that key areas of enforcement are covered in local service plans, whilst allowing for the inclusion of locally defined objectives.
- 2.4 A Food Law Enforcement Plan for 2007/08 is attached as **Appendix 1** and takes into account the guidance requirement.
- 2.5 The Plan is to be considered by the Cabinet in September, prior to being considered by Council.

3. THE FOOD LAW ENFORCEMENT SERVICE PLAN

3.1 The Service Plan for 2007/08 has been updated to reflect last year's performance.

3.2 The Plan covers the following:

(i) Service Aims and Objectives:
That the Authority's food law service ensures public safety by ensuring food, drink and packaging meets adequate standards.

(ii) Links with Community Strategy, Corporate Plan, Departmental and Divisional Plans:

How the Plan contributes towards the Council's main priorities (Jobs and the Economy, Lifelong Learning and Skills, Health and Care, Community Safety, Environment and Housing, Culture and Leisure and Strengthening Communities).

(iii) Legislative Powers and Other Actions Available:

Powers to achieve public safety include programmed inspections of premises, appropriate licensing/registration, food inspections, provision of advice, investigation of food complaints and food poisoning outbreaks, as well as the microbiological and chemical sampling of food.

(iv) Resources, including financial, staffing and staff development.

(v) A review of performance for 2006/07.

4. ISSUES

The main issues raised in the Plan are summarised below:

4.1 A total of 508 premises inspections were undertaken in 2006/07 this equates to 99% of all programmed inspections planned for the year. 213 microbiological samples and 175 compositional/labelling samples were taken, 14 of the samples were regarded as unsatisfactory, mainly as a result of high bacteriological counts and 5 were unsatisfactory as the labelling/composition was incorrect.

4.2 In February 2006 the Food Standards Agency (FSA) introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. The Tees Valley authorities, in partnership with training providers, successfully received grant funding from the FSA to deliver free training and advisory visits. These were completed by February 2007 and a total of 290 Hartlepool food businesses attended one of the

Safer Food Tees Valley workshops. Since this time our resources have been directed towards continuing to assist businesses to fully implement a documented food safety management system.

- 4.3 Changes in legislation requiring food businesses to have documented management systems has resulted in 161 re-visits being carried out during 2006/07 a dramatic increase on the previous years figure of 55. It is expected that this trend will continue in 2007/08 and it is estimated a further 340 re-visits will be required. This will further stretch our limited resources.
- 4.4 On 1st April 2007 the Council launched the Tees Valley Food Hygiene Award Scheme. Each business has been awarded a provisional star rating which reflected the risk rating given at the time of the last primary inspection. The star rating was made available to the public via the Council's website and the business was provided with a certificate to display on their premises. The service has made a commitment to work with businesses to improve their rating.

The introduction of this scheme has been well received and to date there have been over 90,000 hits on the website. This scheme has raised public expectations and will place increased emphasis on achieving our programmed inspections.

- 4.5 New EU food hygiene legislation applicable to primary production (farmers & growers) has come into effect. As local authority officers were already present on farms in relation to animal welfare and feed legislation, the responsibility has been given to us to enforce this legislation. It is estimated that there are 68 primary producers based on the 2004 Agricultural Census. The database at present does not reflect this new area of responsibility and will need to be updated throughout the course of the year.
- 4.6 During 2007/08 there are 427 programmed food hygiene inspections and 144 programmed food standards inspections planned, in addition to an estimated 340 re visits and 115 additional visits to new / changed premises. Such inspections must be carried out by a small team of officers with the suitable qualifications and competencies to undertake them. The volume of inspections and the need to carry out many of them outside normal working hours will place an additional demand on an already heavy workload further increased by the introduction of smoke free legislation.
- 4.7 The Food Standards Agency is encouraging authorities to employ an alternative enforcement strategy for low risk food premises by the employment of self-assessment questionnaires (as opposed to inspection). Given that low risk food premises often involve other legislation such as the Health and Safety at Work Act, it is intended to continue to inspect such premises.

5. RECOMMENDATIONS

- 5.1 Members comments on the Food Law Enforcement Service Plan for 2007/08 are invited.

Contact Officer:- Ralph Harrison – Head of Public Protection
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Hartlepool Borough Council

Food Law Enforcement Service Plan

2007/08

FOOD SERVICE PLAN 2007/08

This Service Plan accords with the requirements of the Framework Agreement on Local Authority Food Law Enforcement, and sets out the Council's aims in respect of its food law service and the means by which those aims are to be fulfilled. Whilst focussing primarily on the year 2007-08, where relevant, longer-term objectives are identified. Additionally, there is a review of performance for 2006-07 and this aims to inform decisions about how best to build on past successes and address performance gaps.

1. Background Information

Hartlepool is situated on the North East coast of England. The Borough consists of the town of Hartlepool and a number of small outlying villages. The total area of the Borough is 9,390 hectares.

Hartlepool is a unitary authority, providing a full range of services. It adjoins Easington District Council to the north, Sedgfield District Council to the west and Stockton on Tees Borough Council to the south. The residential population is 90,161 of which ethnic minorities comprise 1.2% (2001 census).

2. Service Aims and Objectives

Hartlepool Borough Council aims to ensure:

- That food and drink intended for human consumption which is produced, stored, distributed, handled or consumed in the borough is without risk to the health or safety of the consumer.
- Food and food packaging meets standards of quality, composition and labelling and reputable food businesses are not prejudiced by unfair competition.
- The effective delivery of its food law service so as to secure appropriate levels of public safety in relation to food hygiene, food standards and feeding stuffs enforcement.

In its delivery of the service the Council will have regard to directions from the Food Standards Agency (FSA), Approved Codes of Practice, the Enforcement Concordat, and guidance from Local Authorities Co-ordinators of Regulatory Services (LACORS).

Service delivery broadly comprises:

- Programmed inspection of premises for food hygiene and food standards
- Registration, licensing and approval of premises
- Microbiological and chemical analysis of food
- Food Inspection
- Provision of advice, educational materials and courses to food businesses
- Investigation of food and food-related complaints

- Investigation of cases of food and water borne infectious disease, and outbreak control
- Dealing with food safety incidents
- Promotional and advisory work

Effective performance of the food law service necessitates a range of joint-working arrangements with other local authorities and agencies such as the Health Protection Agency (HPA), Meat Hygiene Service (MHS), and the Food Standards Agency (FSA). The Council aims to ensure that effective joint-working arrangements are in place and that officers of the service contribute to the on-going development of those arrangements.

3. Policy Content

This service plan fits into the hierarchy of the Council's planning process as follows:

- Hartlepool's Community Strategy - the Local Strategic Partnership's (the Hartlepool Partnership) goal is "to regenerate Hartlepool by promoting economic, social and environmental wellbeing in a sustainable manner."
- Corporate (Best Value Performance) Plan
- Neighbourhood Services Departmental Plan
- Public Protection & Housing Divisional Plan
- Consumer Services Service Plan
- Food Law Enforcement Service Plan - sets out how the Council aims to deliver this statutory service and the Consumer Services section's contribution to corporate objectives

The Council's Community Strategy sets out its vision for 'a prosperous, caring, confident and outward looking community realising its potential in an attractive environment'. This Food Law Service Plan contributes towards the vision and the Council's seven main priorities in the following ways:

Jobs and the Economy

By providing advice and information to new and existing businesses to assist them in meeting their legal requirements with regard to food law requirements, and avoid potential costly action at a later stage.

Lifelong Learning and Skills

By providing and facilitating training for food handlers on food safety as part of lifelong learning, and promoting an improved awareness of food safety and food quality issues more generally within the community.

Health and Care

By ensuring that food businesses where people eat and drink, or from which they purchase their food and drink, are hygienic and that the food and drink sold is safe, of good quality and correctly described and labelled to inform choice.

Community Safety

By encouraging awareness amongst food businesses of the role they can play in reducing problems in their community by keeping premises in a clean and tidy condition.

Environment and Housing

By encouraging businesses to be aware of environmental issues which they can control, such as proper disposal of food waste.

Culture and Leisure

By exploring ways to promote high standards of food law compliance in hotels, other tourist accommodation, public houses and other catering and retail premises.

Strengthening Communities

By developing ways of communicating well with all customers, including proprietors of food businesses whose first language is not English, and ensuring that we deliver our service equitably to all.

This Food Law Enforcement Service Plan similarly contributes to the vision set out in the Neighbourhood Services Department Plan “to work hand in hand with communities and to provide and develop excellent services that will improve the quality of life for people living in Hartlepool neighbourhoods”. Within this, the Consumer Services Section has a commitment to ensure the safe production, manufacture, storage, handling and preparation of food and its proper composition and labelling.

The Council has in place a Food Law Enforcement Policy, which has been revised and subsequently approved by the Adult & Public Health Services Portfolio Holder on 21 March 2005.

The Council is committed to the principles of equality and diversity. The Food Law Enforcement Service Plan consequently aims to ensure that the same high standards of service is offered to all, and that recognition is given to the varying needs and backgrounds of its customers.

4. **Legislative Powers and other actions available**

From 1 January 2006, new EU food hygiene legislation has applied throughout the UK. The introduction of the new legislation was to:

- modernise, consolidate and simplify the previous EU food hygiene legislation
- apply effective and proportionate controls throughout the food chain, from primary production to sale or supply to the final consumer
- focus controls on what is necessary for public health protection
- clarify that it is the primary responsibility of food business operators to produce food safely

The Council has a wide range of duties and powers conferred on it in relation to food safety functions.

The Council must appoint and authorise inspectors, having suitable qualifications and competencies for the purpose of carrying out duties under the Food Safety Act 1990 and Regulations made under it and also specific food regulations made under the European Communities Act 1972, which include the Food Hygiene (England) Regulations 2006 and the Official Feed and Food Controls (England) Regulations 2006.

Authorised officers can inspect food at any stage of the production, manufacturing, distribution and retail chain. The Council must draw up and implement an annual programme of risk-based inspections so as to ensure that food and feedingstuffs are inspected in accordance with relevant legislation, the Food Law Code of Practice and centrally issued guidance.

The sampling of food for the purposes of microbiological and chemical examination and analysis forms an integral part of the inspection process. It is a critical means of ensuring the microbiological and chemical safety of food, checking composition and labelling. The Food Safety (Sampling and Qualifications) Regulations 1990 provide the framework for sampling.

The inspection of food commodities again forms an integral part of the inspection process and is provided for by virtue of Sections 32 and 9 of the Food Safety Act 1990. The purpose of food inspection is to check that food complies with food safety requirements and is fit for human consumption. Section 9 also sets out provisions relating to the detention, seizure and condemnation of food.

It is recognised that whilst the inspection process is the primary means of securing compliance with food safety legislation, this can be enhanced by the provision of advice, educational materials and training courses.

The service is obliged to investigate complaints relating to the sale of food not complying with food safety requirements, or not of the nature, substance or quality demanded, or injurious to health, or unfit for human consumption, or labelled or presented so as to mislead consumers. Similarly, the service responds to complaints alleging breaches of hygiene requirements.

The investigation of cases of food poisoning and outbreak control is a shared responsibility between the food law service and the County Durham and Tees Valley Health Protection Unit of the Health Protection Agency. Responsibility for the enforcement of measures to control food-borne disease rests with the local authority, with the Health Protection Agency having a statutory duty to designate medical officers to assist the local authority in carrying out their duties in this respect.

A national food incident warning system is in operation throughout the United Kingdom, which acts as a rapid alert system in respect of food related hazards. The food law service must ensure that any action specified by the Food Standards Agency in a food alert is undertaken promptly and in accordance with any risk assessment carried out by the Agency. If the Authority propose to take alternative action this must first be agreed with the Agency.

In addition to legislative requirements as above, local authority food law services are required to have regard to the Food Law Code of Practice and Practice Guidance which gives detailed direction to authorities on enforcement of food legislation.

There is currently a requirement to report to the Food Standards Agency annually on performance in relation to food law enforcement activities. Annual performance statistics for all authorities are now made publicly available by the Food Standards Agency and the best and worst performing councils are highlighted.

5. Service Delivery Mechanisms

Inspection Programme

Inspections carried out for food hygiene, food standards and for feeding-stuffs are carried out in accordance with the Council's policy and procedures on food premises inspections and relevant national guidance.

Information on premises liable to food law inspections is held on the ITECS computerised system. An inspection schedule is produced from this system at the commencement of each reporting year, in accordance with guidance issues by the Food Standards Agency.

The food hygiene and food standards inspection programmes are risk-based systems that accord with current guidance. The current premises profiles are shown in the tables below:

Food Hygiene:

Risk Category	Frequency of Inspection	No of Premises
A	6 months	8
B	12 months	108
C	18 months	377
D	24 months	137
E	36 months or other enforcement	122
Unclassified	Requiring inspection/risk rating	
Total		742

Food Standards:

Risk Category	Frequency of Inspection	No of Premises
A	12 months	
B	24 months	87
C	36 months or other enforcement	553
Unclassified		57
Total		697

The inspection programme for 2007/08 comprises the following number of scheduled food hygiene and food standards inspections:

Food Hygiene:

Risk Category	Frequency of Inspection	No of Inspections
A	6 months	16
B	12 months	108
C	18 months	204
D	24 months	26
E	36 months or alternative enforcement strategy	0
Unclassified		
Total		427

Additional to this inspection programme there are 3 manufacturing businesses (2 fishery products establishments and a kebab manufacturer) that are subject to approval under Regulation 853/2004. These are not included in the inspection programme but instead are subject to a minimum inspection frequency in 12 months as set out in the following tables, in accordance with current guidance.

Product Specific Inspections:

	Primary Inspection	Secondary Inspections	No in Hartlepool
Meat Products	1	2	0
Minced Meat and Meat Preparation	1	2	1
Dairy Products	1	1	0
Fishery Products	1	1	2
Egg Products	1	1	0
Shellfish Purification or despatch	1	1	0

New EU food hygiene legislation applicable to primary production (farmers & growers) has come into effect. On the basis the local authority officers were already present on farms in relation to animal welfare and feed legislation, the responsibility has been given to us to enforce this legislation. The service has estimated 68 primary producers based on the 2004 Agricultural Census. The database at present does not reflect this new area of responsibility and will need to be updated throughout the course of the year to reflect these premises.

Food Standards:

Risk Category	Frequency of Inspection	No of Inspections
A	12 months	0
B	24 months	69
C	36 months or alternative enforcement	75
Not classified		
Total		144

An estimated 10% of programmed inspections are of premises where it is more appropriate to conduct inspections outside the standard working time hours. Arrangements are in place to inspect these premises out of hours by making use of the Council's flexible working arrangements, lieu time facilities and, if necessary, paid overtime provisions. In addition, these arrangements will permit the occasional inspection of premises which open outside of, as well as during standard work time hours. The Food Law Code of Practice requires inspections of these premises at varying times of operation.

As a follow-up to primary inspections, the service undertakes revisits in accordance with current policy. It is estimated that such revisits are required in over 50% of instances (some premises requiring more than one revisit to check compliance). For the year 2007/08, the inspection programme would generate an estimated 340 revisits. A number of these premises revisits will be undertaken outside standard working hours and arrangements are in place as described above to facilitate this.

It is anticipated that consistent, high quality programmed inspections by the service will, over time, result in a general improvement in standards, reducing the frequency for recourse to formal action.

The performance against inspection targets for all food hygiene and food standards inspections is reported monthly as part of the Neighbourhood Services Department internal performance monitoring. In addition, performance against inspection targets is reported quarterly to the Adult & Public Health Services Portfolio Holder as part of the Neighbourhood Services Department plan update.

Port Health

Although Hartlepool is a Port Health Authority it is not a border inspection post and therefore no food enters the port.

As of 15 June 2007 the Authority will be responsible for issuing Ship Sanitation Certificates, issued under the International Health Regulations 2005. The extent of this additional work has yet to be quantified.

Fish Quay

There is a Fish Quay within the Authority's area, which provides a market hall and associated fish processing units.

Alternative Enforcement Strategy for Low Risk Food Premises

From April 2005 an alternate enforcement strategy via "self assessment" may be employed for low risk food premises, i.e. those rated as food hygiene risk Categories E and food standards risk Category C, in accordance with guidance. Self-assessment usually consists of questionnaires for these businesses and a subsequent evaluation of the results of this self-assessment by officers. A percentage of those businesses returning questionnaires are visited to validate the information received, as well as businesses not responding. Inspection visits may also be made where a low risk business is the subject of complaint and where notification of change of business use or proprietorship is received. The Head of Public Protection believes that the best use of resources at this time is to continue to carry out inspections at these low risk premises. These inspections often cover other legislation such as Health & Safety at Work.

Registration and Approval of Premises

Food business operators must register their establishments with the relevant local authority in accordance with the requirement of Regulation (EC) No 852/2004. This provision allows for the service to maintain an up-to-date premises database and facilitates the timely inspection of new premises and, when considered necessary, premises that have changed food business operator or type of food use.

The receipt of a food premises registration form initiates an inspection of all new food premises. In the case of existing premises, where a change of food business operator is notified, other than at the time of a programmed inspection, an assessment is made of the need for inspection based on the date of the next programmed inspection, premises history, and whether any significant change in the type of business is being notified. It is anticipated that approximately 115 additional premises inspections will be generated for new food businesses during 2007/08.

A competent authority must with some exceptions, approve food business establishments that handle food of animal origin. If an establishment needs approval, it does not need to be registered as well.

Premises which require approval include those that are producing any, or any combination of the following; minced meat, meat preparations, mechanically separated meat, meat products, live bivalve molluscs, fishery products, raw milk (other than raw cows' milk), dairy products, eggs (not primary production) and egg products, frogs legs and snails, rendered animal fats and greaves, treated stomachs, bladders and intestines, gelatine and collagen and certain cold stores and wholesale markets.

The approval regime necessitates full compliance with the relevant requirements of Regulation (EC) No 852/2004 and Regulation (EC) 853/2004.

There are 3 premises in the Borough (2 fishery products establishments and a kebab manufacturer), which are subject to approval.

Microbiological and Chemical Analysis of Food

An annual food sampling programme is undertaken with samples being procured for the purposes of microbiological and chemical analyses. This programme is undertaken in accordance with the service's Food Law Sampling Policy.

All officers taking formal samples must follow the guidance contained in and be qualified in accordance with relevant legislative requirements and centrally issued guidance, including that contained in the Food Law Code of Practice and Practice Guidance. Follow-up action is carried out in accordance with the food law service's sampling policy.

Microbiological analysis of food and water samples is undertaken by the Newcastle Laboratory of the Health Protection Agency based at the General Hospital in Newcastle, and chemical analysis of samples by Tees Valley Measurement for informal samples and by the Council's appointed food examiner at the Public Analyst Durham County Council for formal samples.

From April 2005 sampling allocations from the Health Protection Agency, which is responsible for the appropriate laboratory facilities, has been based on a credits system dependant on the type of sample being submitted and examination required.

The allocation for Hartlepool is 8,300 credits for the year 2007-08, which includes sampling of water supply in food premises and pool waters.

Points are allocated as follows:

Sample type	No of credits
Food Basic	25
Water Basic	15
Dairy Products	15
Environmental	10
Formal samples	50

A sampling programme is produced each year for the start of April. The sampling programme for 2007-08 includes national and regional surveys organised by LACORS and HPA/Local Authority liaison group.

Sampling programmes have been agreed with the Food Examiners and Tees Valley Measurement (a joint funded laboratory based at Canon Park, Middlesbrough). These have regard to the nature of food businesses in Hartlepool and will focus on locally manufactured/processed foods and foods targeted as a result of previous sampling and complaints.

A proportion of the planned sampling programme is of imported foods in accordance with guidance from the Food Standards Agency.

Microbiological Food Sampling Plan 2007-08

April Local Shopping Basket Survey	May Local Shopping Basket Survey LACORS/ HPA Fresh herb survey	June Local Shopping Basket Survey LACORS/ HPA Fresh herb survey
July Local Shopping Basket Survey LACORS/ HPA Fresh herb survey LACORS/HPA Salads & sauces from kebab takeaways	August Local Shopping Basket Survey LACORS/ HPA Fresh herb survey Pre-packed fruit & salad	September Local Shopping Basket Survey LACORS/ HPA Fresh herb survey
October Local Shopping Basket Survey LACORS/ HPA Fresh herb survey Approved premises / locally manufactured products	November Local Shopping Basket Survey LACORS/HPA Edible seeds Imported foods	December Local Shopping Basket Survey Cooked meats from butchers shops
January Local Shopping Basket Survey Products purchased over the internet	February Local Shopping Basket Survey Imported foods	March Local Shopping Basket Survey

In addition to carrying out food sampling, arrangements are in place to enable inspections linked environmental sampling to be carried out,

The products sampled as part of the shopping basket survey include:

- Pasta salads
- Pease pudding
- Cooked ham
- Butter
- Cheese spread
- Cheese
- Yoghurt sundaes
- Cream cakes
- Salad garnish
- Cooked rice
- Ready to eat fish

Composition and Labelling Sampling plan 2007-08

MONTH	TEST	SAMPLES
April	Meat content of meat pies from Parkers	3
	Chocolate Labelling	4
May	Floral origin of honey	12
June	Calcium claims on pre-packed foods (Labels of the pre-packed goods above)	8 8
July	Vitamin C in soft drinks, including drinks from Britvic (labels of the pre-packed goods above)	18 18
Aug	QUID – sandwiches concentrating on local producers pre – packed sandwiches (Labels of the pre-packed goods above)	15 15
Sept	Meat content of locally produced sausages	3
Oct	Meat species of takeaway meals	13
Nov	Spirits in Restaurants	10
Dec	Sodium in breakfast cereals (Labels of the pre-packed goods above)	12 12
Jan	Peanut proteins in takeaway meals (Imported food sampling)	12
Feb	Lead / Tin in canned fruit & vegetable (Labels of the pre-packed goods above)	3 3
Mar	Fat in ready meals (Labels of the pre-packed goods above)	18 18

Total samples = 205

Feeding Stuffs

It is planned that six informal animal feeding stuffs samples will be taken this year.

At present feeding stuffs sampling has been given a low priority due to the lack of local manufacturers and packers. Informal samples are, however, taken of packaged goods.

An annual feeding stuffs sampling plan has been drawn up to carry out informal sampling at the most appropriate time of the year in respect of farms, pet shops and other retail establishments.

Feedingstuffs Sampling Plan 2007/08

April - June	0
July - September	2 Broiler Chicken Feed
October - December	2 from grain stores for mycotoxins
January - March	2 Milk replacer

Private Water Supplies

There are two premises using private water supplies in their food production, one is a brewery and the other a soft drinks manufacturer. Regular sampling is carried out of these supplies in accordance with relevant legislative regulations.

Food inspection

The purpose of food inspection is to check that food complies with food safety requirements and is fit for human consumption, and is properly described and labelled. As such, the activity of inspecting food commodities, including imported food where relevant, forms an integral part of the food premises inspection programme. Food inspection activities are undertaken in accordance with national guidelines.

Provision of advice, educational materials and courses to food businesses

Following changes in relation to certified courses we are reviewing the training courses offered by the section. Where we are unable to deliver courses we will advise businesses of alternative local providers.

It is recognised that for most local food businesses contact with an officer of the service provides the best opportunity to obtain information and advice on legislative requirements and good practice. Officers are mindful of this and aim to ensure that when undertaking premises inspections sufficient opportunity exists for business proprietors to seek advice. In addition, advisory leaflets produced by the Food Standards Agency are made available to business proprietors.

In February 2006 the Food Standards Agency (FSA) introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. The Tees Valley authorities in partnership with training providers successfully received grant funding from the FSA to deliver free training and advisory visits. These were completed by February 2007 and a total of 290 Hartlepool food businesses attended one of the Safer Food Tees Valley workshops. Since this time our resources have been directed towards continuing to assist businesses to fully implement a documented food safety management system.

Guidance is also prepared and distributed to food businesses relating to changes in legislative requirements. This included sending out a newsletter to all food businesses within the borough. The service also encourages new food business proprietors and existing businesses to seek guidance and advice on their business. It is estimated that 56 such advisory visits will be carried out during the year.

On 1st April 2007 the Council launched the Tees Valley Food Hygiene Award Scheme. At this time each business was awarded a provisional star rating which reflected the risk rating given at the time of the last primary inspection. The star rating was made available to the public via the Council's website and the business was provided with a certificate to display on their premises. The service has made a commitment to work with businesses to improve their rating.

Feeding stuffs advice is available via the Council's web site.

A limited level of promotional work is also undertaken by the service on food safety, with minimal impact on programmed enforcement work.

Investigation of Food and Food-related Complaints

The service receives approximately 17 complaints, each year concerning food products, all of which are subject to investigation. An initial response is made to these complaints within two working days. Whilst many complaints are investigated with minimal resource requirements, some more complex cases may be resource-intensive and potentially affect programmed inspection workloads.

All investigations are conducted having regard to the guidance on the 'Home Authority Principle'.

The procedures for receipt and investigation of food complaints are set out in detailed guidance and internal policy documents.

Investigation of cases of Food Poisoning and Outbreak Control

Incidents of food related infectious disease are investigated in liaison with the Durham and Tees Valley Health Protection Unit and in the case of outbreaks in accordance with the Health Protection Unit's Outbreak Control Policy.

Where it appears that an outbreak exists the Principal EHO (Commercial) or an EHO, will liaise with the local Consultant in Communicable Disease Control and, where necessary, the Director of Durham and Tees Valley Health Protection Unit, to determine the need to convene an Outbreak Control Team. Further liaison may be necessary with agencies such as the Food Standards Agency, the Health Protection Agency and Northumbrian Water.

Statistical returns are made weekly by the service to the Communicable Disease Surveillance Centre.

It is estimated that approximately 108 food poisoning notifications are received each year. Most cases are sporadic in nature and can be investigated as part of the normal day-to-day workload. It is recognised, however, that in the event of a major outbreak a significant burden is likely to be placed on the service and this would inevitably impact on the performance of the inspection programme.

Dealing with Food Safety Incidents

A national alert system exists for the rapid dissemination of information about food hazards and product recalls, this is known as the food alert warning system.

All food alerts received by the service are dealt with in accordance with national guidance and internal quality procedures.

Food alert warnings are received by the service from The Food Standards Agency via the electronic mail system, and EHCNet during working hours. The Principal EHO (Commercial Services) or, if absent, the Consumer Services Manager ensures that a timely and appropriate response is made to each food alert.

Out of hours contact is arranged through Richard Court, telephone number 01429 869424.

In the event of a serious local incident, or a wider food safety problem emanating from production in Hartlepool, the Food Standards Agency will be alerted in accordance with guidance.

Whilst it is difficult to predict with any certainty the number of food safety incidents that will arise during any 12 month period, it is estimated that the service is likely to be notified of between 60 – 80 food alerts during 2007/08, a small proportion of which will require action to be taken by the Authority. This level of work can ordinarily be accommodated within the day-to-day workload of the service, but more serious incidents may require additional resources and may have an effect on the programmed inspection workload and other service demands.

Investigation of Complaints relating to Food Safety and Food Standards in Premises

The service investigates all complaints that it receives about food safety and food standards conditions and practices in food businesses. Initial response to any complaint is made within two working days. In such cases the confidentiality of the complainant is paramount. All anonymous complaints are also currently investigated.

The purpose of investigation is to determine the validity of the complaint and, where appropriate, to seek to ensure that any deficiency is properly addressed. The general approach is to assist the food business operator in ensuring good standards of compliance, although enforcement action may be necessary where there is failing in the management of food safety, or regulatory non-compliance.

Based on the number of complaints in 2006/07 it is estimated that approximately 56 such complaints will be received in 2007/08.

Feed Law Enforcement

From 1 January 2006 feed businesses must be approved or registered with their local authority under the terms of the EC Feed Hygiene Regulation (183/2005).

This replaces the previous arrangements (under EC Directive 95/69), as implemented by the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999, which required feed businesses to be approved or registered if they were involved in the manufacture, use or marketing of certain feed additives.

This legislation relates to nearly all feed businesses. This means, for example, that importers and sellers of feed, hauliers and storage businesses will now require approval or registration. Livestock and arable farms growing and selling crops for feed are also within the scope of the provisions of the regulation.

Liaison arrangements

The service actively participates in local and regional activities and is represented on the following:

- Tees Valley Food Liaison group
- The local HPA/Local Authority Sampling group
- Tees Valley Public Health group
- North East Trading Standards liaison group

Home Authority arrangements

The Authority has no formal arrangements with food businesses to act as Home Authority at the present time. The Authority is originating authority for two premises, a brewery and a soft drinks manufacturer. Regular visits are made to these premises to maintain dialogue with management and an up to date knowledge of operations.

General

The delivery point for the food law enforcement service is at:

Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Members of the public and businesses may access the service at this point from 08.30 - 17.00 Monday to Thursday and 08.30 - 16.30 on Friday.

A 24-hour emergency call-out also operates to deal with Environmental Health emergencies, which occur out of hours.

6. Resources

Staffing Allocation

The Director of Neighbourhood Services has overall responsibility for the delivery of the food law service. The Head of Public Protection has responsibility for ensuring the delivery of the Council's Environmental Health service, including delivery of the food law service, in accordance with the service plan. The Consumer Services Manager, with the requisite qualifications and experience, is designated as lead officer in relation to food safety and food standards functions and has responsibility for the day to day management of the service.

The resources determined necessary to deliver the service in 2006/07 are as follows:

1 x 0.25 FTE Consumer Services Manager (with responsibility also for Health & Safety, Licensing and Trading Standards)

1 x 0.35 FTE Principal EHO Commercial (with responsibility also for Health & Safety and Animal Health)

3 x FTE EHO (with requisite qualifications and experience and with responsibility also for Health & Safety)

1 x 0.56 FTE Part-time EHO (with requisite qualifications and experience and with responsibility also for Health & Safety)

1 x FTE Technical Officer Food (with requisite qualifications and experience)

The Consumer Services Manager has responsibility for planning service delivery and day to day management of the Food Law service, Health & Safety at Work, Licensing, Public Health, Water Quality, Trading Standards, Animal Health & Welfare and I.T. as well as general management responsibilities as a member of the Public Protection Management Team.

The Principal EHO (Commercial Services) has responsibility for the day to day supervision of the Food Law Service, Health & Safety at Work, Public Health, Water Quality and Animal Health & Welfare.

The EHO's have responsibility for the performance of the food premises inspection programme as well as the delivery of all other aspects of the food law service, particularly more complex investigations. In addition these officers undertake Health & Safety at Work enforcement.

The food technical officer is also responsible for inspections, as well as revisits, investigation of less complex complaints and investigation of incidents of food-borne disease.

Administrative support is provided by Support Services within Neighbourhood Services department.

All staff engaged in food safety law enforcement activity will be suitably trained and qualified and appropriately authorised in accordance with guidance and internal policy.

Staff undertaking educational and other support duties will be suitably qualified and experienced to carry out this work.

Financial Resources

The annual budget for the Consumer Services section in the year 2007/08 is:

	£000
Employees	732
Other	253.5
Support Recharges	120
Income	(166.3)
Net Budget	939.2

This budget is for all services provided by this section i.e. Health & Safety, Licensing, Trading Standards and resources are allocated in accordance with service demands.

Equipment and Facilities

A range of equipment and facilities are required for the effective operation of the food law service. The service has a documented procedure that ensures the proper maintenance and calibration of equipment and its removal from use if found to be defective.

The service has a computerised performance management system, ITECS. This is capable of maintaining up to date accurate data relating to the activities of the food law service. A documented database management procedure has been produced to ensure that the system is properly maintained, up to date and secure. The system is used for the generation of the inspection programmes, the recording and tracking of all food activities, the production of statutory returns and the effective management of performance.

During 2007/08 we will be migrating to the Authority Public Protection computer system

Training Plans

The qualifications and training of staff engaged in food law enforcement are prescribed and this will be reflected in the Council's policy in respect of appointment and authorisation of officers.

It is a mandatory requirement for officers of the food law service to maintain their professional competency by undertaking a minimum of 10 hours core training each year through attendance at accredited short courses, seminars or conferences. This is also consistent with the requirements of the relevant professional bodies.

The Council is committed to the personal development of staff and has in place Personal Development Plans for all members of staff.

The staff Personal Development Plan scheme allows for the formal identification of the training needs of staff members in terms of personal development linked with the development needs of the service on an annual basis. The outcome of the process is the formulation of a Personal Development Plan that clearly prioritises training requirements of individual staff members. The Personal Development Plans are reviewed six monthly.

The details of individual Personal Development plans are not included in this document but in general terms the priorities for the service are concerned with ensuring up to date knowledge and awareness of legislation, building capacity within the team with particular regard to vertical directive premises, the provision of food hygiene training courses, developing the role of the Food Safety Officer, and training and development of new staff joining the team.

Detailed records are maintained by the service relating to all training received by officers.

7. Service Review and Quality Assessment

Quality Assessment

The Council is committed to quality service provision. To support this commitment the food law service seeks to ensure consistent, effective, efficient and ethical service delivery that constitutes value for money.

A range of performance monitoring information will be used to assess the extent to which the food service achieves this objective and will include on-going monitoring against pre-set targets, both internal and external audits and stakeholder feedback.

Specifically the Principal EHO (Commercial Services) will carry out accompanied visits with officers undertaking inspections, investigations and other duties for the purpose of monitoring consistency and quality of the inspection and other visits carried out as well as maintaining and giving feedback with regard to associated documentation and reports.

The Best Value Performance Indicator BV166, applicable to Environmental Health, is subject to scrutiny. The target for attainment by the service against BV166 standard, which includes the provision of written enforcement policies, planned enforcement activity and measurement of customer satisfaction levels, is 100%.

It is possible that the Food Standards Agency may at any time notify the Council of their intention to carry out an audit of the service.

Review

It is recognised that a key element of the service planning process is the rational review of past performance. In the formulation of this service plan a review has been conducted of performance against those targets established for the year 2006/07.

This service plan will be reviewed at the conclusion of the year 2007/08 and at any point during the year where significant legislative changes or other relevant factors occur during the year. It is the responsibility of the Consumer Services Manager to carry out that review with the Head of Public Protection.

The service plan review will identify any shortfalls in service delivery and will inform decisions about future staffing and resource allocation, service standards, targets and priorities.

Any relevant amendments to the Council's Best Value programme will be incorporated into the service plan together with any matters identified through quality assessment audits.

Following any review leading to proposed revision of the service plan Council approval will be sought.

Performance Review 2006-07

This section describes performance of the service in key areas during 2006/07.

During 2006/07 the section has been fully staffed for the first time in a number of years. Steps were taken to ensure that inspections outstanding from the previous year (2005/06) were carried out in addition to all programmed inspections and inspections of new businesses.

Changes in legislation requiring food businesses to have documented management systems has resulted in 161 re-visits being carried out during 2006/07 a dramatic increase on the previous years figure of 55. It is expected that this trend will continue in 2007/08 with an estimated number of re-visit of 340 based on the first quarter of 2007/08. This will further stretch our limited resources.

Inspection Programme

The food premises inspection programme for 2006/07 did not quite reach the target of 100%. Due to difficulties in gaining access to certain premises 99% of Food Hygiene and Food Standards inspections were achieved. The outstanding inspections will be added to the programme for 2007/08.

Registration and approval of premises

Premises subject to approval were inspected and given comprehensive guidance with regard to approval requirements. .

Food Sampling Programme

The food sampling programme for 2006/07 has been completed. The microbiological results are:

Microbiological Sampling (1/4/06 31/3/07)

	Total number	Number of Samples	
		Satisfactory	Unsatisfactory
<u>Bacteriological Surveys</u>			
Shopping Basket	168	159	9
Raw Eggs	6	6	0
Ready to eat fish	21	20	1
Continental Market	5	2	3
Water Supply to mobile food vendors	7	6	1
Locally produced pies	6	6	0

The composition and labelling results are:

Food Standards Sampling (01.04.06 – 31.03.07):

Nature of Sample	Reason for Sampling	Satisfactory	Unsatisfactory
Fish Products	Pictorial / fish content	2	0
Fruit Juice	Vitamin C content	18	0
Locally produced sandwiches	Labelling regulations	0	2
Takeaway foods	Meat species	4	3
Fish	Fish species	12	0
Meat Pies	Meat content	2	0
Sandwiches	Labelling salad cream / mayonnaise	24	0
Alcoholic drinks	Alcohol content	3	0
Diet / health foods	Fat content	19	0
Imported foods	Heavy metal content	10	0
Mineral / spring water	Nitrate content	24	0
Ready meals	Salt content	20	0
Cereal bars	Calcium content	8	0
Preserves	Sugar content	24	0

Where unsatisfactory samples are identified, officers carry out follow-up work to identify the cause and take appropriate action.

The programme of feeding stuffs sampling was undertaken. Feeding stuffs has been given a low priority due to the lack of local manufacturers and packers.

Food Inspection

The service undertook no formal seizure of unfit food in the year.

Promotional Work

In February 2006 the Food Standards Agency (FSA) introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. The Tees Valley authorities in partnership with training providers successfully received grant funding from the FSA to deliver free training and advisory visits. These were completed by February 2007 and a total of 290 Hartlepool food businesses attended one of the Safer Food Tees Valley workshops. Since this time our resources have been directed towards continuing to assist businesses to fully implement a documented food safety management system.

The service was unable to provide food hygiene training during the year due to insufficient resources.

The team has continued to offer advice and information on request with 56 advisory visits to businesses being carried out during the year.

Food Hygiene Award Scheme

Development work was carried out in conjunction with the other Tees Valley authorities to introduce a Tees Valley Food Hygiene Award scheme. The scheme was based around a national pilot being undertaken by the Food Standards Agency.

In accordance with the 'Food Law Code of Practice', following every 'primary' inspection a risk rating is undertaken which is used to determine the frequency of inspection for the business. Of the seven main categories used to determine the overall rating score the following three factors are used to create a star rating:

1. Food Hygiene and Safety
2. Structure and Cleaning
3. Management and Control

These ratings are the only ones that are directly controllable by the business and are the reason they have been used to obtain the food businesses star rating.

The total score from the 3 categories is then used to derive the star rating ranging from 0 (major improvements needed) through to 5 stars (excellent).

The table below shows the results of the star ratings provisionally awarded to businesses on 1 April 2007:

Number of Stars	Number of Premises	Percentage of premises
5 Stars	24/759	3%
4 Stars	155/759	20%
3 Stars	226/759	30%
2 Stars	262/759	35%
1 Star	60/759	8%
0 Stars	32/759	4%

Complaints

During the year the service dealt with 56 complaints relating to the condition of food premises and food handling practice. In addition, 17 complaints of unfit or out of condition food, extraneous matter, mould and unsatisfactory labelling of food items were also received. These investigations have been undertaken all within our target of 2 working days; however, they have had some effect on performance of the inspection programme.

Food Poisoning

The service received 108 notifications of food poisoning during the year and investigated 3 outbreaks of infectious disease, all of which occurred in residential /nursing care homes and were found to be viral in nature

Food Safety Incidents

The Service received 68 food alerts from the Food Standards Agency during the year. All requiring action were dealt with expeditiously. No food incidents were identified by the Authority that required notification to the Food Standards Agency.

Enforcement

During 2006/07, no emergency prohibition notices were served on businesses where formal cessation of a food activity was necessary. Three improvement notices were served on businesses to ensure compliance with food safety issues. No prosecutions or formal cautions were undertaken.

Improvement Proposals 2006/07

The following areas for improvement were identified in the 2006/07 Food Service Plan.

1. To complete the process of approving / re approving relevant premises

Approvals have been granted to two establishments and the approval process is nearing completion for the third.

2. To ensure that all relevant premises are registered under food hygiene legislation

All relevant premises have been contacted and registered.

3. Review / internal audit of food quality system

This work is ongoing but has not yet been completed.

8. Key Areas for Improvement 2007/08

In addition to committing the service to specific operational activities such as performance of the inspection programme, the service planning process assists in highlighting areas where improvement is desirable. Detailed below are specifically identified key areas for improvement that are to be progressed during 2007/08.

1. Complete review / internal audit of food quality system
2. Produce a summary of the Food Enforcement Policy

3. Reduce the number of premises in bands 0-2 stars in food hygiene awards scheme by 5%
4. Record all food samples on the Authority Public Protection computer system

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

8 August 2007



Report of: Director Neighbourhood Services

Subject: SIX MONTHLY PROGRESS REPORT – SCRUTINY
INVESTIGATION INTO PUBLIC CONVENIENCE
PROVISION IN HARTLEPOOL SCRUTINY
REFERRAL - ACTION PLAN

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide Members of the Neighbourhood Services Scrutiny Forum with an update on the progress that has been made in relation to the Public Convenience Provision in Hartlepool Scrutiny Referral investigation six months after the Forum made its recommendations.

2. BACKGROUND INFORMATION

- 2.1 During the 2005/6 Municipal Year Members of the Neighbourhood Services Scrutiny Forum conducted an investigation into Public Convenience Provision in Hartlepool.
- 2.2 On 8 January 2007 Cabinet further considered the implications of the proposed recommendations outlined within the Final Report of the Neighbourhood Services Scrutiny Forum into public conveniences (initially considered on 25 September 2006). Following Cabinet's decision in relation to the Scrutiny Investigation an Action Plan and progress report from the Portfolio Holder for Regeneration, Liveability and Housing was considered by the Forum on 14 February 2007
- 2.3 This report has been produced six months after the Committee's recommendations were considered by the appropriate decision-making body and as such provides an outline of the progress made to date in relation to the recommendations made by the Forum.
- 2.4 An updated Action Plan is attached at **Appendix A** with the progress made to date outlined in bold text under the proposed action.

3. OVERALL AIM OF THE SCRUTINY INVESTIGATION

- 3.1 Members will recall that the overall aim of the Scrutiny Investigation was to:

To examine public convenience provision in Hartlepool and express, within the prescribed timescale for the referral, a view on the options and proposals presented to Cabinet for the formulation of a sustainable operation and maintenance policy.

4. DEPARTMENTAL RESPONSE TO THE PROGRESS MADE TO DATE UPON THE DELIVERY OF THE ACTION PLAN

- 4.1 Implementation of the Capital investment programme has commenced in line with the scrutiny forums recommendations. Thorpe Street, Pilot Pier and Rocket House facilities have been closed and secured with aesthetic materials. Unfortunately we have had to close the Albert Street facilities earlier than planned due to the high levels of anti social behaviour and drug abuse, this request was received from the Neighbourhood Policing Sergeant for the area.
- 4.2 Negotiations with the Ward Jackson Park café contractor have taken place however the costs of keeping the facilities open are not available. The facilities are not accessible to the public whilst the building is closed due to vandalism and anti social behaviour. It is proposed the money identified for the provision of this service be redirected into improving the existing facilities within the Park.
- 4.3 In respect of the Hartlepool Maritime Experience facilities, further investigations and surveys have been carried out regarding the demolition of this site, however due to the building housing the gas main connection for the overall site this is no longer an option. As a result the Hartlepool Maritime Experience are to use this building as a store, as such the existing toilet facilities within the building will be removed and other building fabric needs made good.

5. RECOMMENDATION

- 5.1 That Members note the progress to date in relation to the delivery of the Action Plan, and where felt appropriate seek clarification upon the achievement / none achievement of the delivery timescales / recommendations.

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Neighbourhood Services Department
Neighbourhood Management
Hartlepool Borough Council

Tel: 01429 523201

Email: denise.ogden@hartlepool.gov.uk

BACKGROUND PAPERS

The following background papers were used in the preparation of this report:-

- (i) Neighbourhood Services Scrutiny Forum – *Final Report on Public Convenience Provision in Hartlepool* considered by Cabinet on 25 September 2006
- (ii) Cabinet Minute and Decision Record from 25 September 2006 and 8 January 2007.
- (iii) Neighbourhood Services Scrutiny Forum – *Portfolio Holders Response to the Public Convenience in Hartlepool Scrutiny Referral* 14 February 2007.

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

RECOMMENDATION	EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
<p>(1) That in relation to each of the options and proposals put forward as part of the Cabinet Referral (as outlined in the report considered by Cabinet on the 12 April 2006) the Forum:-</p> <p>(a) Supports the proposals for the:-</p> <p>i) Closure of the Thorpe Street, Pilot Pier and Rocket House facilities and their securing with aesthetic materials;</p> <p>ii) Building of a new facility adjacent to the old Rocket House site and closure of the Clock Tower site;</p>	<p>Consultation with the Councils Conservation Officer and Neighbourhood Managers has been carried out. On schedule for closure end July and secured with aesthetic materials.</p> <p>Design and specification currently being drafted, Clock Tower site will remain open until new facilities in situ. Timescale for new facilities will be winter 2007/spring 2008.</p>	<p>D Ogden</p> <p>D Ogden</p>	<p>July 2007 - completed</p> <p>Summer 2007 ongoing</p>

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

RECOMMENDATION	EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
<p>iii) Undertaking of only essential maintenance to Clock Tower facility to keep them functioning until the new facilities are up and running;</p> <p>iv) Refurbishment and upgrade the Lighthouse (Heugh Battery) facilities;</p> <p>v) Undertaking of no work to the Albert Street facility;</p>	<p>Maintenance inspection carried out, which has highlighted, roofing and internal decoration and high water consumption usage. A capital scheme is scheduled for 07/08 for the bus station which will include some of the works highlighted. Water usage is being investigated.</p> <p>Condition has deteriorated since the survey was first carried out, further inspection has identified guttering, doors and pump need replacing.</p> <p>Closed due to request received from Neighbourhood Policing and high level of drug usage /drug related litter. The site has been added to the security contract. "This facility is closed" signs have been installed</p>	<p>D Ogden</p> <p>D Ogden</p> <p>D Ogden</p>	<p>Summer 2007 & ongoing</p> <p>2007 ongoing</p> <p>2007 completed</p>

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

RECOMMENDATION	EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
vi) Taking no action in respect of the Seaton Park facilities other than essential maintenance;	This facility is not available to the public as is within the bowls compound. Pavilion sanitary fittings and partitions removed, area cleared for use as a store room / housing the irrigation for the bowling green.	D Ogden / J Mennear	2007 completed
vii) Demolition and making good of the site at the Ward Jackson Park facilities. The toilets at the café to be made available to all public during the opening hours of the park;	Negotiations with café contractor have taken place however the costs of keeping the facilities open are not available, also the facilities are not vandal proof and could be subject to ASB. As such it is proposed funds be invested into the existing facilities and a survey carried out to identify the works required to improve the facilities	D Ogden / J Mennear	2007/8 ongoing
viii) Maintenance and improvements to the facilities at Rossmere Park;	Design and specification currently being drafted	D Ogden / J Mennear	2007 ongoing
ix) Demolition and making good the	The allotment association has agreed in	J Mennear	2007 ongoing

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

RECOMMENDATION	EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
<p>site in the Upper Burn Valley, with the development of a policy for the provision of public conveniences in the Burn Valley to be looked into;</p> <p>x) Maintenance of the Lower Burn Valley facility;</p> <p>xi) Introduction of adequate heating, together with routine and planned maintenance to the Stranton Cemetery main facility;</p> <p>xii) Maintenance of existing facilities at West View Cemetery; and</p> <p>xiii) Demolition of the Hartlepool Maritime Experience facility and the marketing of the site with any capital</p>	<p>principle to explore the opportunities for the incorporation of the toilets into their site, but the work needs to be costed as it will involve some internal path work and relocation of the existing allotment fencing</p> <p>Minimal maintenance as facility incorporated into Bowls Club</p> <p>Specification currently being drafted</p> <p>On schedule for completion July 2007</p> <p>Demolition is not an option, due to service utility costs. It is proposed to use this building as a store for the use</p>	<p>D Ogden / J Mennear</p> <p>D Ogden / R Harrison</p> <p>D Ogden / R Harrison</p> <p>D Ogden / J Mennear</p>	<p>2007 ongoing</p> <p>2007 ongoing</p> <p>2007 completed</p> <p>2007/2008 ongoing</p>

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

RECOMMENDATION	EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
<p>receipt to be reinvested for the improvement of public convenience provision.</p> <p>(b) Disagrees with the proposed course of action for the former Seaton Baths site and recommends that the facility be improved in terms of its general condition and more specifically its disabled access externally and disabled facilities;</p> <p>(c) Agrees that all Council owned buildings should provide, wherever possible, toilet facilities for the public and that town centre landlords and other businesses need to be encouraged to make their facilities</p>	<p>of the HME, as such the existing toilet facilities etc within the building need to be removed and other building fabric needs made good. Design and specification currently being drafted to invest in existing facilities.</p> <p>Cabinet have agreed with this recommendation and funding has been provided to improve the facilities, the design specification is currently being prepared.</p> <p>To be incorporated into public convenience policy (see 2 below).</p>	<p>D Ogden / G Frankland</p> <p>D Ogden / R Harrison</p>	<p>2007/2008</p> <p>Ongoing</p>

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

RECOMMENDATION	EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
	available to the public during normal, and extended opening hours.		
(2)	<p>That a policy be established for the future provision of public conveniences requiring:-</p> <p>(i) That the location of public conveniences in Hartlepool be concentrated in tourist areas, i.e. the Headland, Seaton and the Marina;</p> <p>(ii) That all public conveniences provided by Hartlepool Borough Council comply with the requirements of the Disability Discrimination Act and where this is not possible facilities be closed and/or replaced;</p>	<p>D Ogden / G Frankland / J Mennear</p> <p>D Ogden / G Frankland</p>	Ongoing

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

RECOMMENDATION		EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
(3)	That the location of public conveniences, and their opening times, be better advertised, in particular with improved signage on the Marina giving directions to the conveniences in Hartlepool Maritime Experience;	To be incorporated into public convenience policy.	D Ogden / J Mennear	2007 / 2008
(4)	That in relation to future provision on the Marina a study be undertaken to assess the most appropriate locations before any new facilities are provided;	To be incorporated into public convenience policy	D Ogden J Mennear	Ongoing
(5)	That options for the provision of public conveniences in the Burn Valley be explored further;	See 1 (ix) and (x)	D Ogden / J Mennear	Ongoing
(6)	That the feasibility of the provision of facilities through partnership working and the identification of resources through sponsorship funding,	To be incorporated into public convenience policy.	D Ogden / G Frankland / J Mennear	Ongoing

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

RECOMMENDATION		EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
	advertising in facilities, and charging be explored;			
(7)	That any capital receipts that may result from the disposal of a public convenience be re-invested for improvements to the service;	To be incorporated into public convenience policy.	D Ogden / G Frankland / J Mennear	Ongoing
(8)	That the Hartlepool Access Group and the Councils Access Officer be fully involved in proposals for the adaptation/improvement of older, and building of new, facilities to ensure compliance with the requirements of the Disability Discrimination Act;	DDA unisex facilities will be costed up and considered within the schedule of all works. To be incorporated into public convenience policy.	D Ogden / G Frankland	Ongoing
(9)	That as part of the Civic Centre Refurbishments Programme the feasibility of the installation of a hoist for disabled adults within the Civic Centre's public conveniences be	Not feasible due to head height.	G Frankland	February 2007

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

RECOMMENDATION		EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
	explored;			
(10)	That there be a requirement as part of the planning process (Section 106 Agreements) for the provision of, or access to, public conveniences that meet the conditions of the Disability Discrimination Act;	To be incorporated into public convenience policy.	R Teece	Ongoing
(11)	That Parish Councils should be given the opportunity to take over the provision of public conveniences for which closure is the proposed course of action, with a requirement that they meet the conditions of the Disability Discrimination Act;	To be incorporated into public convenience policy.		
(12)	That the use of small 'annex' facilities which can be attached to larger public conveniences and left open when the	Each facility will be evaluated, concern has been expressed by the police due to drug use and anti social behaviour.	D Ogden / G Frankland	Ongoing

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

	RECOMMENDATION	EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
	main facility closes be explored (para. 12.4 (a) refers);	To be considered as part of the public convenience policy.		
(13)	That where public conveniences are closed and not demolished alternative uses for the buildings be explored;	The Hartlepool Maritime Experience facilities cannot be demolished to a gas main, as a result the building will now be used as a store for the site.	D Ogden / G Frankland	Ongoing
(14)	That the Council should look at innovative ways of delivering the service with higher quality facilities. The Forum supported the closure where necessary of some older, less accessible, facilities to make this possible; and	To be incorporated into public convenience policy.	D Ogden / G Frankland	Ongoing
(15)	That the prudential borrowing arrangement proposed be continued in the future to assist in funding public	To be incorporated into public convenience policy.	D Ogden / C Little	Ongoing

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Provision of Public Conveniences In Hartlepool

DECISION MAKING DATE OF FINAL REPORT: (Cabinet on 8th January 2007)

RECOMMENDATION		EXECUTIVE RESPONSE / ACTION ACHIEVED	LEAD OFFICER	DELIVERY TIMESCALE
	convenience provision in the longer term and that any savings identified from the revenue budget as a result of changes to public convenience provision be reinvested in the service.			

NEIGHBOURHOOD SERVICES SCRUTINY FORUM REPORT

8 August 2007



Report of: Scrutiny Support Officer

Subject: THE EXECUTIVE'S FORWARD PLAN

1. PURPOSE OF REPORT

- 1.1 To provide the opportunity for the Neighbourhood Services Scrutiny Forum to consider whether any item within the attached version of the Executive's Forward Plan (relating to decisions within the remit of the Neighbourhood Services Department) should be considered by this Forum.

2. BACKGROUND INFORMATION

- 2.1 One of the main duties of Scrutiny is to hold the Executive to account by considering the forthcoming decisions of the Executive (as outlined in the Forward Plan) and to decide whether value can be added to the decision by the Scrutiny process in advance of the decision being made. This would not negate Non-Executive Members ability to call-in a decision after it has been made.
- 2.2 As you are aware, the Scrutiny Co-ordinating Committee (SCC) has delegated powers to manage the work of Scrutiny, as it thinks fit, and if appropriate can exercise or delegate to individual Scrutiny Forums. Consequently, SCC has been monitoring the Executive's Forward Plan on behalf of Scrutiny and delegating decisions to individual Forums where it has felt it appropriate.
- 2.3 At the meeting of SCC on 29 June 2007 Members suggested that to enable more detailed consideration of the Forward Plan, it be disseminated departmentally and reported to the appropriate Scrutiny Forum on a quarterly basis with Scrutiny Co-ordinating Committee continuing to receive the whole document.
- 2.4 As such, a version (relating to the Neighbourhood Services Department) of the most recent copy of the Executive's Forward Plan is attached at **Appendix 1** for the Forum's information and for Members to decide whether value can be added to the decision by the Scrutiny process.

3. RECOMMENDATIONS

- 3.1 It is recommended that the Neighbourhood Services Scrutiny Forum considers the content of the Executive's Forward Plan.

CONTACT OFFICER

Jonathan Wistow – Scrutiny Support Officer
Chief Executive's Department - Corporate Strategy
Hartlepool Borough Council
Tel: 01429 523 647
Email: jonathan.wistow@hartlepool.gov.uk

BACKGROUND PAPERS

No background papers were used in the preparation of this report.



HARTLEPOOL
BOROUGH COUNCIL

FORWARD PLAN

AUGUST 2007 – NOVEMBER 2007

ITEM 7.1 – APPENDIX 1

1. **INTRODUCTION**

- 1.1 The law requires the executive of the local authority to publish in advance, a programme of its work in the coming four months including information about key decisions that it expects to make. It is updated monthly.
- 1.2 The executive means the Mayor and those Councillors the Mayor has appointed to the Cabinet.
- 1.3 Key decisions are those which significantly modify the agreed annual budget of the Council or its main framework of policies, those which initiate new spending proposals in excess of £100,000 and those which can be judged to have a significant impact on communities within the town. A full definition is contained in Article 13 of the Council's Constitution.
- 1.4 Key decisions may be made by the Mayor, the Cabinet as a whole, individual Cabinet members or nominated officers. The approach to decision making is set out in the scheme of delegation which is agreed by the Mayor and set out in full in Part 3 of the Council's Constitution.

2. **FORMAT OF THE FORWARD PLAN**

- 2.1 The plan is arranged in sections according to the Department of the Council which has the responsibility for advising the executive on the relevant topic:

Part 1	Chief Executive's Department	CE
Part 2	Adult & Community Services Department	ACS
Part 3	Children's Services Department	CS
Part 4	Neighbourhood Services Department	NS
Part 5	Regeneration and Planning Department	RP

- 2.2 Each section includes information on the development of the main policy framework and the budget of the Council where any of this work is expected to be undertaken during the period in question. In this instance only Part Four of the Plan has been included below.
- 2.3 It sets out in as much detail as is known at the time of its preparation, the programme of key decisions. This includes information about the nature of the decision, who will make the decisions, who will be consulted and by what means and the way in which any interested party can make representations to the decision-maker.

3. **DECISIONS MADE IN PRIVATE**

- 3.1 Most key decisions will be made in public at a specified date and time.
- 3.2 A small number of key decisions, for reasons of commercial or personal confidentiality, will be made in private and the public will be excluded from any sessions while such decisions are made. Notice will still be given about the intention

ITEM 7.1 – APPENDIX 1

3.3 to make such decisions, but wherever possible the Forward Plan will show that the decision will be made in private session.

3.4 Some sessions will include decisions made in public and decisions made in private. In such cases the public decisions will be made at the beginning of the meeting to minimise inconvenience to members of the public and the press.

4. **URGENT DECISIONS**

4.1 Although every effort will be made to include all key decisions in the Forward Programme, it is inevitable for a range of reasons that some decisions will need to be taken at short notice so as to prevent their inclusion in the Forward Plan. In such cases a minimum of 5 days public notice will be given before the decision is taken.

4.2 In rare cases it may be necessary to take a key decision without being able to give 5 days notice. The Executive is only able to do this with the agreement of the Chair of the Scrutiny Co-ordinating Committee or the Chairman or Vice-Chairman of the local authority. (Scrutiny committees have the role of overseeing the work of the Executive.)

5. **PUBLICATION AND IMPLEMENTATION OF EXECUTIVE DECISIONS**

5.1 All decisions which have been notified in the Forward Plan and any other key decisions made by the Executive, will be recorded and published as soon as reasonably practicable after the decision is taken.

5.2 The Council's constitution provides that key decisions will not be implemented until a period of 3 days has elapsed after the decision has been published. This allows for the exceptional cases when a scrutiny committee may 'call in' a decision of the Executive to consider whether it should be reviewed before it is implemented. 'Call in' may arise exceptionally when a Scrutiny Committee believes that the Executive has failed to make a decision in accordance with the principles set out in the Council's constitution (Article 13); or that the decision falls outside the Council's Policy Framework; or is not wholly in accordance with the Council's budget.

6. **DETAILS OF DECISION MAKERS**

6.1 Names and titles of those people who make key decisions either individually or collectively will be set out in Appendix A once they are determined.

7. **TIMETABLE OF KEY DECISIONS**

7.1 The timetable as expected at the time of preparation of the forward plan is set out in Appendix B. Confirmation of the timing in respect of individual decisions can be obtained from the relevant contact officer closer to the time of the relevant meeting. Agenda papers are available for inspection at the Civic Centre 5 days before the relevant meeting.

PART FOUR - NEIGHBOURHOOD SERVICES DEPARTMENT

A. BUDGET AND POLICY FRAMEWORK

1. FOODLAW ENFORCEMENT SERVICE PLAN

Work has commenced on the draft 2007/08 Plan, which will be considered by Cabinet in July 2007, prior to referring to the Scrutiny Co-ordinating Committee.

B. SCHEDULE OF KEY DECISIONS

DECISION REFERENCE: NS100/06 MIDDLETON GRANGE SHOPPING CENTRE MULTI STOREY CAR PARK

Nature of the decision

To consider potential further phases of maintenance requirements of the Multi Storey Car Park and the possibility of future ownership and operation.

Who will make the decision?

The decision will be made by Cabinet with referral to Council in relation to funding and future arrangements.

Timing of the decision

The decision is expected to be made in August 2007.

Who will be consulted and how?

Full Council
Shopping Centre Owners

Information to be considered by the decision makers

At its meeting on 15 May 2006 Cabinet was advised of the Council's liability in respect of repairs at this property and the risk of substantial funding being required to remedy the situation. Urgent Phase 1 works amounting to £179,000 were agreed and subsequently approved by full Council. Cabinet now need to consider further works identified in the original report, together with a business case on the future of the multi-storey car park and its relationship with the shopping centre. There is an allowance included in the capital programme for the next two years and the content and phasing of the necessary works will be highlighted together with associated risks and development / ownership issues both now and in the future.

How to make representation

Representations should be made to Graham Frankland, Head of Procurement & Property Services, Neighbourhood Services Department, Leadbitter Buildings, Stockton Street, Hartlepool. Tel 01429 523211. E Mail graham.frankland@hartlepool.gov.uk

Further information

Further information can be obtained from Graham Frankland, as above.

DECISION REFERENCE: NS103/06 TEES VALLEY AND SOUTH DURHAM NHS LIFT.

Nature of the decision

To consider further the services to be located and the relevant land transactions on the Town Centre NHS LIFT site including methods of funding and the Council's involvement in this process.

Who will make the decision?

The decision will be made by Cabinet with possible referral to full Council if there are any budget and policy framework implications.

Timing of the decision

The decision is expected to be made in August 2007.

Who will be consulted and how?

NHS LIFT Company and Hartlepool PCT.

Information to be considered by the decision makers

At its meeting on 14 August 2006 Cabinet considered outstanding land transactions and potential funding options. This report will look at the progress of the land transactions, including the Hoardings site on the corner of Park Road and Waldon Street, the arrangements for the former Barlows and St Benedicts Hostel Site and consider how any potential funding options could work. Hartlepool PCT and the LIFT Company have now advanced their plans on services to be located on the site and a revised timetable. The planning and development processes will also be covered.

How to make representation

Representations should be made to Graham Frankland, Head of Procurement & Property Services, Neighbourhood Services Department, Leadbitter Buildings, Stockton Street, Hartlepool. Tel 01429 523211. E Mail graham.frankland@hartlepool.gov.uk

Further information

Further information can be obtained from Graham Frankland, as above.

APPENDIX A

DETAILS OF DECISION MAKERS

THE CABINET

Many decisions will be taken collectively by the Cabinet.

- The Mayor, Stuart Drummond
- Councillor Pamela Hargreaves
- Councillor Ged Hall
- Councillor Cath Hill
- Councillor Victor Tumilty
- Councillor Robbie Payne
- Councillor Peter Jackson

EXECUTIVE MEMBERS

Members of the Cabinet have individual decision making powers according to their identified responsibilities.

Regeneration and Liveability Portfolio	-	The Mayor, Stuart Drummond
Performance Portfolio	-	Councillor Pamela Hargreaves, Deputy Mayor
Adult and Public Health Services Portfolio	-	Councillor Ged Hall
Children's Services Portfolio	-	Councillor Cath Hill
Culture, Leisure and Tourism Portfolio	-	Councillor Victor Tumilty
Finance and Efficiency Portfolio	-	Councillor Robbie Payne
Neighbourhoods and Communities Portfolio	-	Councillor Peter Jackson

APPENDIX B

TIMETABLE OF KEY DECISIONS

Decisions are shown on the timetable at the earliest date at which they may be expected to be made.

1. DECISIONS EXPECTED TO BE MADE IN AUGUST 2007

1.1 DATE NOT YET DETERMINED

NS100/06	MIDDLETON GRANGE SHOPPING CENTRE MULTI STOREY CAR PARK	CABINET
NS103/06	TEES VALLEY AND SOUTH DURHAM NHS LIFT	CABINET

2. DECISIONS EXPECTED TO BE MADE IN SEPTEMBER 2007

2.1 DATE NOT YET DETERMINED

NS104/06	SELECTIVE LICENSING OF PRIVATELY RENTED HOUSES	CABINET
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3. DECISIONS EXPECTED TO BE MADE IN OCTOBER 2007

3.1 NONE

4. DECISIONS EXPECTED TO BE MADE IN NOVEMBER 2007

4.1 NONE

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

8 August 2007



Report of: Head of Neighbourhood Management

Subject: SCRUTINY INVESTIGATION INTO SCHOOL MEALS

1. PURPOSE OF REPORT

- 1.1 To provide Members of the Forum with an overview of the Neighbourhood Services Department's responsibilities in relation to School Meals.

2. BACKGROUND INFORMATION

- 2.1 On 4 July 2007 Members of this Forum agreed the overall remit and Terms of Reference for its investigation into school meals. Consequently, this report will provide information from the Neighbourhood Services Department in relation to the following key issues of relevance to the provision of school meals:

- (a) Government Guidance in relation to the delivery of school meals;
- (b) How school meals are delivered locally;
- (c) School meal standards/comparisons

3. GOVERNMENT GUIDANCE IN RELATION TO THE DELIVERY OF SCHOOL MEALS

- 3.1 Under the current guidance the responsibility for the provision of school meals lies directly with the schools if the Local Authority has delegated the school meals budget, which this Authority has done. This includes ensuring that the current food provision meets the interim food-based standards for lunch, and the forthcoming standards for, "food provision other than lunch," and the, "food and nutrient-based standards for lunch". In addition, Ofsted is monitoring the way schools approach healthier eating as part of its regular inspection of the school.

3.2 In May 2006 the Government announced new standards for school food. These have developed as outlined below:

- (a) **September 2006** - All schools to follow the “Interim food-based standards for school lunches”
- (b) **September 2007** - All schools to implement “Food based standards for food other than lunch” (schools could choose to adopt these standards earlier it but was not compulsory)
- (c) **September 2008** - Primary schools to implement the nutrient-based standards and the new food based standards for school lunch.
- (d) **September 2009** - Secondary schools to implement the nutrient-based standards and the new food based standards.

4. RECOMMENDATIONS

HOW SCHOOL MEALS ARE DELIVERED IN HARTLEPOOL

4.1 All but one of the 38 Schools in Hartlepool uses the Council’s School Meals Catering Service, which is part of the Neighbourhood Services department. Dyke House School decided to manage the catering service themselves in July 2006 and staff that were working there at the time were transferred.

Primary School Meals

4.2 All of the schools follow the same menu, which was devised to ensure that the Governments guidelines were being met. The menu consists of a traditional meat or poultry dish, a fish dish, a vegetarian dish and either a full salad bar or sandwiches and salad bowls. As well as the main items the children are offered a choice of three potato dishes and three vegetables, along with salad bowls. A choice of two traditional puddings, fresh fruit, fruit salad, yoghurt and cheese and biscuits are also available.

4.3 This selection ensures that most tastes, dietary and ethnic diversity needs, can be accommodated without making too many alterations to the original menu. The current cost of a primary meal is £1.50 which will rise to £1.55 in September.

4.4 The Service Level Agreement entered into with primary schools includes the provision of a midday meal to any pupil entitled to a free school meal. At the end of each trading period the schools are charged for any paying pupil and any adult taking a meal. The schools themselves collect the dinner money from the pupils and bank it to their own accounts. On a daily basis they inform the cook of how many pupils will take a meal.

Secondary School Meals

- 4.5 These are slightly different to the primary schools, although they do offer the same range of traditional two course meals, a meat or poultry dish, a fish dish, a vegetarian dish and also quiche, which are accompanied by potatoes and vegetables and a pudding. In the secondary schools, the students have the option of buying the main meal on its own rather than as part of a two course meal. The current cost of the two course lunch is £1.70 and like the primary school will rise by 5p in September.
- 4.6 As well as the option of the traditional counter, students can chose from other counters within the food court, these include pasta/rice, salad, sandwich and jacket potato bars. A cashless system operates in secondary schools, students use swipe cards which ensure anonymity to free meal recipients. All items are individually priced so that the students can identify the cost of each meal. The swipe card system ensures that money is transferred onto cards electronically, either by the pupil using a “reval” machine, or by parents sending in a cheque which is credited to the card. Any pupil entitled to a free meal has their card automatically credited with the free meal allowance. In all cases, no money changes hands at the till point, this speeds up the service considerably and queuing is reduced. This system has addressed the stigmatism which used to arise with free school meals.
- 4.7 The cost of providing the food courts and the cashless systems in the secondary schools has been met by Neighbourhood Services Catering Section. The schools are charged for any free meal served but unlike the primary schools the money from paid meals is collected by the catering service and banked by them.

5. SCHOOL MEAL STANDARDS/COMPARISONS

- 5.1 Since the demise of Cleveland County Council in 1996 the school meals service has been managed and run by Hartlepool Borough Council's Neighbourhood Services Department. During this time the department has sought to strengthen and develop service standards and performance. In particular, we are committed to ensuring staff are well trained to improve the overall quality of school meals. Basic food hygiene training is given to all school kitchen staff and intermediate level hygiene training is provided to the cooks. In addition, a high level of craft skills training is maintained, and whilst other authorities have reduced their training budgets we continue to develop staff to ensure that adequate cover is available from well trained staff.
- 5.2 The Catering Service has always sought to be at the forefront of new developments. For example, Hartlepool was one of the first authorities to introduce food courts and cashless systems in secondary schools, and make improvements in primary kitchens and dining rooms.
- 5.3 Food costs have always been well above average as the department has always believed in providing a nutritious value for money mid-day meal.

When the healthy school meals topic started to be publicised the government indicated that food costs throughout the country were as low as 35p per meal and recommended that this should be 50p per meal. In Hartlepool we were already spending 52p per meal. Our current food costs are running at 60p per meal.

- 5.4 Food costs have risen substantially, due to the implementation of the higher standards and an increase in food costs generally. Against these increased costs, the Catering Service has managed to remain viable by becoming more and more efficient year on year and by increasing charges by only 3% per annum.
- 5.5 The additional costs of providing more “healthy” food alongside restrictions limiting or banning other foods has meant that for the first time it seems likely that the school meals service may run into financial difficulties. To aid the situation and to offset some of the costs we have agreed to provide function catering to Council departments. We started this service in April this year and are getting very good feedback from customers. Whilst this side of the business seems to be developing positively, we are monitoring the service closely.

Performance

- 5.6 Although the percentage take-up levels of school meals has been sustained, we do serve fewer meals year on year as there are less children on the school register. To give an indication, we have provided the take-up for the same six month period for the past three years. The period relates to January to June.

	2005	2006	2007
Primary school			
Average % take-up	60.9%	61.6%	62.3%
Daily meals served	5050	4870	4780
Secondary school			
Average % take-up	52.7%	54.2%	53.9%
Daily meals served	3520	3530	3000

- 5.7 The numbers compare very well with other authorities.
- 5.8 The school food trust reported that in 2005/6 primary take-up was 42.3% and secondary was 42.7% nationally, and regionally primary take-up was 55.5% and secondary was 38.3%. These figures represent a drop in uptake from the previous year of 5.8% primary and 4.9% secondary.
- 5.9 Our take-up level for those entitled to free meals is also very high compared to the national average, in the primary sector we have an average of above 90% take-up and the secondary schools have above 60% take-up.
- 5.10 More detailed information in relation to school meal standards and comparisons will be tabled at today's meeting. This will include information

around consistency of provision across the schools in the town in relation to: take-up of school meals; the standard of meals; the school meals 'experience'; and the nutritional value of school meals.

Nutritional standards

- 5.11 A software package has already been purchased which is able to measure the nutritional content of the menu and training has been undertaken to input the data, alter recipes, reduce levels of salt, sugar, fat, etc. We are also trying to increase the levels of iron, vitamins and minerals in the foods. Although measuring the nutritional content of the meal is not legally required until 2008, we are currently working on the system to ensure that we will be compliant by the due date. Reaching the targets set by the school food trust is proving somewhat difficult as the levels for some nutrients are very high, such as iron; while the levels of others are incredibly low, e.g., fat.

Overcoming Difficulties

- 5.12 A number of factors impact on the overall success or failure of the school meals service. All schools are different, both in their requirements and their facilities. Some schools work very closely with the school meals service and have regular meetings and reviews, while other schools tend to leave the running of the service solely to the department. Some schools have more than adequate kitchen and dining room facilities, while others are very limited.
- 5.13 The length of the lunch break also impacts on the service. Those schools with a very short lunch break are the schools that tend to have low take-up, as the pupils dislike being rushed through a service with little or no time to eat. The school food trust are providing guidance on "the dining experience" with a view to encouraging schools to lengthen the lunchtime, and improve the dining arrangements by upgrading the furniture, surroundings, etc.
- 5.14 The main purpose of this investigation is to ensure we continue to provide a good local service and to improve where possible.

However, there are a number of factors which make this increasingly difficult:

- Job evaluation
- Food costs
- Higher standards
- Healthy eating resistance
- School budget pressures

I will enlarge on these bullet points at the meeting, but in respect of the final point, the Government have given a grant of over £100k this year, shared equally between schools and the local Children's Service to promote healthy eating. Whilst we have continued to work with our Children's Services colleagues to ensure the Authority's funding is spent in the most appropriate way possible, nevertheless schools generally appear to use their funding to ensure they balance their books.

6. RECOMMENDATION

- 6.1 That Members note the content of the report and use this as a basis for discussion to contribute to the ongoing investigation into School Meals.

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BACKGROUND PAPERS

The following background paper(s) was/were used in the preparation of this report:

- (i) Report of the Scrutiny Support Officer entitled *School Meals – Scoping Report*
13.06.07

NEIGHBOURHOOD SERVICES SCRUTINY FORUM REPORT

8 August 2007



Report of: Scrutiny Support Officer

Subject: SCHOOL MEALS – EVIDENCE FROM THE
AUTHORITY'S PORTFOLIO HOLDER FOR
NEIGHBOURHOODS AND COMMUNITIES –
COVERING REPORT

1. PURPOSE OF REPORT

- 1.1 To inform Members of the Forum that the Portfolio Holder for Neighbourhoods and Communities has been invited to attend this meeting to provide evidence in relation to the ongoing investigation into School Meals.

2. BACKGROUND INFORMATION

- 2.1 Members will recall that at the meeting of this Forum on 4 July 2007, the Terms of Reference and Potential Areas of Inquiry/Sources of Evidence were approved by the Forum for this scrutiny investigation.
- 2.2 Consequently, the Authority's Portfolio Holder for Neighbourhoods and Communities has been invited to this meeting to provide evidence to Forum in relation to his responsibilities, and views on, school meals.
- 2.3 During this evidence gathering session with the Authority's Neighbourhoods and Communities Portfolio Holder, it is suggested that responses should be sought to the following key questions:-
- (a) What are your roles and responsibilities in relation to the provision of school meals in the town?
 - (b) What are your views on the provision of school meals locally?
 - (c) What are your views on the standards of school meals locally in comparison to national and regional standards?
 - (d) What, if anything, would you like to see put in place to enhance the ongoing development of the school meals service?

3. RECOMMENDATIONS

- 3.1 That Members of the Forum consider the views of the Portfolio Holder for Neighbourhoods and Communities in relation to the questions outlined in section 2.3.

CONTACT OFFICER

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BACKGROUND PAPERS

The following background paper was used in preparation of this report:-

- (a) Scrutiny Investigation into School Meals – Scoping Report (Scrutiny Support Officer) – 04.07.07

NEIGHBOURHOOD SERVICES SCRUTINY FORUM REPORT

8 August 2007



Report of: Scrutiny Support Officer

Subject: SCHOOL MEALS – SITE VISIT VERBAL UPDATE –
COVERING REPORT

1. PURPOSE OF REPORT

- 1.1 To facilitate a discussion amongst Members of this Forum in relation to the School Meals Site Visits on 13 July 2007.

2. BACKGROUND INFORMATION

- 2.1 Members will recall that at the meeting of this Forum on 4 July 2007, the Terms of Reference and Potential Areas of Inquiry/Sources of Evidence were approved by the Forum for this scrutiny investigation.
- 2.2 Consequently, a site visit to Kingsley Primary School and English Martyrs Secondary School was arranged for 13 July so that Members could witness at first hand the school meals service at both a Primary and Secondary School.
- 2.3 Members who attended the visit may wish to share their views on the dining experience at both the schools they visited for the benefit of the Forum. In particular Member may wish to reflect on:-
- (a) The way that school meals were provided within the schools;
 - (b) Their impressions of the 'school meals experience' within each of the schools; and
 - (c) Their impression of the standard of meals (e.g. quality, variety and choice) from visiting a couple of schools.

3. RECOMMENDATIONS

- 3.1 That Members of the Forum discuss the findings from the School Meals Site Visit.

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BACKGROUND PAPERS

No background papers were used in the production of this report.