

# **NEIGHBOURHOOD SERVICES SCRUTINY FORUM AGENDA**



**Wednesday 20 September 2006**

**at 2.00pm**

**in Committee Room B**

**MEMBERS: NEIGHBOURHOOD SERVICES SCRUTINY FORUM:**

Councillors S Allison, Brash, Clouth, R W Cook, Gibbon, Hall, Henery, Lilley, Rayner and D Waller.

Resident Representatives: Allan Lloyd and Linda Shields

**1. APOLOGIES FOR ABSENCE**

**2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

**3. MINUTES**

To confirm the minutes of the meetings of the Forum held on 9 and 30 August 2006 (To Follow ).

**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**

- 6.1 Food Law Enforcement Service Plan 2006/07 – *Head of Public Protection and Housing*
- 6.2 Six Monthly Progress Report – Scrutiny Investigation into 20mph Speed Limits Outside Schools – *Head of Technical Services*

**7. ITEMS FOR DISCUSSION**

None.

**8. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

**ITEMS FOR INFORMATION**

**Date of Next Meeting: - Wednesday 25 October 2006, commencing at 2.00pm.  
Venue to be confirmed**

# NEIGHBOURHOOD SERVICES SCRUTINY FORUM

## MINUTES

9<sup>th</sup> August 2006

### **Present:**

Councillor: Gerard Hall (In the Chair)

Councillors: Jonathan Brash, Rob Cook, Kevin Cranney, Steve Gibbon,  
Gordon Henery and Trevor Rogan

In accordance with Council Procedure Rule 4.2 Councillor Maureen Waller  
attended as substitute for Councillor Dennis Waller.

Resident Representatives:  
Allan Lloyd and Linda Shields

Also Present: Christine Remmer, Hartlepool Access Group  
Joan Scafton, 50+ Forum  
Mary Diver, Hartlepool Carers  
Tracy Sowerby, Hartlepool Carers

Officers: Dave Stubbs, Director of Neighbourhood Services  
Sylvia Pinkney, Consumer Services Manager  
Charlotte Burnham, Scrutiny Manager  
Joan Wilkins, Scrutiny Support Officer  
Angela Hunter, Principal Democratic Services Officer

## **20. Apologies for Absence**

Apologies for absence were received from Councillors Geoff Lilley and Dennis Waller.

## **21. Declarations of interest by Members**

None.

## **22. Minutes of the meeting held on 12<sup>th</sup> July 2006**

Confirmed.

## **23. Matters Arising**

A Member had requested that the Traffic Commission be pursued to introduce changes to the no.56 service over a shorter time period (minute 13 refers).

## **24. Responses from the Council, the Executive or Committees of the Council to Final Reports of this Forum**

No items.

## **25. Consideration of request for scrutiny reviews referred via Scrutiny Co-ordinating Committee**

No items.

## **26. Consideration of progress reports/budget and policy framework documents**

No items.

## **27. Gambling Act Policy** (*Head of Public Protection and Housing*)

The Consumer Services Manager advised the Forum that the Gambling Act became law on 7<sup>th</sup> April 2006 and was expectation that it take full effect on 1 September 2007.

Under the new Act the Council was to be responsible purely for the licensing of gambling premises with the newly established Gambling Commission to take responsibility for personal licences and operators. In preparation for the full introduction of the Act a draft Gambling Policy has been devised. This draft policy was considered by the Council's Licensing Committee on 28 June 2006 and distributed for consultation to a number of local and regional organisations. As part of this consultation process the views of the Neighbourhood Services Scrutiny Forum were now being sought and a copy of the draft policy was circulated for Members attention. During the course of discussions it was also highlighted that:-

- i) The Government had agreed that there would be 1 main casino for each region, along with 6 small and 6 smaller casinos across the Country;
- ii) If an applicant could not demonstrate it was meeting the licensing objectives an application could be refused, similar to the Licensing Act applications, with the only avenue for appeal being through the Magistrates' Court;

- iii) Members of the Licensing Committee had resolved that the Policy should include a 'no casino resolution' which would mean that consideration could not be given to any application for a casino in Hartlepool, if one was received. In considering this resolution members of the Forum expressed concern that each application should be considered on its own merits. Some concern was also expressed that the Council's options for the future should be left open.
- iv) Members felt that it would be useful to see a list of the possible conditions that may be applied to an application, especially in relation to door supervisors. The Consumer Services Manager, however, indicated that detailed work to that level had not been carried out yet and that a review process could be implemented as appropriate, similar to that under the Licensing Act regulations. Whilst these comments were noted Members felt that the Local Authority should take the lead on the establishment of conditions for door supervisors and promote partnership working between itself and licensees.

The Customer Service Manager indicated that the views expressed by the Forum would be fed into the consultation process with the completed policy to be submitted to Cabinet in September 2006 and on to full Council in October 2006. The Council's finalised Gambling Policy was then to be published no later than 3rd January 2007.

### **Decision**

The Forum supported the content of the draft Gambling Policy with the issues raised to be relayed to Cabinet as part of the consultation process.

## **28. Scrutiny Referral: Hartlepool's Public Convenience Provision – National and Regional Provision** (*Scrutiny Support Officer*)

The Scrutiny Support Officer outlined the background to the referral made by Cabinet on 12<sup>th</sup> April 2006 as part of which the Forum was requested to give consideration to the various options and proposals, with a prescribed timescale for submission of a response by September 2006.

The Scrutiny Support Officer indicated that whilst there had been a drop in the provision of public conveniences in the last 10 years pressure was being placed upon the Government by campaign groups, such as the British Toilet Association, to make the provision of public conveniences a statutory requirement. The Local Government Minister, Phil Woolas, however, during a recent speech indicated that he did not see legislation to make public convenience provision statutory as the way forward. However, the need for a national strategy was recognised.

Details of the Forums investigation were provided including a comparison of services provided across the Tees Valley area. The views of representatives from relevant sectors of the community were also sought during the course of which the following issues were raised:-

**i) Disability Discrimination Act** – It was noted that it was not enough to adapt the access to the toilet; the surrounding area should be included also. It was reported that a problem that had been encountered frequently was that carers having to change disabled children on dirty floors.

**ii) Tourist Areas** – Members commented that whilst Hartlepool was being promoted for tourism, the tourist areas of the town were poorly served by the provision of public conveniences. This was highlighted in view of the recent announcement of the forthcoming Tall Ships Race.

### **Decision**

Members' comments were noted.

## **29. Scrutiny Referral: Hartlepool's Public Convenience Provision – Feedback from the Neighbourhood Consultative Forums** (*Scrutiny Support Officer*)

The Scrutiny Support Officer indicated that the views of the Neighbourhood Consultative Forums had been sought at their meetings in June 2006. The Forum Chairs had been invited to this meeting although apologies had been received from the chairs of the South and Central Neighbourhood Forums who had prior commitments. The minutes of the meetings of all the Neighbourhood Forums were attached by way appendix. The Chair of the North Neighbourhood Forum commented that the major concern of the north residents was the lack of facilities on the Headland.

The Chair indicated that he would be attending all the Neighbourhood Forum meetings being held this week and would take on board residents views.

### **Decision**

The comments and views of the Neighbourhood Forums were noted.

**30. Scrutiny Referral: Hartlepool's Public Convenience Provision – Feedback from Site Visits to Conveniences in Hartlepool and Stockton** (*Scrutiny Support Officer*)

The Scrutiny Support Officer reported that in accordance with the timetable for the inquiry a site visit was made to public conveniences in Hartlepool on 20<sup>th</sup> July to observe the level and condition of service provision in Hartlepool. The sites visited were listed in the report and photographs taken on these visits would be included within the Final Report. During the visits, Members raised several concerns and these were outlined within the report.

Although it had been intended to visit conveniences in Scarborough for comparison purposes, there had been difficulties identifying a convenient time and this had meant that it had not been possible to facilitate this within the prescribed timescale. As an alternative to this a representative from Scarborough Borough Council met with members of the Forum to provide the required comparison.

The representative from the Hartlepool Access Group indicated that access statements were being introduced within the Planning Regulations; this may be an appropriate way of including provision of public conveniences. It was acknowledged that increasing the level of provision would incur costs and Members felt that partnership working could be part of the solution. It was suggested that consultation would need to be undertaken with the public, voluntary groups and local businesses.

**Decision**

Member's comments were noted.

**31. Scrutiny Referral: Hartlepool's Public Convenience Provision – Consideration of options and proposals for the development of a policy for public convenience provision in Hartlepool** (*Scrutiny Support Officer*)

The Scrutiny Support Officer presented a report that sought consideration of the options and proposals for the development of a policy for public convenience provision in Hartlepool. As Members were aware, the Scrutiny Forum had over the course of the previous two months received evidence from various sources and undertaken site visits in Hartlepool. The Forum examined the proposals contained in a report considered by Cabinet on 12<sup>th</sup> April 2006, which was attached by way of appendix.

During the course of discussions the following views were expressed:-

- a) Headland Town Square Development – It was noted that there would be new facilities within the new development and this was due to be opened in September 2006.
- b) Burn Valley facilities – Was it possible to apply for New Deal in the Communities funding towards the upgrading of the facilities in the Burn Valley area.
- c) Lighthouse (Heugh Battery) facilities – It was noted that this refurbishment would include baby changing facilities.
- d) Albert Street facility – Members proposed that nothing was currently undertaken as there were on-going discussions with the College of Further Education regarding the future use of the car park.
- e) Seaton Baths site – It was proposed that this site be subject to maintenance only.
- f) Burn Valley facility – Members discussed the possible use of the old Public Referral Unit within the grounds of the Burn Valley.
- g) Maritime Experience – It was noted that the building could not be re-opened in its present form as this facility was only built to similar standards to the home. However, there were facilities within the Maritime Experience for public use. Members commented that this part of the town was integral to the tourist industry for Hartlepool and needed to be well provided for, especially in light of the recent announcement regarding the Tall Ships Race.

After lengthy consideration of the proposals the Forum expressed its support for proposals contained within the report for the:-

- (i) Closure of the Thorpe Street, Pilot Pier and Rocket House facilities and their securing with aesthetic materials;
- (ii) Building of a new facility adjacent to the old Rocket House site and closure of the Clock Tower site;
- (iii) Undertaking of only essential maintenance to Clock Tower facility to keep them functioning until the new facilities are up and running;
- (iv) Refurbishment and upgrade the Lighthouse (Heugh Battery) facilities;
- (v) Undertaking of no work to the Albert Street facility;
- (vi) Taking no action in respect of the Seaton Park facilities other than essential maintenance;



- (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;
- (viii) Maintenance and improvements to the facilities at Rossmere Park;
- (ix) Demolition and making good the 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;
- (x) Maintenance of the Lower Burn Valley facility;
- (xi) Introduction of adequate heating, together with routine and planned maintenance to the Stranton Cemetery main facility;
- (xii) Maintenance of existing facilities at West View Cemetery; and
- (xiii) Demolition of the Hartlepool Maritime Experience facility and the marketing of the site with any capital receipt to be reinvested for the improvement of public convenience provision.
- (xiv) Provision of toilet facilities for public in all Council owned buildings and the encouragement of town centre landlords and other businesses to make their facilities available to the public during normal, and extended opening hours.

The Forum, however, disagreed with the proposed course of action for the former Seaton Baths site and recommended that the facility be improved in terms of its general condition and more specifically its disabled access externally and disabled facilities. In addition to providing recommendations as outlined above the Forum also recommended that:-

- (xv) A policy be established for the future provision of public conveniences requiring:
  - The location of public conveniences in Hartlepool be concentrated in tourist areas, i.e. the Headland, Seaton and the Marina;
  - 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;
- (xv) 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;
- (xvi) In relation to future provision on the Marina a study be undertaken to assess the most appropriate locations before any new facilities are provided;

- (xvii) Options for the provision of public conveniences in the Burn Valley be explored further;
- (xviii) The feasibility of the provision of facilities through partnership working and the identification of resources through sponsorship funding, advertising in facilities, and charging be explored;
- (xix) Any capital receipts that may result from the disposal of a public convenience be re-invested for improvements to the service;
- (xx) 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;
- (xxi) 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 explored;
- (xxii) 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;
- (xxiii) 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;
- (xxiv) The use of small 'annex' facilities which can be attached to larger public conveniences and left open when the main facility closes be explored (para. 12.4 (a) refers);
- (xxv) Where public conveniences are closed and not demolished alternative uses for the buildings be explored;
- (xxvi) 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
- (xxvii) The prudential borrowing arrangement proposed be continued in the future to assist in funding public 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.

The Scrutiny Support Officer informed Members there would be an additional meeting of this Forum on Thursday 31<sup>st</sup> August to formalise the report with the draft final report being submitted to the next meeting of the Scrutiny Co-

ordinating Committee on 15<sup>th</sup> September 2006, both at 2.00pm in Committee Room B.

**Decision**

The recommendations outlined above were approved for inclusion in the Forums Final Report.

GERARD HALL

CHAIRMAN

# **NEIGHBOURHOOD SERVICES SCRUTINY FORUM**

## **MINUTES**

31 August 2006

### **Present:**

Councillor: Gerard Hall (In the Chair)

Councillors: Jonathan Brash, Kevin Cranney, Steve Gibbon, Geoff Lilley,  
Pat Rayner and Dennis Waller

Resident Representative: Linda Shields

Officers: Joan Wilkins, Scrutiny Support Officer  
David Cosgrove, Principal Democratic Services Officer

### **32. Apologies for Absence**

Councillor Rob W Cook

### **33. Declarations of interest by Members**

None.

### **34. Responses from the Council, the Executive or Committees of the Council to Final Reports of this Forum**

None.

### **35. Consideration of request for scrutiny reviews referred via Scrutiny Co-ordinating Committee**

None.

### **36. Consideration of progress reports/budget and policy framework documents**

None.

### **37. Draft Final Report – Scrutiny Investigation into Public Convenience Provision in Hartlepool** *(Chair of Neighbourhood Services Scrutiny Forum)*

The Scrutiny Support Officer reminded members that once the final report had been approved by this forum, it would be submitted to the Scrutiny Coordinating Committee for approval prior to submission to Cabinet.

The Chair of the Forum, Councillor Hall, introduced the final report and lead the forum through the detailed investigation it had undertaken and the draft conclusions and recommendations that were for Members consideration and approval. The Chair highlighted the following: -

- The detailed remit given for the investigation by Cabinet, the method of investigation;
- The process undertaken by the Forum including the meetings and site visits, the current provision of public conveniences in the town;
- Where future provision was needed and why;
- The costs involved in replacing facilities and bringing others up to acceptable standards;
- The comparisons with other local authorities;
- The views of residents and other groups, including the disabled; and
- The detailed recommendations of the forum arising from the investigation.

The Chair commented that while the investigation had been very positive, it had revealed a service provision that had been allowed to deteriorate over many years. Significant expenditure would be required to bring the public convenience provision in the town up to a standard that would meet the expectations of the public, particularly tourists to the town, which was a primary consideration. A combination of closures, refurbishments and new facilities was being proposed to Cabinet as a result of this inquiry, though this would all be dependent on the commitment to significant capital expenditure which could only be met through prudential borrowing. The Chair commended the report to the forum and indicated that it was proposed that, subject to the forum's support, it would be presented to Cabinet on 25 September 2006.

Members welcomed the report which they considered to be a positive response to the brief set by Cabinet. Some Members did still have concerns over the toilet provision in some areas of the town, particularly the Headland and Seaton Carew. There was still concern expressed by some Members, including the Vice-Chair Councillor Gibbon, that while the proposal to request that commercial premises open their facilities to the general public was a good idea, they couldn't see many joining such a scheme. Other members did comment that such schemes worked well in Europe and there was no reason that they shouldn't here. Members did comment that signposting of public toilets should also be seen as part of any improvements. Members also referred to the provision of facilities for the disabled and particularly the RADAR key scheme and suggested that details of the location of RADAR facilities across the town be made available when new keys are issued.

In concluding the investigation the Chairman thanked the Scrutiny Support Officer for her support and work during the investigation.

**Decision**

1. That the draft final report and the detailed recommendations be approved by the Forum; and
2. That the draft final report is submitted to the Scrutiny Coordinating Committee for approval prior to submission to Cabinet.

GERARD HALL

CHAIRMAN

# NEIGHBOURHOOD SERVICES SCRUTINY FORUM

20 September 2006



**Report of:** Head of Public Protection & Housing

**Subject:** Food Law Enforcement Service Plan 2006/07

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## 1. PURPOSE OF REPORT

- 1.1 To consider the Food Law Enforcement Service Plan for 2006/07, 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 2006/07 is attached as **Appendix 1** and takes into account the guidance requirement.
- 2.5 The Plan is to be considered by the Cabinet on 9<sup>th</sup> October, prior to being considered by Council.

### **3. THE FOOD LAW ENFORCEMENT SERVICE PLAN**

3.1 The Service Plan for 2005/06 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 2005/06.

### **4. ISSUES**

The main issues raised in the Plan are summarised below:

4.1 Staff absence as a result of a long-term part time vacancy, which was filled by a student Environmental Health Officer (EHO) in June 2005 on a temporary contract. Two EHO's on maternity leave from November 2004 to November 2005 with one officer resigning before her return and the other reducing her hours has resulted in a shortfall of both food hygiene and food standards (composition and labelling) premises inspections.

The shortfall has been minimised by the engagement of consultants to undertake inspections and by existing staff being encouraged to utilise the overtime scheme. This has resulted in 99% (85%) of food hygiene



and 93% (94%) of food standards inspections being achieved (figures in brackets are for 2004/05).

- 4.2 There was one major food poisoning outbreak investigated in 2005/06 involving 92 persons. Seven suspect outbreaks were subsequently confirmed as viral in origin. 322 notifications of suspected food poisonings were received.
- 4.3 A total of 606 premises inspections were undertaken in 2005/06, together with 182 microbiological samples and 205 compositional/labelling samples, 23 of the samples were regarded as unsatisfactory, mainly as a result of high bacteriological counts and 27 were unsatisfactory as the labelling/composition was incorrect.
- 4.4 In February 2006 the Food Standards Agency introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses comply with relevant legislation. The Tees Valley authorities in partnership with training providers successfully received grant funding from the FSA to assist local business by providing free training and advisory visits to assist in implementing SFBB.
- 4.5 Animal feeding stuffs, which are to be included in this Plan, remains a low priority, as there are no manufacturers/producers of animal feedstuffs within the Borough. We will, however, undertake a small number of feeding stuff samples, targeting farms on which farmers mix/blend animal feed.
- 4.6 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 2006/07 are invited.

**Draft**



**HARTLEPOOL**  
BOROUGH COUNCIL

**Draft**

# **Hartlepool Borough Council**

## **Food Law Enforcement Service Plan**

**2006/07**

## FOOD SERVICE PLAN 2006/07

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 2006-07, where relevant, longer-term objectives are identified. Additionally, there is a review of performance for 2005-06 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:**

<b>Risk Category</b>	<b>Frequency of Inspection</b>	<b>No of Premises</b>
A	6 months	10
B	12 months	144
C	18 months	387
D	24 months	1118
E	36 months or other enforcement	71
Unclassified	Requiring inspection/risk rating	129
Total		859

**Food Standards:**

<b>Risk Category</b>	<b>Frequency of Inspection</b>	<b>No of Premises</b>
A	12 months	0
B	24 months	151
C	36 months or other enforcement	579
Unclassified		65
Total		795

The inspection programme for 2006/07 comprises the following number of scheduled food hygiene and food standards inspections:

**Food Hygiene:**

<b>Risk Category</b>	<b>Frequency of Inspection</b>	<b>No of Inspections</b>
A	6 months	20
B	12 months	144
C	18 months	210
D	24 months	42
E	36 months of alternative enforcement strategy	40
Unclassified		79
Total		614

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 :**

	<b>Primary Inspection</b>	<b>Secondary Inspections</b>	<b>No in Hartlepool</b>
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

**Food Standards:**

<b>Risk Category</b>	<b>Frequency of Inspection</b>	<b>No of Inspections</b>
A	12 months	0
B	24 months	115
C	36 months or alternative enforcement	106
Not classified		65
Total		286

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 10% of instances (some premises requiring more than one revisit to check compliance). For the year 2006/07, the inspection programme would generate an estimated 55 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.

### Fish Quay

There is a Fish Quay within the Authority's area, which provides a new 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 & Housing 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 853/2004. 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 an 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 109 additional premises inspections will be generated for new food businesses during 2006-07.

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, 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 2006-07, which includes sampling of water supply in food premises and pool waters.

Points are allocated as follows:

<b>Sample type</b>	<b>No of credits</b>
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 2006-07 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 2006-07

<b>April</b> Local Shopping Basket Survey	<b>May</b> Fish Dish Survey LACORS Shopping Basket Survey Local Shopping Basket Survey FSA Raw Egg Survey	<b>June</b> Fish Dish Survey LACORS Shopping Basket Survey Local Shopping Basket Survey French Market
<b>July</b> Fish Dish Survey LACORS Shopping Basket Survey Local Shopping Basket Survey LACORS Mobile Food Vendors Survey	<b>August</b> Fish Dish Survey LACORS Shopping Basket Survey Local Shopping Basket Survey Mayonnaise Based Salads Survey	<b>September</b> Fish Dish Survey LACORS Shopping Basket Survey Local Shopping Basket Survey Mayonnaise Based Salads Survey FSA Raw Egg Survey
<b>October</b> LACORS Shopping Basket Survey Local Shopping Basket Survey Approved Premises / Locally Manufactured Products Imported Foods	<b>November</b> LACORS Shopping Basket Survey Local Shopping Basket Survey Home Made Soups, Sauces Meat Dishes Survey Imported Foods	<b>December</b> LACORS Shopping Basket Survey Local Shopping Basket Survey Home Made Soups, Sauces Meat Dishes Survey
<b>January</b> LACORS Shopping Basket Survey Local Shopping Basket Survey Home Made Soups, Sauces Meat Dishes Survey	<b>February</b> LACORS Shopping Basket Survey Local Shopping Basket Survey Internet Sales Survey	<b>March</b> LACORS Shopping Basket Survey Local Shopping Basket Survey Internet Sales 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:

- Pease pudding
- Black pudding
- Cooked pasta
- Cooked lamb
- Curried food
- Cooked ham
- Ready-to-eat dips
- Fruit used in preparation of meals / sweets e.g. apple, banana, strawberry, citrus etc.
- Profiteroles
- Raw shell eggs

Composition and Labelling Sampling plan 2006-07

MONTH	TEST	SAMPLES
April	No Sampling ( processing feeding stuffs samples)	
May	Vitamin C in soft drinks	18
June	Meat Species in takeaw ay meals (joint initiative w ith Stockton)	7
July	Species of fish (fresh fish, fish fingers & similar)	12
Aug	Meat Content locally manufactured pies	2
Sept	Distinguishing between mayonnaise and salad cream in sandw iches & sandwich fillings	30
Oct	Calcium claims in cereal bars	7
Nov	Presence of animal fats in vegetarian meals	5
Dec	Fat content of snacks e.g. crisps	18
Jan	Added sugar or folic acid in breakfast cereals	5
Feb	Sodium, Calcium & Nitrates in mineral w aters	30
Mar	Peanut proteins in takeaw ay meals	7

Total samples = **141**

Feeding Stuffs

It is planned that four 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 2006/07

April - June	0
July - September	1 from retail outlet (statutory statement)
October - December	2 from grain stores for mycotoxins
January - March	1 silage from farm for mycotoxins

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. Resources during the year will be directed towards this initiative

Guidance is also prepared and distributed to food businesses relating to changes in legislative requirements. The service also encourages new food business proprietors and existing businesses to seek guidance and advice on their business. It is estimated that 70 such visits will be carried out during the year.

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 16 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 322 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 80 to 100 food alerts during 2006/07, 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 2005/06 it is estimated that approximately 16 such complaints will be received in 2006/07.

#### 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.

Whereas previously the Authority had only 16 premises registered and no premises approved, EC Regulation 183/2005 extends the above requirement 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. Informal arrangements are in place with one manufacturer in the Borough. Consideration is to be given during the year as to the possibility of developing formal arrangements in future with this manufacturer.

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 and Housing 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)

1 x 0.56 FTE Part-time EHO

1 x FTE Technical Officer Food

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 and Housing 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 2006/07 is:

	£000
Employees	721.2
Other	161.9
Support Recharges	117.8
Income	(146.6)
Net Budget	943.2

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 2006/07 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 2005/06.

This service plan will be reviewed at the conclusion of the year 2006/07 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 & Housing.

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 2005-06

This section describes performance of the service in key areas during 2005/06.

The Consumer Services Section experienced significant staffing difficulties throughout 2005-06. There has been one long-standing temporary part-time EHO vacancy and in June 2005 this was filled on a temp 1 year contract by student EHO working as Technical Officer, from November 2004 two EHOs started their maternity leave, leaving only the Principal Officer, one EHO and the Technical Officer to provide the service. One of the officers on maternity

resigned before returning in September 2005 and the other officer returned in November 2005. The loss of staff had significant effect on the performance of the service affecting the timetable for programmed inspections, the response and resolution of complaints, service improvements.

The services of a Food Safety Consultant have been engaged throughout the year to assist in undertaking the shortfall of category B to E food hygiene and medium to low food standards inspections. However, the use of Consultants has generated follow-up work such as revisits, which are carried out by the permanent staff. In addition existing staff have been encouraged to utilise the overtime scheme.

### Inspection Programme

The food premises inspection programme for 2005/06 did not reach the target of 100%. Due to staffing difficulties during the year only 99% of Food Hygiene and 93% of Food Standards inspections were achieved. The outstanding inspections will be added to the programme for 2006/07.

### 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 2005/06 has been completed. The microbiological results are:

### Microbiological Sampling (1/4/05 - 31/3/06)

	Total number of samples	Number of Samples	
		Satisfactory	Unsatisfactory
<u>Bacteriological</u>			
Surveys			
Shopping Basket	152	131	21
Sandwich	5	4	1
Cooked Turkey	9	8	1
Eggs	2	2	-

The composition and labelling results are:

**Food Standards Sampling (01.04.05 – 31.03.06):**

Nature of Sample	Reason for Sampling	Satisfactory	Unsatisfactory
Locally Produces Foods	Fat Content	23	-
Breakfast Cereal	Salt Content	7	-
Locally Produces Foods	Pictorial Representation	12	-
Soft Drinks	No Added Sugar	6	-
Meat Products	Labelling Regulations	15	7
Fruit Juices	Water Content	24	-
Alcoholic Drinks	Alcohol Content	25	1
Ham / Turkey Sandwiches	Reformed Meats	38	10
Meat Products	Meat Species	13	1
Sandwiches	Labelling Regulations	14	8

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 Inspections

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

### Promotional Work

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

To promote Safer Food Better Business (SFBB), in February 2006 resources were directed to delivery of the safer food tees valley initiative Resources did not allow for any further pro-active activities, although the team has continued to offer advice and information on request with 70 advisory visits to businesses being carried out during the year.

### Complaints

During the year the service dealt with 15 complaints relating to the condition of food premises and food handling practice. In addition, 16 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 322 notifications of food poisoning during the year and investigated 7 outbreaks of infectious disease, most of which occurred in residential care homes and were found to be viral in nature. In addition there was a major food poisoning outbreak within the borough involving 92 persons. This placed a significant burden on the service and inevitably had an impact on performance and the inspection programme.

### Food Safety Incidents

The Service received 99 food alerts from the Food Standards Agency during the year. All requiring action were dealt with expeditiously and in all but one instance without significant impact on programmed workloads. No food incidents were identified by the Authority that required notification to the Food Standards Agency.

### Enforcement

During 2005/06, no emergency prohibition notices were served on businesses where formal cessation of a good activity was necessary however one voluntary closure of a premises took place. Six improvement notices were served on businesses to ensure compliance with food safety issues. No prosecutions or formal cautions were undertaken.

### Improvement Proposals 2005/06

The following areas for improvement are identified in the 2005/06 Food Service Plan.

#### 1. Feeding stuffs

We have implemented a sampling programme and are developing and implementing a documented procedure for feeding stuffs. This work however has not yet been completed due to staffing problems

#### 2. Audit recommendations

We have work towards implementing the recommendations of the inter-authority audit and will incorporate good practice identified in other audits carried out within the Tees Valley Liaison Group. This work however has not yet been completed due to staffing problems

## **8. Key Areas for Improvement 2006/07**

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 2006/07.



1. To complete the process of approving / re approving relevant premises
2. To ensure that all relevant premises are registered under feed hygiene legislation
3. Review / internal audit of food quality system

# NEIGHBOURHOOD SERVICES SCRUTINY FORUM

20 September 2006



**Report of:** Head of Technical Services

**Subject:** SIX MONTHLY PROGRESS REPORT – SCRUTINY  
INVESTIGATION INTO 20mph SPEED LIMITS  
OUTSIDE SCHOOLS

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## 1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide Members of the Forum with an update on the progress that has been made in relation to the 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 the feasibility of introducing 20mph limits outside of schools.
- 2.2 On 27 February 2006 the Final Report (20mph speed limits outside of schools) of the Forum was submitted to Cabinet for approval. Following Cabinet's decision in relation to the Scrutiny Investigation, an Action Plan and progress report was considered by the Forum on 21 April 2006.
- 2.3 This report has been produced six months after the Forum'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 consider the feasibility of introducing 20mph speed limits outside of schools in Hartlepool, in a bid to further improve road safety for local children.

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

- 4.1 The 20mph policy, along with proposals to improve road safety outside of schools, has received wide ranging support from ward councillors, schools and the emergency services, to name but a few. It is recognised as a valuable method of improving the safety of children outside of schools.

**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 of the recommendations.

**Contact Officer:-** Peter Frost – Traffic Team Leader  
Transportation and Traffic Section, Neighbourhood Services  
Department  
Hartlepool Borough Council

Tel 523200  
E-mail [Peter.Frost@hartlepool.gov.uk](mailto:Peter.Frost@hartlepool.gov.uk)

## OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

### 6.2 Appendix A

**NAME OF FORUM:** Neighbourhood Services Scrutiny Forum

**NAME OF SCRUTINY ENQUIRY:** 20 MPH Speed Limit Zones Outside Of Schools

**DECISION MAKING DATE OF FINAL REPORT:** Cabinet on 27 February 2006

RECOMMENDATION		PROPOSED ACTION	LEAD OFFICER	DELIVERY TIMESCALE
(a)	<p>That the Authority compiles a 20 mph Speed Limit Zones Policy upon completion of a thorough consultation exercise with members of the public and partners which includes:-</p> <p>(i) An agreed criteria for the implementation of mph speed limit zones outside of schools within Hartlepool;</p> <p>(ii) Alternative traffic calming/road safety measures that may be implemented at sites that are deemed inappropriate for 20 mph speed limit zones;</p> <p>(iii) Proposals to tackle issues of enforcement and prosecution;</p>	<p>A draft policy has been compiled which details the DfT guidelines, appropriate traffic calming measures, the legislation involved and links with other services such as Parking and Road Safety.</p> <p>The consultation exercise is currently underway, with the draft policy having been sent to all Councillors, Education Dept, all schools, the emergency services, bus companies, taxi representatives, and Council officers responsible for road safety, parking, winter maintenance and neighbourhood management.</p> <p>To make the general public aware a press release has been published in the Hartlepool Mail and Hartbeat, advising people of the consultation exercise.</p>	P Frost	<p><b>Consultation closes 29 September.</b></p> <p><b>Any amendments required as a result of the consultation will be completed by the end of October 2006</b></p>

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	<p>(iv) Schemes and initiatives to educate children, parents, teachers and residents about road safety; and a</p> <p>(v) Commitment to partnership working.</p>	<p>People can view the policy, along with the list of schools appropriate for 20mph limits, on the Council's website, by coming into reception at the Civic Centre and Bryan Hanson House, or at all local libraries.</p> <p>The consultation opened on 29 August and the closing date for responses is 29 September.</p> <p>At the time of writing, responses so far can be summarised as follows:-</p> <p>15 responses.</p> <p>All 15 agreed that it is a good idea to introduce 20mph limits at suitable schools.</p> <p>Only 1 respondent felt that the policy did not cover the right sort of issues, questioning whether it was a money making exercise. As 20mph limits are self enforcing by means of traffic calming measures and are not enforced by safety cameras, this comment can be discounted.</p> <p>4 respondents indicated that they disagreed with something in the policy. 3 of these questioned whether 20mph</p>		
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		<p>limits should be in force 24 hours a day, but as government legislation requires physical traffic calming measures to be placed on the road, this is not practical. The other objection related to a particular school, and its appropriateness for a 20mph limit.</p> <p>Positive feedback has also been received from the Police, several schools and a number of ward councillors.</p> <p>A verbal summary of any further responses received will be given at the meeting.</p>		
(b)	That the Authority continues to strengthen links/working relationships with the emergency services, public transport operators, Northern Region Road Safety Engineering Group, Cleveland Safety Camera Partnership and the Cleveland Casualty Reduction Group;	<p>The Council continues to work with its partners in this respect.</p> <p>Members of the North Neighbourhood Consultative Forum share the concerns of the Scrutiny Forum and approved funding for a 20mph scheme to be implemented outside of Clavering Primary School. The 20mph limit and associated traffic calming at Clavering was introduced in April this year.</p> <p>Funding has also been allocated by New Deal for Communities for 20mph</p>	<p>P Frost</p> <p>P Frost</p> <p>P Frost</p>	<p><b>Ongoing</b></p> <p><b>Completed April 2006</b></p> <p><b>By end of March 2007</b></p>

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		<p>determine whether this is the case and the results should be available for the meeting.</p> <p>Follow up speed surveys indicated that the speed cushions outside of Rift House Primary School are not slowing traffic to an acceptable level for a 20mph limit. The site is currently being investigated to determine a way to modify the cushions to resolve this issue.</p> <p>A vehicle activated sign has also been installed outside of Fens Primary School and again, a follow up speed survey will be carried out to determine its effect.</p> <p>Speed survey results from Fens Primary should be available for the meeting.</p> <p>Road casualty data will also continue to be monitored outside of schools.</p>	<p>P Frost</p> <p>P Frost</p> <p>P Frost</p> <p>P Frost</p>	<p><b>Ongoing</b></p> <p><b>Ongoing</b></p> <p><b>20 Sept 2006</b></p> <p><b>Ongoing</b></p>
(d)	That the Authority considers a number of 20 mph speed limit zones pilot schemes outside of schools within Hartlepool;	<p>A budget of £20,000 has been set aside from the Local Transport Plan for this financial year and the following 4 years, which should allow 2 schools to be treated each year.</p> <p>Members of the Neighbourhood</p>	<p>P Frost</p>	<p><b>Ongoing.</b></p>



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		<p>Services Scrutiny Forum on the 21 April 2006 selected Manor College and High Tunstall School as the two locations for schemes to be implemented this financial year. Draft scheme designs should be available for the meeting for Members information.</p> <p>It was also agreed at the meeting of 21 April that a list of schemes for future years would be produced for the Forums consideration. A list of suggestions is attached at <b>Appendix B.</b></p>	P Frost	<p><b>Manor and High Tunstall schemes will be implemented by the end of the year.</b></p> <p><b>Completed and submitted to the Forum on the 20 Sept 2006</b></p>
(e)	That the Authority addresses road safety issues with a 'prevention is better than cure' approach; and	<p>The Council continues to feel that prevention is better than cure, as borne out by the road safety work outlined in section 3.1 (iv), but is required by Government to reduce casualties, with strict targets to meet by 2010.</p> <p>Failure to meet the 2010 targets would be likely to affect the authority's Local Transport Plan funding, meaning fewer schemes would be able to be delivered.</p>	P Frost	<b>Ongoing</b>
(f)	That the Authority submits a progress report on the recommendations contained within this report, within six	Further report will be presented to the Scrutiny Forum detailing:	P Frost	<b>Completed September 2006</b>

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	months, to the Neighbourhood Services Scrutiny Forum.	<ul style="list-style-type: none"><li>- The results of the consultation exercise, and also the findings of the Northern Region Road Safety Engineer's Group review, if complete.</li><li>- The schemes selected for implementation this year.</li></ul>		
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## SUGGESTED SCHOOL SAFETY SCHEMES FOR FUTURE YEARS

### 6.2 APPENDIX B

YEAR	SCHOOL	SCHOOL
06/07	<b>Manor College/ Grange Primary School.</b> Casualty records show that there have been 2 accidents at school times at this location, which was subsequently selected for a scheme by the Neighbourhood Services Scrutiny Forum.	<b>High Tunstall Comprehensive School.</b> School is located on a busy main road and was selected for a scheme by the Neighbourhood Services Scrutiny Forum.
07/08	<b>Sacred Heart Primary School.</b> School is situated on a busy main road, which is placed at number 5 on the Council's list of potential safety schemes.	<b>Owton Manor Primary School.</b> School was identified for a safety scheme a number of years ago via SRB, which was never implemented. Eskdale Road is also placed at number 10 on the Council's list of potential safety schemes.
08/09	<b>Barnard Grove Primary School.</b> School was identified for a scheme 2 or 3 years ago, which didn't come to fruition. It is hoped an amended scheme can be designed, which would be acceptable to all. King Oswy Drive is also placed on the list of safety schemes at number 4, however, this is close to the shops, and slightly away from the schools, although school children obviously cross at this point.	<b>St. John Vianney Primary School/ St. Hild's Comprehensive School.</b> Would complement the Barnard Grove School scheme in treating a complete route (King Oswy Drive). King Oswy Drive is also placed on the list of safety schemes at number 4, however, this is close to the shops, and slightly away from the schools, although school children obviously cross at this point.
09/10	<b>Brierton Comprehensive School.</b> Casualty records show there has been 1 accident at school times at this location, which is also located on a busy main road.	See below.
10/11	There are no further sites which stand out for treatment, above other locations. If Members have strong feelings about a particular school then they could be added in. In the absence of this, road casualty data can be monitored in the intervening years, and speed surveys undertaken to help with prioritisation.	See left.