

NEIGHBOURHOOD SERVICES SCRUTINY FORUM AGENDA



Friday 11th July 2008

at 3.00pm

**in Committee Room B
Civic Centre, Hartlepool**

MEMBERS: NEIGHBOURHOOD SERVICES SCRUTINY FORUM:

Councillors Akers-Belcher, Barker, R W Cook, Coward, Cranney, Gibbon, McKenna, Worthy and Wright

Resident Representatives: John Cambridge, Mary Green and Brenda Loynes

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 18 June 2008

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

4.1 Portfolio Holder's Response - Transportation Links to Hospital Services and Neighbourhood Services Department Transport Provision– *Joint Report of the Director of Neighbourhood Services and the Portfolio Holder for Neighbourhoods and Communities*

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 2008-2009 – *Director of Neighbourhood Services*

7. ITEMS FOR DISCUSSION

- 7.1 Scrutiny Investigation into the Condition of Highways in Hartlepool – Draft Scoping Report – *Scrutiny Support Officer (to follow)*

8. ISSUES IDENTIFIED FROM FORWARD PLAN

9. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

ITEMS FOR INFORMATION

Date of next meeting Monday 18 August 2008 at 4.00 pm in Committee Room B

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

MINUTES

18 June 2008

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Stephen Akers-Belcher (In the Chair)

Councillors: Caroline Barker, Rob Cook, Steve Gibbon and Gladys Worthy

Resident Representatives:

John Cambridge and Brenda Loynes

Officers: Charlotte Burnham, Scrutiny Manager

Graham Frankland, Head of Procurement, Property Services and
Public Protection

Angela Hunter, Principal Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Christopher McKenna and Edna Wright and resident representative Mary Green.

2. Declarations of interest by Members

None.

3. Minutes of the meeting held on 27 March 2008

Confirmed.

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

None.

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

None.

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

None.

7. Role of the Neighbourhood Services Scrutiny Forum
(*Scrutiny Manager*)

The Scrutiny Manager submitted a brief report outlining the background to the approach to overview and scrutiny in the Council. The key roles of Scrutiny were detailed as:

- Policy development and review
- Scrutiny
- Finance

The role of Scrutiny Co-ordinating Committee was set out with a detailed description of the role and functions of the Neighbourhood Services Scrutiny Forum. The report highlighted that the strategic direction of the Scrutiny Forums was to assess, monitor and advise on the Council's progress towards the seven priority aims. The Neighbourhood Services Scrutiny Forum's remit was specifically to consider issues relating to property, technical services, environmental services, emergency planning, public protection and housing. A schedule of the Forum's meetings dates was also set out in the report, however there were a number of changes to these dates and a letter would be sent to all Members confirming the dates and times of all the meetings.

Decision

- (i) The report and information provided was noted.
- (ii) That the Democratic Services Team confirm the dates and times of all future meetings within this municipal year to Members.

8. Six Monthly Monitoring of Agreed Neighbourhood Services Scrutiny Forum's Recommendations (*Scrutiny Manager*)

The Scrutiny Manager presented a report advising the Forum of the progress made on the delivery of the agreed scrutiny recommendations of the Forum. Appendices A & B provided a summary which broke down progress made by investigations undertaken by the Forum and a detailed explanation of

progress made against each recommendation. It was noted that this was a constantly changing document and reports on the progress would be brought again to the Forum in six months.

A discussion ensued in which the following issues were raised:

- A Member reported a number of problems occurring in the Kipling Road and Burns Avenue area in relation to the use of the road as a 'rat run' and parking on grass verges. The Head of Property Services, Procurement and Public Protection would respond to the Member direct.
- Clarification was sought on the targets not achieved with regard to the recommendations from the investigation into public convenience provision across the town. The Head of Property Services, Procurement and Public Protection informed Members of the progress made in relation to all three areas which did not achieve the target and they were: Parish Councils taking over the provision within their area, Ward Jackson Park and Seaton Baths facilities.
- Members recalled reference to a Government subsidy being made available to encourage local business to allow access to toilet facilities and an update was requested on this issue. The Head of Property Services, Procurement and Public Protection indicated that work was underway to introduce this as a policy and this would be reported to scrutiny in the summer.
- Members requested an update on the results of the speed survey recently undertaken. The Head of Property Services, Procurement and Public Protection would circulate the results of this information to Members.
- It was reported that a number of complaints had been received in relation to the traffic calming measures installed in King Oswy Drive. The Head of Property Services, Procurement and Public Protection would look into this and report back.

Decision

That progress against the Neighbourhood Services Scrutiny Forum's agreed recommendations since the 2005/06 municipal year was noted.

9. Determining the Neighbourhood Services Scrutiny Forum's Work Programme for 2008/09 *(Scrutiny Manager)*

The Scrutiny Manager presented a report that requested the Neighbourhood Services Scrutiny Forum to identify a Work Programme for the 2008/09 Municipal Year, together with a timeframe for each review, for consideration by the Scrutiny Co-ordinating Committee on 4 July 2008.

The Director of Neighbourhood Services, Portfolio Holders for Regeneration and Liveability and Neighbourhoods and Communities and Adult and Public

Health; Local Area Agreement Reward Element Targets (also known as LPSA2); Corporate Plan (BVPP); had been the foundation sources for the report to enable the Forum to compile its Work Programme.

From these sources and the work programme from 2007/08, the following list of potential subjects for investigation had been identified: -

Hartlepool's Cemetery and Crematorium Service
Coastal Defences and Shoreline Management in Hartlepool
Contaminated Land in Hartlepool
Condition of the Highways in Hartlepool
Hartlepool's Recycling Service

In setting the Work Programme for 2008/09, Members were advised that consideration would also need to be given to Budget and Policy Framework documents which the Forum would need to consider throughout the year.

The Forum was advised to be cautious in setting an overly ambitious Work Programme for which it may be unable to deliver and the Scrutiny Support Officer recommended that only two issues should be listed for investigation at this time. This approach had proved to very successful in the previous municipal year. The Forum could revisit the potential list of investigations should time allow later in the Municipal year.

A discussion ensued in which the potential areas of investigation were considered. Members felt that the suggested investigation into the Condition of the Highways in Hartlepool was a high priority. However, a debate took place on which area to examine as a second topic from either the Contaminated Land in Hartlepool or the Coastal Defences and Shoreline Management in Hartlepool. After a lengthy discussion, it was agreed that Coastal Defences and Shoreline Management in Hartlepool should be examined as a second topic for 2008/09.

Decision

That the Scrutiny Co-ordinating Committee be advised that the Forum wished to undertake investigations into the Condition of the Highways in Hartlepool followed by Coastal Defences and Shoreline Management in Hartlepool.

CHAIRMAN

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

11 July 2008



Report of: Joint Report of Director of Neighbourhood Services and the Portfolio Holder for Neighbourhood and Communities.

Subject: PORTFOLIO HOLDER'S RESPONSE
TRANSPORTATION LINKS TO HOSPITAL
SERVICES AND NEIGHBOURHOOD SERVICES
DEPARTMENT TRANSPORT PROVISION

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide Members of the Scrutiny Co-ordinating Committee with feedback on the recommendations from the investigation into 'Transportation Links to Hospital Services and Neighbourhood Services Department Transport Provision', which was reported to Council on 23 June 2008.

2. BACKGROUND INFORMATION

- 2.1 The investigation into 'Transportation Links to Hospital Services and Neighbourhood Services Department Transport Provision' conducted by this Forum falls under the remit of the Neighbourhood Services Department and is, under the Executive Delegation Scheme, within the service area covered by the Neighbourhood and Communities Portfolio Holder.
- 2.2 On 23 June 2008 Cabinet considered the Final Report of the Neighbourhood Services Scrutiny Forum into 'Transportation Links to Hospital Services and Neighbourhood Services Department Transport Provision'. This report provides feedback from the Portfolio Holder following the Cabinet's consideration of, and decisions in relation to this Forum's recommendations.
- 2.3 In addition to this report a further progress report will be produced for Member's consideration bi-annually to enable Members to monitor the implementation of their recommendations.

3. SCRUTINY RECOMMENDATIONS AND EXECUTIVE DECISION

- 3.1 Following consideration of the Final Report, Cabinet approved the recommendations in their entirety. Details of each recommendation and proposed actions to be taken following approval by Cabinet are provided in the Action Plan attached at **Appendix A**.

4. RECOMMENDATIONS

- 4.1 That Members note the proposed actions detailed within the Action Plan, appended to this report (**Appendix A**) and seek clarification on its content where felt appropriate.

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BACKGROUND PAPERS

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

- (i) The Neighbourhood Services Scrutiny Forum's Final Report into 'Transportation Links to Hospital Services and Neighbourhood Services Department Transport Provision' considered by Cabinet on 23 June 2008.
- (ii) Decision Record of Cabinet held on 23 June 2008

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Transportation Links to Hospital Services and Neighbourhood Services
Department Transport Provision

DECISION MAKING DATE OF FINAL REPORT: April 2008

RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	LEAD OFFICER	DELIVERY TIMESCALE
(a) That consideration is given to extending the Authority's current concessionary travel scheme to cover free bus usage for carers accompanying disabled people;	Tees Valley wide issue needs consideration and dialogue with other local authorities bus operators	A Smith	March 09
(b) That the Council works in partnership with neighbouring Local Authorities, the local PCTs and Foundation Trusts to produce a 'User Friendly Guide for Transport to Healthcare' that provides useful information on public transport available to health care locations and concessionary care schemes available;	Regular meetings have now been organised between PCT's Foundation Trust and Local Authority Staff to discuss these issues	A Smith P Robson J Brown	April 09
(c) That the Council further promotes the use of established community transport schemes in operation locally, including maximising efficiencies through the proposed	Further enhancement to present Dial-a-Ride service and similar will be considered via ITU. Potential for it to be a phased in approach	P Robson J Brown	September 09

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Transportation Links to Hospital Services and Neighbourhood Services
Department Transport Provision

DECISION MAKING DATE OF FINAL REPORT: April 2008

	RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	LEAD OFFICER	DELIVERY TIMESCALE
	Integrated Transport Unit, to enable people who are unable to use, or have difficulty to access public transport;			
(d)	That the Council explores opportunities to secure the long-term operation of the Health Bus Service, that currently operates between the University of Hartlepool and University Hospital of North Tees sites;	Further extension to existing service has been agreed for further 3 months.	Alastair Smith Paul Robson PCT Hospital	September 08
(e)	That the Council explores opportunities of developing a social enterprise scheme with the third sector to improve access to healthcare services;	All opportunities will be explored via the newly Integrated Transport Unit (ITU).	Alastair Smith Paul Robson	December 09
(f)	That the current bus service timetable information provided in Hartlepool be further improved such as timetables at bus stops	Present contract when expires will be responsibility of Tees Valley Joint Strategy Unit (JSU). The JSU have been notified of the request via Chief Engineers group.	Alastair Smith	April 09

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Transportation Links to Hospital Services and Neighbourhood Services
Department Transport Provision

DECISION MAKING DATE OF FINAL REPORT: April 2008

RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	LEAD OFFICER	DELIVERY TIMESCALE
(g) That the Hartlepool PCT rolls out a communication programme that ensures all front line staff are made fully aware of the Hospital Travel Cost Scheme and how its is administered;	Regular updates in Staff Newsletter Up2Speed and presentation at Staff Forum. Contact point provided for further information. List of FAQs developed to be forwarded to staff on request. Posters to be developed and distributed to all sites. Documentation made available on websites. Liaise with North Tees and Hartlepool NHS Foundation Trust to ensure promotion in internal communications.	Ali Wilson in connection with Teeswide Commissioning, Strategy and Procurement Team.	August 2008
(h) That the Hartlepool PCT ensures that the Hospital Travel Cost Scheme is more widely publicised to patients and the public with information on the scheme in particular the eligibility criteria being made readily available in a variety of locations;	Posters and leaflets to be developed and distributed to all PCT sites and made available on PCT websites. Media coverage provided to support message. PALS team briefed with full information. Information about the Scheme is included on all patient facing materials produced by the PCT. Distribute information to all independent contractors. Liaise with North Tees and	Ali Wilson in connection with Teeswide Commissioning, Strategy and Procurement Team.	August 2008

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Transportation Links to Hospital Services and Neighbourhood Services
Department Transport Provision

DECISION MAKING DATE OF FINAL REPORT: April 2008

RECOMMENDATION		EXECUTIVE RESPONSE / PROPOSED ACTION	LEAD OFFICER	DELIVERY TIMESCALE
		Hartlepool NHS Foundation Trust to ensure promotion in patient information.		
(i)	That to ensure that the Hospital Travel Costs Scheme runs effectively together with easier access to healthcare premises, that Hartlepool PCT works with the Council in the identification and development of local and integrated transport strategies;	Ongoing communication to take place between all interested parties to address the identified needs. As previously stated dialogue between representatives from Hartlepool Primary Care Trust and Hartlepool Borough Council.	Ali Wilson Alastair Smith	December 2008
(j)	That the North Tees and Hartlepool NHS Foundation Trust works with Hartlepool Borough Council and affected neighbouring authorities in assessing the accessibility of any proposed new hospital site.	The Trust are part of HBC's Integrated Transport Unit and are working with Council Officers to develop a Transport Strategy for the proposed new hospital. A Transport Manager is to be appointed by the Trust to further develop this work. Specialist Transport consultants have been appointed also.	Kevin Oxley, Director of Operations	March 2009

**NEIGHBOURHOOD SERVICES
SCRUTINY FORUM**

11th July 2008



Report of: Director of Neighbourhood Services

Subject: Food Law Enforcement Service Plan
2008 - 2009

1. PURPOSE OF REPORT

- 1.1 To consider the Food Law Enforcement Service Plan for 2008 - 2009, 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 The Food Law Enforcement Service Plan for 2008 - 2009 is attached as **Appendix 1** and takes into account the guidance requirements.
- 2.5 The Plan has been considered by Cabinet on 23 June and it will return again to Cabinet in August, prior to being considered by Council.

3. THE FOOD LAW ENFORCEMENT SERVICE PLAN

3.1 The Service Plan for 2008/09 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 2007/08.

4. SUMMARY OF MAIN ISSUES RAISED IN THE PLAN

4.1 During 2007/08 the section had two vacant environmental health officer posts in the final quarter. Steps were taken to ensure that food hygiene inspections were given priority and this allowed the service to ensure that no high risk inspections were left outstanding. Only four other inspections were carried forward to next year's inspection programme.

4.2 A total of 437 food hygiene premises inspections were undertaken in 2007/08 this equates to 99% of all programmed inspections planned for the year. However only 213 food standards inspections were undertaken this equates to 83%. The outstanding inspections will be added to the programme for 2008 - 2009. 165 microbiological samples and 185 compositional/labelling samples were taken, 15 of the samples were regarded as unsatisfactory, mainly as a result of high bacteriological counts and 11 were unsatisfactory as the labelling/composition was incorrect.

- 4.3 On 1 April 2007 the Council launched the Tees Valley Food Hygiene Award Scheme. Each business is awarded a 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.
- 4.4 The table below shows the results of the star ratings awarded to businesses on 1 April 2007 compared with on 1 April 2008:

Number of Stars	Number of Premises (1/4/07)	% of premises	Number of Premises (1/4/08)	% of premises
5 Stars	24/759	3%	85/762	11.1%
4 Stars	155/759	20%	217/762	28.5%
3 Stars	226/759	30%	294/762	38.6%
2 Stars	262/759	35%	137/762	18.0%
1 Star	60/759	8%	26/762	3.4%
0 Stars	32/759	4%	3/762	0.4%

- 4.5 The introduction of this scheme has been well received and to date there have been over 100,000 hits on the website. This scheme has raised public expectations and has placed increased emphasis on achieving our programmed inspections.
- 4.6 Towards the end of the 2007/08 unacceptable standards were found in one premise following a programmed inspection. Investigations are still in progress and formal action is under consideration.
- 4.7 In March 2008 the Authority was audited by the Food Standards Agency in relation to feeding stuffs and imported food and feed control. A considerable amount of work was undertaken in preparation for the audit and this had a considerable impact on the limited resources available during the second half of the year.
- 4.8 We have received initial feedback including a draft report and have drawn up an action plan to address the areas requiring improvement. We are currently awaiting the final report and will report the results to a future meeting of the Adult & Public Health Portfolio.
- 4.9 During 2008/09 there are 459 programmed food hygiene inspections, 173 programmed food standards inspections and 66 feed hygiene inspections planned, in addition to an estimated 160 re visits and 70 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.

- 4.10 It is anticipated that staff shortages will continue in 2008 - 2009 with currently one vacant post and another post holder starting her maternity leave in July. We will use a range of measures to try to attain targets.

5. RECOMMENDATIONS

- 5.1 Member's comments on the Food Law Enforcement Service Plan for 2008 - 2009 are invited.

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Hartlepool Borough Council

Food Law Enforcement Service Plan

2008/09

FOOD SERVICE PLAN 2008/09

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 2008-09, where relevant, longer-term objectives are identified. Additionally, there is a review of performance for 2007-08 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, Sedgefield 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 Regulators Code of Compliance, 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 and approval of premises
- Microbiological sampling and chemical analysis of food
- Food Inspection
- Contributing to the step change on imported food control through inspection and checks of imported foods at retail and catering premises

- 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), Food Standards Agency (FSA), HM Revenue & Customs (HMRC), Department of Environment, Food & Rural Affairs (Defra) & the Animal Medicines Inspectorate (AMI). 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.

The service is also responsible for the following:

- Health and Safety enforcement
- The provision of guidance, advice and enforcement in respect of Smokefree enforcement
- Water sampling; including both private and mains supplies & bathing water
- Provision of assistance to the animal Health Officer for animal health and welfare inspections, complaint investigation and animal movement issues

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 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

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 2007.

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/interventions 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/feed incident warning system is in operation throughout the United Kingdom, which acts as a rapid alert system in respect of food/feed related hazards. The service must ensure that any action specified by the Food Standards Agency in a food/feed 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 Feed Law Enforcement Code of Practice and associated Practice Guidance which gives detailed direction to authorities on enforcement of food and feed legislation.

There is currently a requirement to report to the Food Standards Agency annually on performance in relation to food/feed 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 standard operating procedures on food/feed premises inspections and relevant national guidance.

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

The food hygiene, food standards and feeding stuffs 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	3
B	12 months	60
C	18 months	385
D	24 months	141
E	36 months or other enforcement	184
Unclassified	Requiring inspection/risk rating	12
No Inspectable Risk (NIR)		28
Total		813

Food Standards:

Risk Category	Frequency of Inspection	No of Premises
A	12 months	1
B	24 months	107
C	36 months or other enforcement	581
Unclassified		12
No Inspectable Risk (NIR)		94
Total		795

Feed Hygiene

Risk Category	Frequency of Inspection	No of Premises
A	12 months	0
B	24 months	48
C	60 months	5
Unclassified		31
Total		84

6.1 APPENDIX 1

The inspection programme for 2008/09 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	6
B	12 months	60
C	18 months	290
D	24 months	57
E	36 months or alternative enforcement strategy	35
Unclassified		11
Total		459

There is currently 1 manufacturing business (a fishery products establishment), that is subject to approval under Regulation 853/2004 however discussions are ongoing in relation to a potential new business. Approved establishments 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	0
Dairy Products	1	1	0
Fishery Products	1	1	1
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 that 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	1
B	24 months	57
C	36 months or alternative enforcement	103
Not classified		11
Total		173

Feed Hygiene:

Risk Category	Frequency of Inspection	No of Premises
A	12 months	0
B	24 months	35
C	60 months	0
Unclassified		31
Total		66

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. For the year 2008/09, the inspection programme would generate an estimated 160 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

Hartlepool is a Port Health Authority however it is not a border inspection post or point of entry and therefore no food enters the port.

Fish Quay

There is a Fish Quay within the Authority's area which provides a market hall although it is not currently operational and there are associated fish processing units, one of which is an approved establishment.

Registration and Approval of Premises

Food and feed business operators must register their establishments with the relevant local authority. 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/feed business operator or type of use.

The receipt of a food/feed premises registration form initiates an inspection of all new premises. In the case of existing premises, where a change of food/feed 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 70 additional premises inspections will be generated for new food businesses during 2008/09 and approximately 5 for new feed businesses.

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.

Food 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 is 1 premises in the Borough (a fishery products establishment), which is subject to approval.

Microbiological and Chemical Analysis of Food/Feed

An annual food/feed sampling programme is undertaken with samples being procured for the purposes of microbiological or chemical analyses. This programme is undertaken in accordance with the service's Food/Feed 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/Feed Law Enforcement Policy and associated Practice Guidance. Follow-up action is carried out in accordance with the service's sampling policy.

Microbiological analysis of food and water samples is undertaken by the Health Protection Agency's Newcastle Laboratory based at Newcastle General Hospital. Chemical analysis of informal food/feed samples is undertaken by Tees Valley Measurement and formal samples are analysed by the Council's appointed Public/Agricultural Analyst at Durham County Council. 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 2008-09.

Points are allocated as follows:

Sample type	No of credits
Food Basic	25
Food Complex	35
Water Basic	20
Water Complex	25
Dairy Products	10
Environmental Basic	25
Environmental Complex	35
Certification	15

A sampling programme is produced each year for the start of April. The sampling programme for 2008-09 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/feed businesses in Hartlepool and will focus on locally manufactured/processed foods/feed and food/feed targeted as a result of previous sampling and complaints.

In 2007 the Food Standards Agency, the Local Authorities Coordinators of Regulatory Services (LACORS) and the Association of Port Health Authorities set a national target that imported food should make up 10% of the food samples taken by local and port health authorities. The service shall therefore aim to meet this target.

Microbiological Food Sampling Plan 2008-09

April Local Shopping Basket Survey Ice Survey	May Local Shopping Basket Survey Ice Survey	June Local Shopping Basket Survey Ice Survey LACORS/ HPA Egg mix & environmental samples from restaurants & takeaways Imported coffee/pastries
July Local Shopping Basket Survey Ice Survey LACORS/ HPA Egg mix & environmental samples from restaurants & takeaways Spices purchased over the Internet	August Local Shopping Basket Survey Ice Survey LACORS/ HPA Egg mix & environmental samples from restaurants & takeaways	September Local Shopping Basket Survey Ice Survey LACORS/ HPA Egg mix & environmental samples from restaurants & takeaways
October Local Shopping Basket Survey Ice Survey LACORS/ HPA Egg mix & environmental samples from restaurants & takeaways LACORS/ HPA Shelled Nuts Survey	November Local Shopping Basket Survey Ice Survey LACORS/ HPA Shelled Nuts Survey	December Local Shopping Basket Survey Ice Survey LACORS/ HPA Shelled Nuts Survey Products purchased over the internet
January Local Shopping Basket Survey Ice Survey LACORS/ HPA Shelled Nuts Survey	February Local Shopping Basket Survey Ice Survey LACORS/ HPA Shelled Nuts Survey	March Local Shopping Basket Survey Ice Survey LACORS/ HPA Shelled Nuts 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:

- Dressed crab
- Trifle
- Ready to Eat Pasta
- Salad Boxes/Ready to Eat Salad
- Chicken from Rotisseries
- Slush from Slush Puppies

- Ready to Eat Quiche
- Speciality Meats from Supermarkets
- RTEF Chilled Section Reduced Products
- Raw Diced Poultry

Composition and Labelling Sampling Plan 2008-09

MONTH	TEST	SAMPLES
April	Sodium in Health/Fitness Bars / Labelling of above	13 13
May	Meat Content of Locally Produced Sausages Imported Foods (2 Bakery & 2 Coffee)*	3 4
June	Added Water in Pre-packed Cooked Chicken / Labelling of above	5 5
July	Reformed Meat in Sandwiches	20
Aug	Fat & Sodium in Ready Meals*/ Labelling of above	6 6
Sept	Gluten Free Products (qualitative) / Labelling of above	8 8
Oct	Peanut Protein Takeaway Meals (qualitative)	12
Nov	Meat Content of Locally Produced Pies	2
Dec	Fish Species in ready Meals / Labelling of above	6 6
Jan	Vitamin C in Fruit Juice / Labelling of above	18 18
Feb	Folic acid in breakfast Cereals / Labels of above	To be confirmed
Mar	Fat in Margarine/Spreads / Labels of above	12 12

Total samples = 205

*Part of FSA Survey

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. An annual feeding stuffs sampling plan however 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.

Feeding stuffs Sampling Plan 2008/09

April - June	0
July - September	2 Pet food samples
October - December	2 samples from grain stores for mycotoxins
January - March	2 home grown products

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/feed 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 operators to seek advice. In addition, advisory leaflets including those produced by the Food Standards Agency are made available.

In February 2006 the Food Standards Agency introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. Since this time significant resources have been directed towards assisting 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. The service also encourages new food/feed business operators and existing businesses to seek guidance and advice on their business. It is estimated that 40 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/Feed and Food/Feed-Related Complaints

The service receives approximately 22 complaints, each year concerning food/feed, 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/feed 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, Hartlepool Water and Northumbrian Water.

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

It is estimated that approximately 100 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 / Feed Safety Incidents

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

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

Food and feed alert warnings are received by the service from The Food Standards Agency via the electronic mail system, and EHCNet during working hours. Two officers have also subscribed to receive alerts via their personal mobile phones.

The Principal EHO (Commercial Services) or, if absent, the Consumer Services Manager ensures that a timely and appropriate response is made to each 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 2008/09, 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.

In addition an increasing number of Allergy Alerts are being sent to local authorities. A total of 41 were received during 2007/08 many relating to labelling irregularities by UK manufacturers who have for example omitted to declare the presence of an allergen in the food.

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

The service investigates all complaints that it receives about food/feed safety and food standards conditions and practices in food/feed businesses. An 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/feed business operator in ensuring good standards of compliance, although enforcement action may be necessary where there is failing in the management of food/feed safety, or regulatory non-compliance.

Based on the number of complaints in 2007/08 it is estimated that approximately 40 such complaints will be received in 2008/09.

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 legislation relates to nearly all feed businesses. This means, for example, that importers and sellers of feed, hauliers and storage businesses 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:

- North East Chief EHO Group
- North East Public Protection Chief Officers Group
- Tees Valley Heads of Public Protection Group
- Tees Valley Food Liaison Group
- The Local HPA/Local Authority Sampling Group
- Tees Valley Public Health Group
- North East Trading Standards Liaison Group
- North East Trading Standards Animal Feed Group

There is also liaison with other organisations including the Chartered Institute of Environmental Health, the Trading Standards Institute, LACORS, the Health Protection Agency, Defra, OFSTED and the Commission for Social Care Inspections.

Officers also work in liaison with the Council's Planning, Building Control and Licensing Sections.

Home Authority Arrangements

The Authority commits its support to the Home Authority Principle.

The Authority has no formal arrangements with food/feed businesses to act as Home Authority at the present time. The Authority acts as originating authority for two food 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/feed 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/feed law service. The Head of Procurement, Property & Public Protection has responsibility for ensuring the delivery of the Council's Environmental Health service, including delivery of the food/feed 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 2008/09 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)

1 x 0.25 FTE Part-time Technical Officer (Animal Health & Licensing) (with requisite qualifications &/or 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 Procurement, Property & Public Protection Management Team.

The Principal EHO (Commercial Services) has responsibility for the day to day supervision of the Food/Feed Law Service, Health & Safety at Work, Public Health, Water Quality and Animal Health & Welfare. The Principal EHO (Commercial Services) is designated as lead officer in relation to animal feed and imported food control.

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.

The Technical Officer (Animal Health & Licensing) has responsibility for the performance of the feed premises inspection programme as well as the delivery of all other aspects of the feed law service, assisted by authorised Trading Standards Officers as necessary.

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

All staff engaged in food/feed 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 2008/09 is:

	£000
Employees	730.5
Other Expenditure	362.8
Income	(218.1)
Net Budget	875.2

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/feed law service. The service has a documented standard operating 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, the Authority Public Protection computer system (APP). This is capable of maintaining up to date accurate data relating to the activities of the food/feed law service. A documented database management standard operating 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/feed activities, the production of statutory returns and the effective management of performance.

Training Plans

The qualifications and training of staff engaged in food/feed 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/feed 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 approved establishments, 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.

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 2007/08.

This service plan will be reviewed at the conclusion of the year 2008/09 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 Procurement, Property & 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.

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

Performance Review 2007-08

This section describes performance of the service in key areas during 2007/08.

During 2007/08 the section has not been fully staffed having two vacant EHO posts in the final quarter. Steps were taken to ensure that food hygiene inspections were given priority and this allowed the service to enable that no high risk inspections were left outstanding. Only 4 inspections were carried forward to next year's inspection programme.

Inspection Programme

The food premises inspection programme for 2007/08 did not quite reach the target of 100%. Due to staff shortages 99% of Food Hygiene and 83% of Food Standards inspections were achieved. The outstanding inspections will be added to the programme for 2008/09.

Registration and approval of premises

Premises subject to approval were inspected and given relevant guidance.

Food Sampling Programme

The food sampling programme for 2007/08 has been completed. The microbiological results are:

Microbiological Sampling (1/4/07 - 31/3/08)

	Total no. of samples	Number of Samples	
		Satisfactory	Unsatisfactory
<u>Bacteriological Surveys</u>			
Shopping Basket	94	82	12
Fresh Herbs	12	12	0
Salad & Kebabs	10	10	0
Edible Seeds	27	27	0
Cooked Meats	8	7	1
Imported Foods	14	12	2

The composition and labelling results are:

Food Standards Sampling (01.04.07 – 31.03.08):

Nature of Sample	Reason for Sampling	Satisfactory	Unsatisfactory
Locally produced meat pies	Meat content	2	0
Honey	Floral origin	16	0
Honey	Labelling regulations	16	0
Pre-packed foods	Calcium claims	8	0
Pre-packed foods	Labelling regulations	8	0
Soft drinks	Vitamin C	18	0
Soft drinks	Labelling regulations	18	0
Locally produced sandwiches	QUID	5	7
Locally produced sandwiches	Labelling regulations	12	0
Ready meals	Fat and salt	9	0
Ready meals	Labelling regulations	9	0
Breakfast cereals	Sodium	12	0
Breakfast cereals	Labelling regulations	12	0
Locally produced sausages	Meat content	3	0
Ready meals	Fish content	5	0
Ready meals	Labelling regulations	5	0
Meat product	Meat content	1	0
Cooked ham	Added water	5	0
Cooked ham	Labelling regulations	5	0
Imported foods	Heavy metals	10	0
Imported foods	Labels	6	4

In conjunction with Middlesbrough and Stockton Borough Council the Authority received funding from the FSA to sample imported exotic fruit and vegetables and canned products.

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

A number of the locally produced sandwiches which were sampled were found to have incorrect quantities of ingredients when compared with the declarations on their labels (e.g. a turkey & stuffing sandwich was reported to contain too much turkey but insufficient stuffing.)

Several of the imported foods sampled failed to comply with the Food Labelling Regulations 1996 (e.g. some of the products did not include information about suitable storage conditions on their labels.) Advice was provided to the businesses concerned.

The programme of feeding stuffs sampling was undertaken and all samples were found to be satisfactory. 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. 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

On 1 April 2007 the Authority in conjunction with the other Tees Valley authorities launched the 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 awarded to businesses on 1 April 2007 compared with on 1 April 2008:

Number of Stars	Number of Premises (1/4/07)	% of premises	Number of Premises (1/4/08)	% of premises
5 Stars	24/759	3%	85/762	11.1%
4 Stars	155/759	20%	217/762	28.5%
3 Stars	226/759	30%	294/762	38.6%
2 Stars	262/759	35%	137/762	18.0%
1 Star	60/759	8%	26/762	3.4%
0 Stars	32/759	4%	3/762	0.4%

Complaints

During the year the service dealt with 36 complaints relating to the condition of food premises and food handling practice. In addition, 22 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 100 notifications of food poisoning during the year and investigated 1 outbreak of infectious disease, which occurred in a residential /nursing care home and which was found to be viral in nature.

Food Safety Incidents

The Service received 63 food alerts and 41 allergy 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 2007/08, no emergency prohibition notices were served on businesses where formal cessation of a food activity was necessary however 1 voluntary closure of a food business was agreed. No hygiene improvement notices were served on businesses to ensure compliance with food safety issues. No prosecutions or formal cautions were undertaken.

FSA Audit

In March 2008 the Authority was audited by the FSA in relation to feeding stuffs and imported food & feed control. A considerable amount of work was

undertaken in preparation for the audit and this had a considerable impact on the limited resources available during the second half of the year.

We have received initial feedback including a draft report and have drawn up an action plan to address the areas requiring improvement. We are currently awaiting the final report.

Improvement Proposals 2007/08

The following areas for improvement were identified in the 2007/08 Food Service Plan.

1. Complete review / internal audit of food quality system.

This work was completed.

2. Produce a summary of the Food Enforcement Policy

Due to other priorities and resource constraints this was not completed and it has therefore been included in next years plan.

3. Reduce the number of premises in bands 0-2 stars in food hygiene awards scheme by 5%

This target was exceeded with the number of premises in the 0-2 star bands falling from 47% to 21.8% (a reduction of 25.2%)

4. Record all food samples on the Authority Public Protection computer system

This work was completed.

8. Key Areas for Improvement 2008/09

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 2008/09.

1. Produce a summary of the Food Enforcement Policy
2. Complete the Action Plan in relation to the FSA Audit
3. Carry out configuration of APP to enable completion of food & feed statutory returns in accordance with new guidance
4. Implement the requirements of the revised Food Law Code of Practice, which is expected to be published in June 2008.

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

11 July 2008



Report of: Scrutiny Support Officer

Subject: SCRUTINY INVESTIGATION INTO THE CONDITION
OF THE HIGHWAYS IN HARTLEPOOL –
SCOPING REPORT

1. PURPOSE OF REPORT

- 1.1 To make proposals to Members of the Neighbourhood Services Scrutiny Forum for their forthcoming investigation into 'the Condition of the Highways in Hartlepool'.

2. BACKGROUND INFORMATION

- 2.1 At the meeting of this Forum on 18 June 2008 Members determined their Work Programme for the 2008/09 Municipal Year. The topic of the 'Condition of the Highways in Hartlepool' was selected as the first Scrutiny topic for consideration during the current Municipal Year. Furthermore, Members suggested that this investigation should form the major in-depth Scrutiny Inquiry for the Forum's 2008/09 work programme. Members also suggested that the Scrutiny topic should consider issues around areas of improvement to the town's roads and what are acceptable standards.
- 2.2 Hartlepool Council, as the highway authority has a statutory duty under the Highways Act 1980 to protect the rights of the public to the use and enjoyment of any highway which includes the duty to maintain the highway.
- 2.3 A highway is an established right of way for the public to pass and re-pass, which includes public footpaths and bridleways as well as all "roads" as defined by the Road Traffic Act. The Council has a road network of 236 miles and pathways covering 472 miles to maintain.

- 2.4 The highway network is the largest and most visible community asset for which local authorities are responsible. It is used daily by the majority of people and is fundamental to the economic, social and environmental well being of the community. It helps to shape the character and quality of the local areas that it serves and makes an important contribution to wider local authority priorities, including regeneration, social inclusion, community safety, education and health.
- 2.5 In order to fulfil its potential, it is crucial that the local highway network is appropriately maintained. Continuing growth in traffic and its attendant problems has brought increased pressure on the highway network and increased the rate of its deterioration. Consequently, concern is increasing about the current level of investment in highway asset management and the effectiveness of current highway maintenance provision. Inadequate maintenance today leads to greater problems for the future. Recent increases in investment have been welcome, but a sustained long-term programme of investment needs to be planned and managed, supported by effective technical and management plans such as the Transport Asset Management Plan, Highway Asset Management Plan, Local Transport Plan and Network Management Plan, which will provide a framework for an integrated asset management approach to the Borough's transport assets.
- 2.6 An Asset Management working group has already been established by the Tees Valley Engineers and has been preparing generic Tees Valley base documents to ensure a consistent approach to Highway Asset Management across the region. The intention is to populate the documents with local content once a region wide approach has been agreed. The completed plans will enable systems to be established to manage all transportation assets on a long-term basis using whole life costing within a framework of statutory requirements, customer expectations and sustainable funding.

3. OVERALL AIM OF THE SCRUTINY INVESTIGATION/ENQUIRY

- 3.1 To review the Council's approach to highway inspection and maintenance and to suggest areas of improvement to ensure the town's roads are maintained to an acceptable standard.

4. PROPOSED TERMS OF REFERENCE FOR THE SCRUTINY INVESTIGATION/ENQUIRY

- 4.1 The following Terms of Reference for the investigation/review are proposed:-
- (a) To gain an understanding of the statutory and regulatory framework for highway inspection and maintenance;
 - (b) To identify provision in local strategies / programmes of relevance to inspection and maintenance of highways in Hartlepool;

- (c) To examine the Council's operational approach to highway inspection and maintenance to ensure that the highways where appropriate are brought up to and maintained to an acceptable standard, with particular focus on:-
 - (i) the associated costs;
 - (ii) the public liability and cost of funding insurance requirements;
 - (iii) the current response times to respond to and rectify varying categories of road defects / maintenance;
 - (iv) the current level of intervention standards and practices; and
 - (v) the arrangements available to the public for the reporting of maintenance / road defects.
- (d) To investigate the local area focus of the Council's current provision to determine its effectiveness and examine ways of extending this principle for the delivery of Highway Services;
- (e) To compare Hartlepool's approach to highways maintenance with other local authorities in the region by consulting to seek good practice; and
- (f) To consult with major stakeholders on the Council's approach to highway inspection and maintenance.

5. POTENTIAL AREAS OF ENQUIRY / SOURCES OF EVIDENCE

- 5.1 Members of the Forum can request a range of evidential and comparative information throughout the Scrutiny review.
- 5.2 The Forum can invite a variety of people to attend to assist in the forming of a balanced and focused range of recommendations as follows:-
 - (a) Member of Parliament for Hartlepool;
 - (b) Elected Mayor;
 - (c) Cabinet Member with Portfolio Holder for Neighbourhoods and Communities;
 - (d) Neighbourhood Services Department Officers;
 - (e) Highways Agency;
 - (f) Local Bus Service Operators;
 - (g) Road Haulage Association;

- (h) Emergency Services;
- (i) Car and Cycle User Group;
- (j) UK's National Cyclists' Organisation;
- (k) Neighbouring Local Authorities;
- (l) Local residents;
- (m) Neighbourhood Consultative Forums;
- (n) Representatives of minority communities of interest or heritage; and
- (o) Ward Councillors.

5.3 The Forum may also wish to refer to a variety of documentary / internet sources, key suggestions are as highlighted below:-

- (a) Department for Transport – www.dft.gov.uk
- (b) Local Government Association – www.lga.gov.uk

6. COMMUNITY ENGAGEMENT

- 6.1 Community engagement plays a crucial role in the Scrutiny process and paragraph 5.2, details who the Forum could involve. However, thought will need to be given as to how the Forum wishes to encourage those views.
- 6.2 In addition, diversity issues have been considered in the background research for this enquiry under the Equality Standards for Local Government. As such the views of local diversity groups will be sought throughout the inquiry where felt appropriate and time allows. Consequently, consideration has been given as to how the views of people from minority communities of interest or heritage (for example, people with disabilities, people with learning disabilities, people with mental health problems, black and minority ethnic people, and Lesbian, Gay, Bisexual and Transgender people), which may not be gathered through the usual community engagement routes, can be included over the course of the inquiry.

7. REQUEST FOR FUNDING FROM THE DEDICATED OVERVIEW AND SCRUTINY BUDGET

Option 1

- 7.1 Consideration has been given, through the background research for this scoping report, to the need to request funding from the dedicated Overview

and Scrutiny budget to aid Members in their enquiry. At this stage no additional funding has been identified as being necessary to support Members in their investigation. Members, however, may wish to seek additional funding over the course of the investigation and the pro forma attached at **Appendix A** outlines the criteria on which a request to Scrutiny Co-ordinating Committee will be judged.

- 7.2 In addition, it is possible that over the course of this investigation some specialist research / advice may strengthen the Forum's findings and recommendations. The Scrutiny Support Officer will explore this in greater depth once the Forum has defined its terms of reference for the investigation and would bring a report to the Forum should a request for funding be deemed advantageous. Members' comments would be welcomed at this stage in relation to requests for additional funding from the dedicated Overview and Scrutiny Budget.

8. PROPOSED TIMETABLE OF THE SCRUTINY INVESTIGATION

- 8.1 Detailed below is the proposed timetable for the review to be undertaken, which may be changed at any stage:-

11 July 2008 – To formalise the process for the Forum's investigation, scoping report.

18 August 2008 – Formal meeting of the Forum to receive:-

- (i) 'Setting the Scene' presentation from the Neighbourhood Services Department;
- (ii) Evidence from the Member of Parliament for Hartlepool (To be confirmed).
- (iii) Evidence from the Portfolio Holder for Neighbourhood and Communities (To be confirmed); and
- (iv) Evidence from the Highways Agency (To be confirmed);

w/c 25 August 2008 - Site visit to various locations in Hartlepool – (Date and sites to be identified)

w/c 25 August 2008 - Site visit to another Local Authority to identify areas of good practice (Date to be identified)

w/c 01 September 2008 – Focus Group to seek the views of people from communities of interest or heritage.

29 September 2008 – Formal meeting of the Forum to receive:-

- (i) Feedback from the Chair of the Forum on the outcome of the site visits;
- (ii) Feedback from the Chair of the Forum on the outcome of the Focus Group session;
- (iii) Summing up of findings for inclusion in the Draft Final Report.

27 October 2008 – Consideration of Draft Final Report.

28 November 2008 – Consideration of Final Report by the Scrutiny Coordinating Committee.

TBC - Consideration of Final Report by the Cabinet.

9. RECOMMENDATION

- 9.1 Members are recommended to agree the Terms of Reference for the Scrutiny Forum's remit of the Scrutiny investigation as outlined in paragraph 4.1.

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BACKGROUND PAPERS

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

- (i) Local Government Association, News Release, 9 May 2007
- (ii) Transport Statistics Bulletin, Road Conditions in England, 2007

APPENDIX A

**PRO-FORMA TO REQUEST FUNDING TO SUPPORT
CURRENT SCRUTINY INVESTIGATION**

Title of the Overview and Scrutiny Committee:
Title of the current scrutiny investigation for which funding is requested:
To clearly identify the purpose for which additional support is required:
To outline indicative costs to be incurred as a result of the additional support:
To outline any associated timescale implications:
To outline the 'added value' that may be achieved by utilising the additional support as part of the undertaking of the Scrutiny Investigation:

To outline any requirements / processes to be adhered to in accordance with the Council's Financial Procedure Rules / Standing Orders:

To outline the possible disadvantages of not utilising the additional support during the undertaking of the Scrutiny Investigation:

To outline any possible alternative means of additional support outside of this proposal: