

NEIGHBOURHOOD SERVICES COMMITTEE

AGENDA



Thursday 23 September 2021

at 10.00 am

in the Council Chamber,
Civic Centre, Hartlepool.

A limited number of members of the public will be able to attend the meeting with spaces being available on a first come, first served basis. Those wishing to attend the meeting should phone (01429) 523568 or (01429) 523019 by midday on Wednesday 22 September 2021 and name and address details will be taken for NHS Test and Trace purposes.

MEMBERS: NEIGHBOURHOOD SERVICES COMMITTEE

Councillors Cook, Creevy, Howson, Jackson, B Loynes, Price and Stokell.

1. **APOLOGIES FOR ABSENCE**

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

3. **MINUTES**

- 3.1 To receive the Minutes and Decision Record of the meeting held on 22 July 2021 (*previously published and circulated*).

4. **KEY DECISIONS**

- 4.1 Local Transport Plan Scheme Update – *Assistant Director (Place Management)*

5. **OTHER ITEMS REQUIRING DECISION**

- 5.1 Food Law Enforcement Service Plan 2021/22 – *Assistant Director (Regulatory Services)*

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone.

The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

- 5.2 Kesteven Road – Traffic Regulation Order – *Assistant Director (Place Management)*
- 5.3 Olive Street/The Lawns – One Way System – *Assistant Director (Place Management)*

6. ITEMS FOR INFORMATION

No items.

7. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

FOR INFORMATION

Dates of forthcoming meetings –

Thursday 14 October, 2021 at 10.00 am
Thursday 18 November, 2021 at 10.00 am
Thursday 9 December, 2021 at 2.00 pm
Thursday 27 January, 2022 at 10.00 am
Thursday 3 March, 2022 at 10.00 am
Thursday 24 March, 2022 at 10.00 am



NEIGHBOURHOOD SERVICES COMMITTEE

23rd September 2021



Report of: Assistant Director (Place Management)

Subject: Local Transport Plan Scheme Update

1. TYPE OF DECISION / APPLICABLE CATEGORY

- 1.1 Key Decision test (i) and (ii) applies. Forward Plan Reference No. NRS02/21.
- 1.2 The report was rolled back due to early reporting deadlines requiring submission before the end of May. With data only added to the Council's road casualty database around 6 weeks in arrears, this would have meant safety scheme assessments being carried out using information up to April 2021, rather than up to and including July's data as per the previous year's report. For consistency with year on year assessment reporting, the Committee report was subsequently pushed back to the September meeting.

2. PURPOSE OF REPORT

- 2.1 To seek approval for a delivery programme of safety schemes across Hartlepool for the financial year 2021/2022.

3. BACKGROUND

- 3.1 Neighbourhood Services Committee approved the Local Transport Plan (LTP) for 2020/22 at Neighbourhood Services Committee on 19th March 2021.
- 3.2 That report identified the allocated budget for Local Safety and Safer Routes to School schemes for 2021/22, and this report details the prioritisation of schemes based on updated road casualty data.
- 3.3 Safety schemes are requested from residents and Elected Members across the Borough, and are also identified through a review of accident statistics.
- 3.4 The level of demand for safety schemes far outstrips the Local Transport Plan budget, and as such a scrutiny assessment is undertaken to develop

the preferred list of schemes to fit the available budget. Analysis of each request is undertaken based on factors such as accident data, speed survey results, the presence of a school / playground, higher pedestrian usage, and community concerns raised.

- 3.5 Accident figures are scored on a points system whereby 3 points are allocated for an accident classified as fatal, 2 for serious and 1 for slight, to assist with the prioritisation process.
- 3.6 Accident levels within Hartlepool are currently at their lowest ever and it is therefore becoming more difficult to identify schemes based on just accident data alone. Cluster sites are becoming rarer, as are accidents where engineering measures can be implemented to mitigate against them. Information continues to be reviewed and problem sites are addressed appropriately.

4. PROPOSALS

- 4.1 A programme of potential safety schemes has been developed as detailed below. This builds on the prioritisation approach approved at Committee in October 2019.
- 4.2 As well as a review of the accident data, a high number of schemes have also been requested from both Elected Members and residents. These requests considerably exceed the budget available and as a result, it is only possible to enable some schemes to be taken forward this financial year.
- 4.3 All potential schemes have been included on the list at **Appendix 1**, and prioritised using the criteria outlined in Section 3. While the schemes recommended for 2021/22 have been allocated a budget, it is acknowledged that through detailed design, changes may be required. Therefore it is possible that further scheme(s) may be brought forward on the list should the main programme be delivered under budget.
- 4.4 Similar to the Highway Resurfacing programme, this list is live and new requests are invited for consideration throughout the year.
- 4.5 Detailed designs on the proposed schemes are still required and these will be progressed should Committee approve the proposed 2021/22 schemes.

Safety Scheme Programme

- 4.6 **Throston Grange Lane** (*Budget estimate £75k*) – This road has seen 2 serious and 6 slight accidents in the last 5 years. With housing estates on both sides, the area is also well used by children going to and from Throston Primary School, along with Grayfields playing fields. The majority of the accidents were as a result of poor manoeuvres at junctions i.e. failing to give way, poor turning, or rear end shunts. If approved, the proposed scheme would see the investigation of localised road widening at key junctions in order to provide dedicated right turn lanes, preventing shunts

and giving clear indication of road positioning for right turning traffic. This would also provide a slightly wider area for turning vehicles when exiting the junctions. Double yellow lines will also be implemented around junctions where appropriate to further aid visibility for all road users.

- 4.7 **Grange Road** (*Budget estimate £45k*) – A main road linking the town centre with the west of Borough. There have been 1 serious and 6 slight accidents here, primarily centered on the junction with Mulgrave Road. This junction has historically had a poor accident record, and despite the introduction of electronic warning signs and advanced give way markings, that continues to be the case. Consideration is to be given to installing a raised platform at the junction, which would have the effect of physically slowing vehicles down. While a slightly unorthodox measure on a main road, the continuing accident record would warrant it and the gradient at each end of the platform would be constructed to be less severe than those of standard speed humps.
- 4.8 **Mowbray Road** (*Budget estimate £50k*) – There have been 1 fatal and 2 slight accidents on this road. As reported at the time, last year's tragic fatal accident involved a driver under the influence of illegal substances and could not have been foreseen. However, managing to achieve a reduction in general traffic speeds on the road will improve the road safety environment for all users and should be considered. Priority build outs could be an appropriate measure, but there may be difficulties in finding suitable locations due to the road being primarily residential in nature. Build outs would not be installed directly outside of the school as this area tends to have congestion issues rather than speeding, and it is important that vehicles are not impeded from leaving the area. Therefore it is recommended that this approach be investigated further, and if agreement cannot be reached, then additional signing / lining measures be installed as an alternative.

5. CONSULTATION

- 5.1 Consultation will be undertaken on all schemes where residents / businesses are directly affected. Should objections be received in line with the constitution, then these will be reported back to Committee for further consideration.

6. FINANCIAL CONSIDERATIONS

- 6.1 The scheme estimates total approximately £170,000 and will be funded from the Council's Local Transport Plan.

7. LEGAL CONSIDERATIONS

- 7.1 A Traffic Regulation Order will be required for traffic calming (speed humps, etc.) and yellow lines where identified.

8. OTHER CONSIDERATIONS

Risk Implications	No relevant issues
Consultation	No relevant issues
Child/Family Poverty Considerations	No relevant issues
Equality and Diversity Considerations	No relevant issues
Section 17 of The Crime And Disorder Act 1998 Considerations	No relevant issues
Asset Management Considerations	No relevant issues

9. STAFF CONSIDERATIONS

9.1 All schemes will be designed by the Councils Engineering Team.

10. RECOMMENDATIONS

10.1 That Members note continuation of the oversubscribed LTP budget and the requirement for prioritisation.

10.2 To note that the list proposed is live and further scheme(s) may be deliverable should savings within the 2021/22 programme be identified.

10.3 That the proposed safety scheme programme be approved for 2021/22.

10.4 It is recommended that Committee approves any changes to the proposed programme be delegated to the Director of Neighbourhoods and Regulatory Services, in consultation with the Chair of Neighbourhood Services Committee.

11. REASONS FOR RECOMMENDATIONS

11.1 To reduce casualties and improve road safety in Hartlepool.

11.2 To allow for the prioritisation of schemes where demand exceeds the available budget.

12. BACKGROUND PAPERS

12.1 None.

13. CONTACT OFFICER

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LOCATION	SCHEME	ACCIDENTS	POINTS	SPEED DATA (85th %ILE)
Throston Grange Lane		2 serious, 6 slight	10	
Grange Road		1 serious, 6 slight	8	
Mowbray Road	Build outs	1 fatal, 2 slight	5	
Park Road (West section)		1 serious, 3 slight	5	
Blakelock Rd/ Gdns		5 slight	5	
Rossmere Way	Island/ crossing/ build outs	2 serious	4	35mph
Skelton Street	Road humps	2 serious	4	
King Oswy Drive (Top section)	Build outs	1 serious, 2 slight	4	
Easington Rd Coast Road (North of King Oswy Drive)	Pedestrian Island	1 serious, 1 slight	3	
Coronation Drive	Crossing at Warrior Drive	1 serious	2	43mph (In 40mph limit)
Merlin Way (A179 – Osprey)		1 serious	2	36mph
Westbrooke Ave	Traffic calming	1 serious	2	33mph
Tarnston Rd		1 serious	2	
Jesmond Road	Pinch points/ cycle lane	1 serious	2	
Hart Lane (Throston/ Naisberry Park)	VAS	2 slight	2	38mph
West View Rd (East of Brus)		2 slight	2	
Elwick Rd (Dunston Rd - National Speed Limit)	Pedestrian Island	1 slight	1	
Stockton Road (BV Way to Westbrooke Ave)		1 slight	1	

Truro Drive		1 slight	1
Elwick Road (Wooler Rd - Dunston Rd)	Crossing near to Park Avenue, raised platform at Egerton Rd	1 slight	1
Eskdale Road		1 slight	1
Merlin Way (A179 – Osprey)		1 slight	1
St. Paul's Road/ Osborne Road	One way system	1 slight	1
Maritime Ave	Traffic calming (Residential area)	1 slight	1 30mph
Warren Road (East)	Road humps	1 slight	1
Chester Rd/ Thornhill Gdns	Road humps	1 slight	1
Fernwood Avenue	Road humps	1 slight	1
Valley Drive	Road humps		0 32mph
Clifton Avenue	Road humps		0 30mph
Oxford Road (Top)			0
Warrior Drive (Northern section)			0
Marsh House Lane, Greatham			0
Clavering Road	Raised platform at bend		0
Ventnor Avenue	Speed Humps		0 29mph
Sinclair Road	Road humps		0 28mph
Cairnston Rd			0
Southbrooke Avenue	Road humps		0
Greatham Village (High St, Front St, etc)			0

Dalkeith Road	Road humps	0
Macaulay Road	Road humps	0 27mph
Hutton Avenue		0
Tristram Avenue	Road humps	0
North Lane, Elwick	Traffic calming	0
Kesteven Road		0
Tanfield Road	Road humps	0 25mph
Dowson Rd	Road humps	0 21mph
Jones Road	Road humps	0 20mph
Avondale Gardens	Road humps	0
Dalton Piercy	Traffic calming	0
Miers Ave (W)	Traffic calming	0
Allendale St/Berwick St/ Carlisle St/ Farndale Rd	Road humps	0
Westwood & Woodstock	2 x zebra crossings	0
Osprey Way		0
Spalding Rd	Road humps	0
Everett St		0
Sandbanks Drive	Road humps	0
Garside Drive	Road humps	0
Honiton Way	Road humps	0
Campbell Road		0
Primrose Road	Road humps	0
Dunbar Rd	Road humps	0
Seaton Lane Service Road	Road humps	0

Ridlington Way		0
Philips Rd/ Daley Close	Road humps	0
Thirsk Grove	Road humps	0
Brough Court	Road humps	0
Hayfield Close	Road humps at entrance of street	0
Clifford Close	20mph limit and road humps	0

**5 Year Figures (Aug '16 – July '21)*

NEIGHBOURHOOD SERVICES COMMITTEE

23rd September 2021



Report of: Assistant Director (Regulatory Services)

Subject: FOOD LAW ENFORCEMENT SERVICE PLAN
2021/22

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non-Key decision

2. PURPOSE OF REPORT

2.1 To consider the Food Law Enforcement Service Plan for 2021/22.

3. BACKGROUND

- 3.1 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.
- 3.2 On 4th 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.
- 3.3 The service planning guidance ensures that key areas of enforcement are covered in local service plans, while allowing for the inclusion of locally defined objectives.
- 3.4 The Food Law Enforcement Service Plan for 2021/2022 is available in **Appendix 1** and takes into account the guidance requirements. The Plan details the Service’s priorities for 2021/22 and beyond, where appropriate. It also highlights how these priorities will be addressed.

4. PROPOSALS

- 4.1 The Service Plan for 2021/22 has been updated to reflect last year's performance and reflects changes in Service demand.
- 4.2 The Plan covers the following:
- (i) Service Aims and Objectives;
 - (ii) The scope and demands on the Food Service;
 - (iii) Service delivery, including intervention programmes, service requests, complaints, advice, liaison and promotion;
 - (iv) Resources, including financial allocation, staff allocation and staff development; and
 - (v) A review of performance for 2020/21.

5. SUMMARY OF MAIN ISSUES RAISED IN THE PLAN

- 5.1 As a result of the COVID-19 pandemic the majority of Public Protection staff were redeployed to carry out COVID work. This included providing advice to businesses, carrying out COVID enforcement work and undertaking enhanced contact tracing. This has meant that from the outset of the pandemic, this service has been severely impacted in its ability to deliver the usual obligations in relation to food safety. Due to the COVID-19 pandemic a Service Plan was not produced for 2020/21.
- 5.2 During the pandemic proactive official food controls were suspended by the Food Standards Agency (FSA) to minimise footfall in certain types of premises; only official controls in high priority areas were permitted. Throughout the pandemic the FSA has issued guidance to local authorities in relation to what businesses they should, and should not, inspect. We have had regard to the guidance and inspected relevant premises. Service delivery and performance during 20/21 is discussed below.
- 5.3 The Council is responsible for 851 food premises within the borough mostly comprising retailers, manufacturers and caterers. During 20/21 112 new food businesses were registered and while many could not be inspected due to COVID restrictions, all businesses were provided with advice. A large proportion of these businesses had commenced trading from home during the pandemic. The food businesses are predominantly small to medium sized establishments and the majority of these are liable to food hygiene and food standards interventions.
- 5.4 The food hygiene, food standards and feeding stuffs intervention programmes are risk-based systems that accord with current guidance. The current

premises profiles (as at August 2021) are included in the Service Plan in **Appendix 1**, at page 10.

- 5.5 As at the 1st April 2020, 99.9% of food businesses in the borough were “Broadly Compliant” with food safety requirements. For food standards 97.9% of businesses achieved broad compliance. No figures were produced for 2020/21 due to the suspension of some proactive food inspections during the COVID-19 pandemic.
- 5.6 The intervention programme for 2021/22 comprises scheduled food hygiene and food standards interventions and includes those interventions overdue for 2020/21. This intervention programme is set out on page 11 of the Service Plan. Only 6 premises fall into the ‘High risk’ category of inspection (Risk Category A or B for food hygiene) however there are 77 premises which are awaiting inspection and which are currently unrated.
- 5.7 In June 2021 The FSA set out its COVID-19 Response – Recovery Plan setting out guidance and advice for local authorities on delivery of official food controls and related activities in the period 1 July 2021 to 2023/24. This sets out how Local Authorities are being asked to return to a planned routine inspection, in accordance with the Food Law Code of Practice. Local authorities are expected to have regard to the guidance and advice.
- 5.8 The Plan provides a framework for re-starting the delivery system in line with the Food Law Code of Practice for new food establishments and for high-risk and/or non-compliant establishments while providing flexibility for lower risk establishments.
- 5.9 The FSA recognise and acknowledge that local authorities will be starting from different positions in terms of the impact that COVID-19 has had to date, the challenges they will face during the recovery period and the resources that they have available. Where local authorities are able to, the expectation is that they should move at a faster pace in realigning with the Code of Practice.
- 5.10 There are 2 distinct phases to the Recovery Plan which will last from 1st July 2021 to 2023/4 and these are detailed in the Service Plan. We will have regard to this guidance and will focus our efforts on those food businesses presenting the highest risk.
- 5.11 Phase 1 will include focusing resources on unrated premises where the risks are relatively unknown, inspecting the 2 establishments which are subject to approval and carrying out reactive work, including enforcement in the case of non-compliance, managing food incidents and food hazards, and investigating and managing complaints. Sampling in accordance with the local authority sampling programme or as required in the context of assessing food business compliance, and any follow-up necessary in relation to the FSA Surveillance Sampling Programme is also required. As is undertaking ongoing proactive surveillance to obtain an accurate picture of the local business landscape.

5.12 The Food Hygiene Rating Scheme (FHRS) was launched by the FSA as an FSA / local authority partnership initiative to help consumers choose where to eat out, or shop for food. It was developed with the aim that it would become the single national scheme for England, Wales and Northern Ireland.

The profile of Hartlepool food premises is shown below:

Figure 1: Business profile

Hygiene Rating	No @ 1.4.13	No @ 1.4.14	No @ 1.4.15	No @ 1.4.16	No @ 1.4.17	No @ 1.4.18	No @ 1.4.19	No @ 1.4.20	No @ 1.4.21
5 ('Very Good')	434 (60.9%)	456 (66.7%)	471 (68.3%)	502 (72.2%)	539 (76.9%)	561 (80.6%)	580 (82.9%)	596 (83.9%)	587 (73.2%)
4 ('Good')	164 (23.0%)	149 (21.8%)	136 (19.7%)	125 (18.0%)	107 (15.3%)	101 (14.5%)	76 (10.9%)	77 (10.8%)	72 (9%)
3 ('Generally Satisfactory')	63 (8.9%)	63 (9.2%)	56 (8.1%)	55 (7.9%)	43 (6.1%)	28 (4.0%)	38 (5.4%)	36 (5.1%)	32 (4%)
2 ('Improvement Necessary')	22 (3.1%)	9 (1.3%)	18 (2.6%)	8 (1.2%)	10 (1.4%)	4 (0.6%)	3 (0.4%)	0 (0%)	0 (0%)
1 ('Major Improvement Necessary')	13 (1.8%)	7 (1.0%)	9 (1.3%)	3 (0.4%)	2 (0.3%)	2 (0.3%)	3 (0.4%)	0 (0%)	0 (0%)
0 ('Urgent Improvement Necessary')	0 (0%)	0 (0%)	0 (0%)	2 (0.3%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
'Awaiting Inspection'	17 (2.4%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (0.01%)	111 (13.8%)
Sub Total	713	684	690	695	701	696	700	710	802

'Exempt'	49	45	44	45	42	42	37	39	39
'Excluded'	9	10	10	1	1	10	12	2	2
Sensitive	32	32	1	8	9	1	1	10	10
Total	803	771	745	749	753	749	750	761	853

5.13 During 2019/20 99.9% of the premises inspected received a hygiene rating of '3' ('Generally satisfactory') and above. Due to the limited number of inspections carried out during 20/21 it is impossible to determine the impact of the pandemic. The FSA have however stated that there has been a significant increase in the number of food businesses where the risks associated with them remain largely unknown as initial inspections have not been undertaken. The FSA have also stated that there is anecdotal information suggesting that there has been a general trend of reducing hygiene standards in food establishments since the onset of the pandemic. This has also been our experience to date.

5.14 The service is committed to focussing its resources on carrying out interventions at those businesses which are deemed not to be 'broadly compliant' and has continued to liaise with businesses that have been awarded a hygiene rating of '2' or less offering advice and support. Revisits and enforcement action will be taken to secure compliance where necessary.

It is anticipated that a higher level of revisits and enforcement will need to be undertaken than in previous years.

- 5.15 Under the FHRS there is a procedure which affords food business operators the opportunity to request a re-visit inspection once they have taken action to rectify non-compliances identified during an inspection. In certain circumstances a charge can be levied. At the re-visit the establishment may be re-assessed and given a new hygiene rating. During 20/21, 2 businesses submitted applications for a re-rating and both demonstrated an improvement in standards and their rating increased following an unannounced inspection.
- 5.16 Service performance during 20/21 is detailed in the Service Plan. Ordinarily our target is to complete 100% of the intervention programme for food hygiene, food standards and feeding stuffs. These are extremely challenging targets. Due to the COVID-19 pandemic it was not possible to complete the intervention programme for food hygiene, food standards and feeding stuffs. The service complied with directions issued by the Food Standards Agency targeting its resources on the highest risk premises. This enabled officers to focus on the COVID-19 response.
- 5.17 There were minimal food hygiene inspections placed upon the Council during 20/21 enabling officers to focus their efforts on COVID work and meant that the usual statutory requirements in relation to food hygiene inspections were amended as the year progressed. We successfully completed 40 food hygiene, 28 food standards and 5 feed hygiene interventions. In 2019/20 404 food hygiene interventions, 286 food standards and 6 feed hygiene interventions were completed.
- 5.18 During the time period, the Council responded to any high risk food hygiene complaints in the usual manner. The service dealt with 117 complaints relating to the condition of food premises and/or food handling practice and this was a significant increase on previous years, for example during 2019/20 27 complaints were received.
- 5.19 In addition, 47 complaints were received regarding unfit or out of condition food or extraneous matter. A further 14 complaints concerning the composition or labelling of food items were received. No complaints were received regarding animal feeding stuffs. Investigations into all complaints were undertaken within our target of 2 working days.
- 5.20 No enforcement was undertaken during 2020/21 in relation to official food controls. It is anticipated that this situation may change in 2021/22 as food hygiene standards may have fallen during the pandemic.
- 5.21 While face to face interventions have been disrupted for much of the year the team has continued to offer tailored advice and information on request with 20 advisory visits to businesses being carried out during the year. This is approximately a third of the number of advisory visits undertaken in previous years.

- 5.22 Due to the pandemic no food sampling was undertaken, with exception of water obtained from a private supply and used for manufacturing purposes. Twelve samples of private drinking water were sampled for microbiological quality and all results were satisfactory.
- 5.23 No promotional/campaign work was carried out during 2020/21. It is planned that activities will resume in 2021 including raising awareness of food allergens and labelling requirements for products which are pre-packed for direct sale as new legislation is to be introduced later this year.
- 5.24 The response to COVID-19 has required officers to lead on work relating to advice, education and ultimately, enforcement, to both businesses and residents and contact tracing. Overall, Public Protection Officers dealt with 2,065 COVID-19 related complaints/requests for guidance in 2020/21 and carried out 2,469 contact tracings. This work has also continued during 2021/22 and will again have an impact on service delivery.
- 5.25 We will have regard to the FSA's recovery plan for addressing any backlog of inspections arising from the COVID-19 pandemic and will keep performance under review.
- 5.26 In addition the Public Protection Section continues to face significant financial pressures due to ongoing Council savings and, as such, the need to prioritise service delivery and maximise effectiveness remains paramount. During 2021/22 we will target our resources effectively using a range of interventions, including providing advice to businesses, with the aim of influencing behaviour and improving the management of food safety risks which will have impact on wider public health outcomes. We will continue to explore how we can contribute to the Public Health Outcomes Framework and source funding streams to support our work.
- 5.27 We will need to keep abreast of, and respond to, any changes to legislation, guidance and policy decision and monitor the impacts of any changes to the regulatory framework. We will continue to review and update our Food and Feed Quality Management System and Standard Operating Procedures to reflect the changes.

6. RISK IMPLICATIONS

- 6.1 If the Food Law Enforcement Law Service Plan 2021/22 is not adopted we will not meet the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement.

7. LEGAL CONSIDERATIONS

- 7.1 If the Food Law Enforcement Law Service Plan 2021/22 is not adopted we will not meet the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement.

8. CONSULTATION

- 8.1 There is no requirement to undertake specific or general consultation during the preparation of the proposals set out in the report.

9. OTHER CONSIDERATIONS

Financial Considerations	No relevant issues
Child and Family Poverty	No relevant issues
Equality and Diversity	No relevant issues
Staff	No relevant issues
Asset Management	No relevant issues

10. RECOMMENDATIONS

- 10.1 That the Neighbourhood Services Committee approves the Food Law Enforcement Service Plan for 2021/22.

11. REASONS FOR RECOMMENDATIONS

- 11.1 The Food Law Enforcement Service Plan 2021/22 needs to be adopted to comply with the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement.

12. BACKGROUND PAPERS

- 12.1 There are no background papers for this report.

13. CONTACT OFFICER

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Hartlepool Borough Council

Food Law Enforcement Service Plan 2021/22

FOOD SERVICE PLAN 2021/22

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INTRODUCTION

This Service Plan details how the food law service will be delivered by Hartlepool Borough Council. The food law service covers both food and feed enforcement.

The 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 2021/22, longer-term objectives are identified where relevant. Additionally, there is a review of performance for 2020/21 and this aims to inform decisions about how best to build on past successes and address performance gaps.

The Plan is reviewed annually and previous plans have been approved by the Neighbourhood Services Committee. Due to the COVID-19 pandemic no service plan was produced for 2020/21.

1 SERVICE AIMS AND OBJECTIVES

1.1 Service Aims and Objectives

The service 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; and
- 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.

Hartlepool Borough Council aims:

- To carry out our enforcement duties and deliver high quality services through the efficient and effective use of resources;
- To supplement our enforcement role by providing targeted education and advice;
- To encourage innovation through actively seeking out best practice and working in partnership with other agencies;
- To actively contribute towards achieving nationally agreed strategic aims and objectives; and
- To ensure our actions are consistent, proportionate and targeted and that we are transparent and open about what we do.

In its delivery of the service the Council will have regard to directions and examples of best practice as disseminated by the Food Standards Agency (FSA), including Approved Codes of Practice, the Regulators' Code and other relevant guidance shared by Local Government Regulation and Central Government.

1.2 Links to Corporate Objectives and Plans

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

- Hartlepool's Council Plan 2021/22 – 2023/24
- Food Law Enforcement Service Plan - sets out how the Council aims to deliver this statutory service and the Public Protection service's contribution to corporate objectives.

1.2.1 Overall Aim / Vision

The Council's vision is that:

Hartlepool will be a place...

- ***where people are enabled to live healthy, independent and prosperous lives;***
- ***where those who are vulnerable will be safe and protected from harm;***
- ***of resilient and resourceful communities with opportunities for all;***
- ***that is sustainable, clean, safe and green;***
- ***that has an inclusive and growing economy;***

with a Council that is ambitious, fit for purpose and reflects the diversity of its community.

To contribute to the Council's overall vision, through this Food Law Enforcement Service Plan, the team has made a commitment to protecting and improving the quality of life for residents of Hartlepool through effective promotion and enforcement of food hygiene and safety legislation.

This Food Law Enforcement Service Plan contributes towards elements of the Council Plan vision in the following ways:

...that has an inclusive and growing economy.

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

By providing advice and guidance to traders so as to ensure awareness and compliance with food legislation;

...where those who are vulnerable will be safe and protected from harm.

By ensuring that businesses only provide safe products that comply with relevant food safety standards;

...with a Council that is ambitious, fit for purpose and reflects the diversity of its community

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

To contribute towards the key outcomes of improving the efficiency and effectiveness of the organisation and to deliver effective customer focussed services, meeting the needs of diverse groups and maintaining customer satisfaction.

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 are offered to all, and that recognition is given to the varying needs and backgrounds of its customers.

2 BACKGROUND

2.1 Profile of the Local Authority

Hartlepool is located on the north-east coast of England to the north of the River Tees. The Borough consists of the main town of Hartlepool, the seaside resort of Seaton Carew and a number of small outlying villages. The total area of the Borough is 9,390 hectares. The residential population is 93,663 (Mid-Year Estimates 2019, ONS) of which ethnic minorities comprise 3.4% (2011 census).

Hartlepool is a unitary authority, providing a full range of services. To the south of Hartlepool is the wider Teesside conurbation which includes the boroughs of Middlesbrough, Stockton on Tees and Redcar and Cleveland, and which together with Hartlepool and Darlington makes up the Tees Valley sub-region. Bordering Hartlepool to the north is the administrative area of County Durham.

The borough has a long and proud history, with the original settlement of Hartlepool dating back to Saxon times. Originally an important religious settlement the town's early development resulted from the existence of a safe harbour and its role as a port for the city of Durham and subsequent grant of a Royal Charter from King John in 1201.

The main phase of Hartlepool's expansion took place from the mid-19th Century with the building of a new railway and docks to serve the export of coal. The town continued to expand over the next 100 years as port trade increased and the development of heavy industries including steel making, shipbuilding and manufacturing. Like most industrialised towns in the north of England, Hartlepool has suffered over the last half century from structural

reform of these industries and the town has had to look for new opportunities to diversify the economy.

Over the past 20 years Hartlepool has experienced some transformational changes through public and private investment. This has included the transformation of the former South Docks area into a fabulous 500-berth marina where the town hosted The Tall Ships Race in 2010. The Authority is due to be a host port for the race again in 2023.

The tourist industry impacts upon recreational opportunities, shopping and leisure facilities, including the provision of food and drink outlets restaurants, bars and cafes. There are currently 851 food establishments in Hartlepool, all of which must be subject to intervention to ensure food safety and standards are being met.

2.2 Organisational Structure

Under the Council's governance arrangements, most day-to-day decisions are taken by five Policy Committees. These Policy Committees cover the following main service areas: -

- Finance and Policy Committee
- Adult & Community Based Services Committee
- Children's Services Committee
- Neighbourhood Services Committee
- Economic Growth and Regeneration Committee

The Neighbourhood Services Committee provides political oversight for Food law enforcement.

The Council is made up of five Departments:

- Resources and Development
- Legal
- Children's and Joint Commissioning Services
- Adults and Community Based Services
- Neighbourhoods & Regulatory Services

The Food Law Enforcement Service Plan is delivered through the Public Protection Division contained within the Neighbourhoods & Regulatory Services Department.

2.3 Scope of the Food Service

The Council's Commercial Services team is a constituent part of the Public Protection Division contained within the Neighbourhoods & Regulatory Services Department and is responsible for delivery of the food service. The food service covers both food and feed enforcement.

Service delivery broadly comprises:

- programmed interventions of premises for food hygiene, food standards and feed hygiene;
- registration and approval of premises;
- microbiological sampling and chemical analysis of food and animal feed;
- food & feed inspection;
- checks of imported food/feed at retail and catering premises;
- provision of advice, educational materials and courses to food/feed businesses;
- investigation of food and feed related complaints;
- investigation of cases of food and water borne infectious disease, and outbreak control;
- dealing with food/feed safety incidents; and
- 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 Food Standards Agency (FSA), Public Health England (PHE), HM Revenue & Customs (HMRC), Department of Environment, Food & Rural Affairs (Defra), Animal & Plant Health Agency (APHA) & the Veterinary Medicines Directorate (VMD).

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 smoke free legislation in public places;
- the provision of guidance, advice and taking enforcement action in response to the legislation introduced during the COVID-19 pandemic;
- water sampling; including both private and mains supplies & bathing water;
- port health;
- provision of assistance for animal health and welfare inspections, complaint investigation and animal movement issues; and
- acting as a statutory consultee for applications made under the Licensing Act 2003

2.4 Demands on the Food Service

The Council is responsible for 851 food premises within the borough mostly comprising retailers, manufacturers and caterers. The food businesses are predominantly small to medium sized establishments and the majority of these are liable to food hygiene and food standards interventions.

In addition there are 88 registered feed businesses for which the Council is the enforcing authority.

The delivery point for the food enforcement service is at:

Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Telephone: (01429) 266522

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. Contact can be made on (01429) 266522, then Option 1, then Option 2.

2.5 Enforcement Policy

The Commercial Services Team complies with the Council's Corporate Enforcement Policy that was adopted in 2020. This policy applies to food and feed law enforcement.

3 SERVICE DELIVERY

3.1.1 Interventions Programme

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

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 interventions so as to ensure that food and feeding stuffs are inspected in accordance with relevant legislation, the Food Law Code of Practice and centrally issued guidance.

The Code allows local authorities to choose the most appropriate action to be taken to drive up levels of compliance with food law by food establishments. In so doing it takes account of the recommendations in the 'Reducing Administrative Burdens: Effective Inspection and Enforcement'.

Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment. They include:

- Inspections / Audit;
- Surveillance / Verification;
- Sampling;
- Education, advice and coaching provided at a food establishment; and
- Information and intelligence gathering.

Other activities that monitor, promote and drive up compliance with food law in food establishments, for instance 'Alternative Enforcement Strategies' for low risk establishments and education and advisory work with businesses away from the premises (e.g. seminars/training events) remain available for local authorities to use.

3.1.2 Broadly Compliant Food Establishments

The Code established the concept of 'Broadly Compliant' food establishments. In respect of food hygiene, "broadly compliant", is defined as an establishment that has an intervention rating score of not more than 10 points under each of the following components;

- Level of (Current) Hygiene Compliance;
- Level of (Current) Structural Compliance; and
- Confidence in Management/Control Systems

"Broadly Compliant", in respect of food standards, is defined as an establishment that has an intervention rating score of not more than 10 points under the following:

- Level of (Current) Compliance
- Confidence in Management/Control Systems

Local Authorities are required to report the percentage of "Broadly Compliant" food establishments in their area to the FSA on an annual basis through the Local Authority Enforcement Monitoring System (LAEMS). The Agency will use this outcome measure to monitor the effectiveness of a local authority's regulatory service.

As at the 1st April 2020, 99.9% of businesses in the borough were "Broadly Compliant" with food safety requirements. For food standards 97.9% of businesses achieved broad compliance. No figures were produced for 2020/21 due to the suspension of some proactive food inspections during the COVID-19 pandemic. We aim to concentrate our resources to maintain these standards however given the impact of the COVID-19 pandemic and current financial climate this will be extremely challenging.

The Food Law Enforcement Plan will help to promote efficient and effective approaches to regulatory inspection and enforcement that will improve regulatory outcomes without imposing unnecessary burdens. The term enforcement does not only refer to formal actions, it can also relate to advisory visits and inspections.

3.2 Service Delivery Mechanisms

3.2.1 Intervention Programme

Local Authorities must document, maintain and implement an interventions programme that includes all the establishments for which they have food law enforcement responsibility.

Interventions 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 interventions is held on the APP computerised system. An intervention schedule is produced from this system at the commencement of each reporting year.

The food hygiene, food standards and feeding stuffs intervention programmes are risk-based systems that accord with current guidance. The current premises profiles (as at August 2021) are shown in the tables below:

Food Hygiene:

Risk Category	Frequency of Inspection	No of Premises
A	6 months	0
B	12 months	6
C	18 months	94
D	24 months	366
E	36 months or other enforcement	308
Unclassified	Requiring inspection / risk rating	77
No Inspectable Risk (NIR)		0
Total		851

Food Standards:

Risk Category	Frequency of Inspection	No of Premises
A	12 months	1
B	24 months	88
C	36 months or other enforcement	685
Unclassified		77
No Inspectable Risk (NIR)		0
Total		851

Feed Hygiene:

Registered Activity	No of Premises
R5 Distributor	1
R7 Supplier of Surplus Food	11
R8 Transporter	3
R9 Stores	1
R10/11 On Farm Mixer	10
R12 Co Product Producer	1
R13 Livestock Farm	40
R14 Arable Farm	21
Total	88

The intervention programme for 2021/22 comprises the following number of scheduled food hygiene and food standards interventions (this includes those interventions overdue for 2020/21):

Food Hygiene:

Risk Category	Frequency of Inspection	No of Interventions
A	6 months	0
B	12 months	3
C	18 months	87
D	24 months	319
E	36 months or alternative enforcement strategy	161
Unclassified		0
Unrated		77
Total		647

Food Standards:

Risk Category	Frequency of Inspection	No of Interventions
A	12 months	1
B	24 months	65
C	36 months or alternative enforcement	88
Unrated		77
Unclassified		0
Total		231

Approved Establishments:

There are 2 approved food establishments in the borough; a fishery products establishment and a manufacturer of food ingredients. These premises are subject to more stringent hygiene provisions than those applied to registered food businesses. These premises require considerably more staff resources for inspection, supervision and advice on meeting enhanced standards.

Approach to Food Hygiene Inspections in 21/22

In June 2021 The FSA set out its COVID-19 Response – Recovery Plan setting out guidance and advice for local authorities on delivery of official food controls and related activities in the period 1 July 2021 to 2023/24

This sets out how Local Authorities are being asked to return to a planned routine inspection, in accordance with the Food Law Code of Practice. Local authorities are expected to have regard to the guidance and advice.

The Plan provides a framework for re-starting the delivery system in line with the Food Law Code of Practice for new food establishments and for high-risk

and/or non-compliant establishments while providing flexibility for lower risk establishments.

The FSA recognise and acknowledge that local authorities will be starting from different positions in terms of the impact that COVID-19 has had to date, the challenges they will face during the recovery period and the resources that they have available. Where local authorities are able to, the expectation is that they should move at a faster pace in realigning with the Code of Practice.

There are 2 distinct phases to the Recovery Plan which is to last from 1 July 2021 to 2023/4: Phase 1 and Phase 2. An outline of the recovery plan is shown below:

Figure 1: Outline of the Recovery Plan



Notes

The key milestone dates within the Recovery Plan for higher risk establishments are shown.

For lower risk establishments not shown in the figure, local authorities have the flexibility to defer planned interventions and only undertake intervention where information/intelligence suggests that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed.

In the case of food standards, the impact on the business of the new requirements on allergen labelling for products prepacked for direct sale - that apply from 1 October 2021 - should also be taken into account.

Phase 1 (1 July to 30 September 2021).

In Phase 1, local authorities are expected to deliver the following:

- official controls where the nature and frequency are prescribed in specific legislation and official controls recommended by FSA guidance that are undertaken to support trade and enable export

- reactive work including enforcement in the case of non-compliance, managing food incidents and food hazards, and investigating and managing complaints
- sampling in accordance with the local authority sampling programme or as required in the context of assessing food business compliance, and any follow-up necessary in relation to the FSA Surveillance Sampling Programme
- ongoing proactive surveillance to obtain an accurate picture of the local business landscape and to: identify open/closed/recently re-opened/new businesses; as well as businesses where there has been a change of operation, activities, or Food Business Operator (FBO)
- for 'new businesses', consideration of registration information and intelligence with appropriate onsite interventions carried out where there are concerns around public health/consumer protection
- for 'new businesses' where consideration of registration information and intelligence indicates low risk, initial visits should be prioritised and undertaken in accordance with the Codes of Practice and Practice Guidance taking account of the flexibilities provided
- planning for resumption of planned intervention programmes for high-risk category and non-compliant establishments in Phase 2.

Phase 2 (1 October 2021 to 2023/24)

In Phase 2, local authorities are expected to deliver the following:

- official controls where the nature and frequency are prescribed in specific legislation and official controls recommended by FSA guidance that are undertaken to support trade and enable export
- reactive work including, enforcement in the case of non-compliance, managing food incidents and food hazards, and investigating and managing complaints
- sampling in accordance with the local authority sampling programme or as required in the context of assessing food business compliance, and any follow-up necessary in relation to the FSA Surveillance Sampling Programme
- ongoing proactive surveillance to obtain an accurate picture of the local business landscape and to: identify open/closed/recently re-opened/new businesses; as well as businesses where there has been a change of operation, activities or FBO
- for 'new businesses', consideration of registration information and intelligence with appropriate onsite interventions carried out where there are concerns around public health/consumer protection COVID-19 – LA recovery plan Page 5
- for 'new businesses' where consideration of registration information and intelligence indicates lower risk, initial visits should be prioritised and undertaken in accordance with the Codes of Practice and Practice Guidance taking account of the flexibilities provided
- implementing planned intervention programmes for high-risk category and non-compliant establishments
- implementing an intelligence/information based approach for lower risk category establishments

- responding to FHRS requested re-visits in line with the timelines specified in the FHRS Brand Standard for England or the statutory guidance in Wales and Northern Ireland.

There are currently 77 unrated premises. Approved premises will also require inspection taking the total estimate to 79. In practice, this means that by the end of March 2022 the Council is required to complete an estimated total of 80-100 inspections.

These can be achieved within the existing officer resource (subject to the Governments COVID-19 Roadmap continuing on its current path).

The roadmap requires an enhanced level of inspections to take place in 22/23 in order for the planned inspection programme to return in 23/24, which is likely to be a revised model.

The FSA have also stated that there has been a significant increase in the number of food businesses where the risks associated with them remain largely unknown as initial inspections have not been undertaken. The FSA have also stated that there is anecdotal information suggesting that there has been a general trend of reducing hygiene standards in food establishments since the onset of the pandemic.

The above two points may impact on delivery against the service plan in the short to medium term. This may require further resources, which will be monitored.

The Council has successfully applied for grant funding from the FSA to support the prioritisation of new businesses 'awaiting inspection'. The funding is to help tackle backlogs of new businesses by employing administrative staff for a short period of time to triage businesses and prioritise those that are trading/intending to trade for initial onsite visits. The funding agreed is to assess 80 businesses.

Primary Producers:

The service has 73 primary producers. Inspections are combined with visits to farms for animal welfare and/or feed legislation as far as possible.

Feed Hygiene Intervention Programme 2021/22:

The National Trading Standards Board (NTSB) is responsible for the co-ordination of grant funding allocations for the FSA Feed Delivery Programme. A regional lead feed co-ordinator has been appointed. As a member of this group Hartlepool Council will receive funding to meet the costs of the following feed inspections:

Risk Category	No of Interventions
R05 Distributor	0
R07 Feed/Materials / Ingredients/Surplus Food	1
R08 Transporter	0
R09 Stores	0
R10/ R11 On-farm Mixer	1
R12 Co-Product Producer	1
R13 Livestock Farms	2
R14 Arable Farms	0
Total	5

An estimated 10% of all programmed interventions relate to premises where it is more appropriate to conduct visits outside the standard working time hours. Arrangements are in place to visit 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 2021/22, the intervention programme is expected to generate an estimated 125 revisits. This number is likely to be higher than in previous years as some premises may have temporarily ceased trading and/or not been inspected due to the restrictions introduced during the COVID-19 pandemic and hygiene standards may have fallen as a result. 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 interventions by the service will, over time, result in a general improvement in standards, reducing the frequency for recourse to formal action. The performance against intervention targets for all food hygiene and food standards inspections is reported annually to the Neighbourhood Services Committee via the Service Plan.

EU Exit

Since the 2016 referendum and the subsequent exit from the European Union, Hartlepool Borough Council's focus has been to prepare for any potential adverse impact of EU Exit on the continuity and quality of its services.

The European Communities Act 1972 gave legal authority for EU law to have effect as national law in the UK. The EU Withdrawal Act 2018 repealed the Act, however parts of it have been kept in force by the Withdrawal Agreement Act 2020 which transferred EU regulation and law onto the UK statute book.

The UK exited the EU on 31 January 2020 and was in a transition period until 31 December 2020. The UK government reached an agreement with the EU as to the relationship beyond the end of the transition period.

The Food Standards Agency's EU Transition Programme has provided the guidance, support and oversight to ensure that the FSA and local authorities were prepared for the end of the EU Transition Period. Since 1 January 2021, the Programme's activities have shifted towards ongoing support for those work areas with a phased implementation, consideration of the outstanding challenges, and embedding new activities into business as usual.

Port Health

Hartlepool is a Port Health Authority. To date there has been no significant changes at the Port as a result of EU exit in that it remains the case that no food or feed enters the port.

Work in relation to imported food control can therefore ordinarily be accommodated within the day-to-day workload of the service, however if circumstances were to change whereby food or feed was imported/exported additional resources would be required which would have an effect on the programmed intervention workload and other service demands.

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.

During 2020/21, 23 fishing vessels registered with Hartlepool Borough Council as food business establishments. All fishing vessels were inspected in accordance with directions issued by the Food Standards Agency.

3.2.2 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 intervention, an assessment is made of the need for inspection based on the date of the next programmed intervention, premises history, and whether any significant change in the type of business is being notified.

During 2020/21, 98 new registrations were received and whilst face to face visits could not be carried out to all businesses all were provided with advice.

It is anticipated that approximately 95 additional food premises inspections will be generated for new food businesses during 2021/22.

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 are 2 premises in the Borough which are subject to approval; a fishery products establishment and a manufacturer of food ingredients. During 2020/21 the latter changed its trading name and the approval document was changed accordingly.

Since 1 January 2006 feed businesses have been required to 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.

3.2.3 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 Code of Practice 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 Public Health England's Food, Water & Environmental Laboratory based at York. Chemical analysis is undertaken by an appointed Public/Agricultural Analyst.

Sampling allocations from Public Health England (PHE), which is responsible for the appropriate laboratory facilities, are 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 2021/22. Points are allocated as follows:

Sample type	No of credits
F1:Food Screen	10
F2:Food Basic	25
F3:Food Complex	35
W1:Water Screen	10
W2:Water Basic	20
W3:Water Complex	25
M1:Dairy Products	10
E1:Environmental Screen	10
E2:Environmental Basic	25
E3:Environmental Complex	35
Certification	15

If an authority uses less than 80% of its allocation, it is possible that the allocation may be reduced. In the event of over-performance, PHE will raise an invoice in April of the following year for payment of the cost of the workload over and above the agreed baseline allocation.

A sampling programme is produced each year for the start of April to assess the microbiological quality of food, water and environmental surfaces and composition and labelling of food. Due to the Covid-19 pandemic and in accordance with the FSA guidance, sampling was significantly curtailed during 20/21. Consequently no samples were taken in 20/21.

The sampling programme for 2021/22 will take account of national and regional surveys and local interventions and the availability of local resources.

Sampling programmes have been agreed with the Food Examiners and Public/Agricultural Analysts. 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.

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

Microbiological Food Sampling Plan 2021/22

April No sampling undertaken	May No sampling undertaken	June No sampling undertaken
July No sampling undertaken	August No sampling undertaken	September No sampling undertaken
October Emerging local or national priorities	November Emerging local or national priorities	December Emerging local or national priorities
January Emerging local or national priorities	February Emerging local or national priorities	March Emerging local or national priorities

Composition and Labelling Sampling Plan 2021/22

Survey	Number of Samples
Allergens in catering premises	5 (plus any re-samples)
Food Labelling – food pre-packed for direct sale	20
Adhoc samples arising from emerging priorities identified during the year	tbc

Feeding Stuffs Sampling Plan 2021/22

At present feeding stuffs sampling is being given a low priority due to the lack of local manufacturers and packers, accordingly no sampling of animal feeding stuffs is planned during 2021/22, however we will respond to any emerging national or local issues.

Regional funding provided by the National Trading Standards Board and Food Standards Agency will supplement our sampling budget.

Private Water Supplies

A local brewery uses a private water supply in its food production. Regular sampling is carried out of this supply in accordance with relevant legislative regulations.

3.2.4 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 intervention programme. Food inspection activities are undertaken in accordance with national guidelines.

3.2.5 COVID-19

The outbreak of COVID-19 in 2020/21 placed significant additional burdens on the Public Protection Service. From the outset of the pandemic, this service has been severely impacted in its ability to deliver the usual obligations in relation to food safety. The cohort of officers allocated to this work were immediately identified and delegated by Government to provide the frontline response within the majority of Local Authority Coronavirus Regulations.

The work of the service, and demands from the public, changed significantly with many traditional shops closed for many months and the lockdown preventing much of the service industry from operating. Throughout the pandemic the service has provided advice to businesses to ensure that they trade in accordance with COVID requirements and has taken enforcement action against those who chose to ignore it.

In total, three Direction to Close Notices, two Prohibition Notices and three Fixed Penalty Notices (totalling £7,000) were served on Hartlepool businesses.

In addition, one local gym was taken to Court for persistently refusing to close during the pandemic. The Court agreed to issue a Closure Order against the premises – requiring it to close immediately and until national restrictions on gyms were lifted.

The Food Standards Agency issued guidance throughout the pandemic advising Local Authorities as to what the types of food businesses they could and could not inspect. This enabled the work area to focus on the COVID-19 response and meant that the usual statutory requirements in relation to food hygiene inspections were amended as the year progressed. The response to COVID-19 has required officers to lead on work relating to advice, education and ultimately, enforcement, to both businesses and residents.

Further details of the impact of COVID-19 on the service are contained in paragraphs 6.10 and 6.11.

3.2.6 Provision of Advice and Information to Food/Feed Businesses

It is recognised that for most local food businesses contact with an officer of the service provides the best opportunity to obtain information and tailored advice on legislative requirements and good practice. Officers are mindful of

this and aim to ensure that when undertaking premises interventions sufficient opportunity exists for food business operators to seek advice.

The COVID-19 pandemic meant that face to face interventions were not always possible so the service had to carry out some interventions, including the provision of advice, remotely. Remote interventions were used to inform the service of where to target resources.

When providing advice to food businesses, 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 80 such advisory visits will be carried out during the year. These visits will be in addition to any visits requested by food business operators to premises that are re-opening after temporary closure during the COVID-19 pandemic.

The Council operates the national Food Hygiene Rating Scheme whereby each business is awarded a rating which reflects the hygiene conditions found at the time of the primary inspection. The business' rating is made available to the public via the Food Standards Agency's website and the business is provided with a sticker to display on their premises. The service has made a commitment to work with businesses to improve their rating; in particular those awarded a rating of less than '3' (generally satisfactory).

A limited level of promotional work is also undertaken by the service on food safety, with minimal impact on programmed enforcement work. Feeding stuffs advice is available via the Council's web site.

3.2.7 Public Health Initiatives

In recent years significant resources have been directed towards carrying out initiatives which will contribute to the Public Health Framework Outcomes. During 2020/21 these initiatives were paused however during 2021/22 the Public Protection team plan to carry out the following initiatives:

1) Takeaways Project

We are acutely aware of the impact that access to unhealthy food is having on the rising rates of obesity and health inequalities. Research has shown that fast food takeaways provide a source of some of the unhealthiest food that is available in our communities.

We will continue to work with other regulators, including colleagues in the Planning team to encourage good practice within the takeaway sector. In particular we will support the use of planning measures to restrict the proliferation of hot food takeaways in areas of over concentration or where vulnerable groups of children and young people are a concern.

All relevant hot food takeaways in Hartlepool have been identified and mapped. The density of local and future provision of takeaways is addressed in the Council's Local Plan.

2) Allergy Awareness Campaign

We will use a range of interventions including sampling, provision of information and advice and working with colleagues in other local authorities to raise awareness regarding allergens. We also plan to raise awareness of changes in food labelling legislation relating to foods which are pre-packed for direct sale.

3.2.8 Investigation of Food / Feed Complaints

The service receives on average 40 complaints each year concerning food/feed, all of which are subject to investigation. During 2020/21, 47 complaints were received concerning food. 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 intervention 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.

3.2.9 Investigation of Cases of Food Poisoning and Outbreak Control

Incidents of food related infectious disease are investigated in liaison with the North East Public Health England Centre and in the case of outbreaks in accordance with the Outbreak Control Policy.

Where it appears that an outbreak exists the Environmental Health Manager (Commercial) or an EHO, will liaise with the local Consultant in Health Protection and the North East Public Health England Centre, to determine the need to convene an Outbreak Control Team.

Further liaison may be necessary with agencies such as the Food Standards Agency, the York Public Health England Food, Water and Environmental Laboratory, Public Analyst, Hartlepool Water and Northumbrian Water.

It is estimated that between 150-175 food poisoning notifications are received each year, a large proportion of which are confirmed cases of Campylobacter.

As relatively little benefit has been demonstrated from the investigation of individual sporadic cases of *Campylobacter* only those who are food handlers or live/work in a residential care home are routinely investigated.

Any cluster or outbreak identified by the North East Public Health England Centre or Environmental Health will be investigated following the agreed outbreak investigation arrangements. In the event of any major food poisoning outbreak a significant burden is likely to be placed on the service and this would inevitably impact on the performance of the intervention programme.

3.2.10 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 an electronic mail system. Several officers have also subscribed to receive alerts via their personal mobile phones.

The Environmental Health Manager (Commercial Services) ensures that a timely and appropriate response is made to each alert.

The out of hours contact telephone number for the service is (01429) 266522, then Option 1, then Option 2.

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.

In 2020/21 we received: 41 Food alert for action, 89 Food alert for information 50 Food allergy alert and 67 Food recall information notices. Whilst it is difficult to predict with any certainty the number of food safety incidents that will arise, it is estimated that the service is likely to be notified of approximately 100 food alerts, product recalls or withdrawals during 2021/22, a small proportion of which will require action to be taken by the Authority. In addition we will receive approximately 50-100 allergy alerts.

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 which may have an effect on the programmed intervention workload and other service demands.

3.2.11 Complaints relating to Food / Feed 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. During 2020/21 a significantly higher number of complaints was received than usual (117 complaints about hygiene standards in food premises were received compared to 27 in 2019/20). All were 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 failure in the management of food/feed safety, or regulatory non-compliance.

Based on the average number of complaints received during previous years it is estimated that approximately 80 such complaints will be received in 2021/22.

3.3 Complaints against Our Staff/Service

Anyone who is aggrieved by the actions of a member of staff is encouraged, in the first instance, to contact the employee's line manager. Details of how and who to make contact with are contained in the inspection report left at the time of an inspection.

Formal complaints are investigated in accordance with the Council's corporate complaint procedure.

3.4 Liaison Arrangements

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

- Tees Valley Heads of Public Protection Group
- Tees Valley Food Liaison Group
- North East PHE/Local Authority Sampling Group
- Tees Valley Public Health Group
- North East Public Protection Partnership
- North East Trading Standards Liaison Group, which incorporates the North East Trading Standards Animal Feed Group (NETSA).

There is also liaison with other organisations including the Chartered Institute of Environmental Health, the Trading Standards Institute, Public Health England, Defra / Animal & Plant Health Agency (APHA), OFSTED and the Care Quality Commission (CQC).

Officers also work in liaison with other Council departments including the Planning Services and Licensing teams.

3.5 Home Authority Principle / Primary Authority Scheme

The introduction of the Primary Authority Scheme in April 2009 under the provisions of the Regulatory Enforcement and Sanctions Act 2008 placed a

statutory obligation on the Council to provide a significantly expanded range of Home Authority services to local businesses when requested by that business. There are opportunities for local authorities to recover costs from businesses to provide this premium service.

It is the Council's policy to comply with the Local Better Regulation Office's Primary Authority Scheme.

In particular the Council will contact the Primary Authority and liaise over:

- any proposed formal enforcement action
- service of Notices
- shortcomings in the companies policies that have wider implications

In Hartlepool, there are currently no formal Primary Authority arrangements in place with a Hartlepool based trader however the service works closely with some local businesses on an informal basis.

The level of resourcing will have to be reviewed if an opportunity to enter into a formal Primary Authority arrangement arises.

4 RESOURCES

4.1 Financial Resources

The annual budget for the Consumer Services section in the year 2021/22 is:

	£ 000.0
Employees	610.0
Other Expenditure	61.0
Grant Funding	(33.0)
Income	(8.0)
Net Budget	630.0

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

4.2 Staffing Allocation

The Director (Regeneration & Neighbourhoods) has overall responsibility for ensuring the delivery of the Council's Public Protection service, including delivery of the food/feed law service, in accordance with the service plan.

The Assistant Director (Regulatory Services), 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 management of the Food Service.

The resources determined necessary to deliver the service in 2021/22 are as follows:

1 x 0.10 FTE Assistant Director (Regulatory Services) (with responsibility for the below services)

1 x 0.5 FTE Environmental Health Manager (Commercial Services) (with responsibility also for Port Health, Health and Animal Health and Welfare)

4 x 0.8 FTE EHO (with requisite qualifications and experience and with responsibility also for Health & Safety)

1 x 0.46 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)

During 2020/21 the majority of Public Protection staff were redeployed to carrying out COVID work. Funding was secured for the equivalent of 1 x FTE EHO post to assist with COVID contact tracing work and to create additional capacity for the above staff to carry out essential official food control and other statutory duties.

Due to a member of staff currently leaving part way through the year we have had a period of time where the staffing level was depleted. The COVID-19 pandemic and this reduction in staffing resources has had a significant impact on our ability to deliver all of the planned interventions.

The Assistant Director (Regulatory Services) has responsibility for planning service delivery and management of the Food Law Service, Health & Safety at Work, Licensing, Public Health, Water Quality, Trading Standards, Animal Health & Welfare, Environmental Protection, Emergency Planning, Community Safety and I.T. as well as general management responsibilities as a member of the Neighbourhoods & Regulatory Services Departmental Management Team.

The Environmental Health Manager (Commercial Services) has responsibility for the day to day supervision of the Food/Feed Law Service, Port Health, Health & Safety at Work, Public Health, Water Quality and Animal Health & Welfare. The Environmental Health Manager (Commercial Services) and a Senior Trading Standards Officer are designated as lead officers for imported food control and animal feed enforcement.

The EHOs have responsibility for the performance of the food premises intervention 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 Technical Officer (Food) is also responsible for interventions, including inspections as well as revisits, investigation of less complex complaints and investigation of incidents of food-borne disease.

Authorised Trading Standards Officers have responsibility for the performance of the feed premises intervention programme as well as the delivery of all other aspects of the feed law service.

Administrative support is provided by Support Services based within the department.

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

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

4.3 Staff Development

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 20 hours continuous professional development (CPD) training each year which may involve 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, 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.

4.4 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 intervention programmes, the recording and tracking of all food/feed interventions, the production of statutory returns and the effective management of performance.

5. 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 Environmental Health Manager (Commercial Services) will carry out accompanied visits with officers undertaking interventions, 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.

6 PERFORMANCE REVIEW

6.1 Overview

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 2020/21. Due to the COVID-19 pandemic no Service Plan was formally agreed for 2020/21.

This service plan will be reviewed at the conclusion of the year 2021/22 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 Assistant Director (Regulatory Services) to carry out that review with the Director of Neighbourhoods & Regulatory Services.

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.

6.2 Performance Review 2020/21

This section describes performance of the service in key areas during 2020/21.

6.2.1 Intervention Programme

Ordinarily our target is to complete 100% of the intervention programme for food hygiene, food standards and feeding stuffs. These are extremely challenging targets. Due to the COVID-19 pandemic the Food Standards Agency issued guidance throughout the pandemic advising Local Authorities as to what they could and could not inspect. Many of the planned visits to food businesses were suspended and as such it was not possible to complete the intervention programme for food hygiene, food standards and feeding stuffs. This enabled the work area to focus on the COVID-19 response and meant that the usual statutory requirements in relation to food hygiene inspections were amended as the year progressed.

The service complied with directions issued by the Food Standards Agency targeting its resources on the highest risk premises. The response to COVID-19 has required officers to lead on work relating to advice, education and ultimately, enforcement, to both businesses and residents and contact tracing.

There were minimal food hygiene inspections placed upon the Council 20/21 and these were all achieved via the proposed approach of virtual inspections. During the time period, the Council responded to any high risk food hygiene complaints in the usual manner.

During the year we successfully completed 40 food hygiene, 28 food standards and 5 feed hygiene interventions. (In 2019/20 404 food hygiene interventions, 286 food standards and 6 feed hygiene interventions were completed).

We met our 2 working day response time for all complaints.

6.2.2 Registration and Approval of Premises

During 2020/21, 98 new food businesses were registered. This was an increase on the previous year when 85 were registered and reflected the fact that many businesses started trading from domestic premises or changed their trading practices.

Two premises subject to approval were inspected and given relevant guidance.

6.2.3 Food Sampling Programme

Routine sampling did not take place in 2021/21 due to the COVID-19 pandemic. Programmed food sampling will recommence in 2021/22 focussing on issues of public safety and taking account of local and national priorities. Sampling did continue however in relation to private drinking water used by a brewery. The results of the samples taken were all satisfactory.

6.2.4 Food Inspection

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

6.2.5 Promotional Work

Food safety promotion whether by advice, education, training or other means is a key part of the food team's strategy in changing behaviour and increasing compliance in businesses.

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 our resources have been directed towards continuing to assist businesses to fully implement a documented food safety management system.

Whilst face to face interventions have been disrupted for much of the year the team has continued to offer tailored advice and information on request with 20 advisory visits to businesses being carried out during the year.

Circular letters are issued as required to inform food business operators of food safety matters relevant to their operations e.g. changes in legislation, food alerts and guidance on re-opening their businesses.

6.2.6 Food Hygiene Rating Scheme

On 1st April 2012 Hartlepool Council introduced the 'Food Hygiene Rating Scheme' (FHRS); a Food Standards Agency / local authority partnership initiative to help consumers choose where to eat out, or shop for food.

The 'Food Law Code of Practice', requires that a risk rating is undertaken which is used to determine the frequency of intervention for the business. The hygiene rating is derived from the risk rating which is given to a business following every 'primary' inspection.

Of the seven main categories used to determine the overall rating score the following three factors are used to create a hygiene 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 business' hygiene rating.

The total score from the 3 categories is then used to derive the hygiene rating ranging from '0' ('Urgent improvement necessary') through to '5' ('Very Good'). The profile of the premises ratings is shown overleaf.

Hygiene Rating	No @ 1.4.13	No @ 1.4.14	No @ 1.4.15	No @ 1.4.16	No @ 1.4.17	No @ 1.4.18	No @ 1.4.19	No @ 1.4.20	No @ 1.4.21
5 ('Very Good')	434 (60.9%)	456 (66.7%)	471 (68.3%)	502 (72.2%)	539 (76.9%)	561 (80.6%)	580 (82.9%)	596 (83.9%)	587 (73.2%)
4 ('Good')	164 (23.0%)	149 (21.8%)	136 (19.7%)	125 (18.0%)	107 (15.3%)	101 (14.5%)	76 (10.9%)	77 (10.8%)	72 (9%)
3 ('Generally Satisfactory')	63 (8.9%)	63 (9.2%)	56 (8.1%)	55 (7.9%)	43 (6.1%)	28 (4.0%)	38 (5.4%)	36 (5.1%)	32 (4%)
2 ('Improvement Necessary')	22 (3.1%)	9 (1.3%)	18 (2.6%)	8 (1.2%)	10 (1.4%)	4 (0.6%)	3 (0.4%)	0 (0%)	0 (0%)
1 ('Major Improvement Necessary')	13 (1.8%)	7 (1.0%)	9 (1.3%)	3 (0.4%)	2 (0.3%)	2 (0.3%)	3 (0.4%)	0 (0%)	0 (0%)
0 ('Urgent Improvement Necessary')	0 (0%)	0 (0%)	0 (0%)	2 (0.3%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
'Awaiting Inspection'	17 (2.4%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (0.01%)	111 (13.8%)
Sub Total	713	684	690	695	701	696	700	710	802

'Exempt'	49	45	44	45	42	42	37	39	39
'Excluded'	9	10	10	1	1	10	12	2	2
Sensitive	32	32	1	8	9	1	1	10	10
Total	803	771	745	749	753	749	750	761	853

Year on year the profile had improved with 99.9% of premises inspected during 2019/20 having received a hygiene rating of '3' ('Generally Satisfactory') and above. Few inspections were undertaken during 20/21 so it is hard to know the true impact of the pandemic on food hygiene ratings, however it is anticipated that the standards in some businesses may have fallen.

The service is committed to focussing its resources on carrying out interventions at those businesses which are deemed not to be 'broadly compliant' and has liaised with businesses that have been awarded a hygiene rating of '2' or less offering advice and support. Where appropriate, enforcement action will be taken to secure compliance.

Under the FHRS there is a procedure which affords food business operators the opportunity to request a re-visit inspection once they have taken action to rectify non-compliances identified during an inspection. At the re-visit the establishment may be re-assessed and given a new hygiene rating.

During 20/21, 2 businesses submitted applications for a re-rating. Further information is provided in **6.2.7**.

The food hygiene ratings are published online at www.food.gov.uk/ratings

In total 41 establishments were considered to be 'exempt' (39) or 'excluded' (2) from the scope of the FHRs and as such they may not be rated. These are those who either do not supply food directly to consumers e.g. manufacturers or packers, or 'low risk establishments' which are not generally recognised by consumers as being a food business e.g. establishments like chemists or newsagents selling pre-packed confectionery amongst a range of goods.

Certain establishments operating from private addresses are classed as 'sensitive'. These are mainly childminders, but can include other establishments where caring services are being provided in the home environment as part of a family unit (as opposed to residential care). These establishments should not be rated.

6.2.7 FHRs Re-rating & Promotional visits

During 2020/21 officers worked closely with food business operators to improve food hygiene standards in our lowest rated premises. During the year 2 businesses submitted applications for a FHRs re-rating.

Both these businesses were re-inspected in accordance with the FHRs and both businesses demonstrated an improvement in standards. One improved from a 4 to a 5, the other from a 2 to a 5.

On 1st April 2018 we introduced a dual system for dealing with re-rating requests. This system was agreed by the five constituent members of the Tees Valley Food Liaison Group.

The scheme enables food businesses to apply for one free re-rating revisit (as per the original scheme). To qualify they must have carried out the necessary improvements to their business and be willing to wait a minimum of three months from their last inspection (this period is known as a 'stand still' period). Businesses can elect to pay £150 if they wish to be inspected within three months of their inspection. They are also eligible to submit more than one application to be re-rated if they pay the £150 fee. One business elected to pay for a re-rating inspection.

6.2.8 Food / Feed Complaints

During the year the service dealt with 117 complaints relating to the condition of food premises and/or food handling practice (this was a significant increase on previous years, for example during 2019/20 27 complaints were received). In addition, 47 complaints were received regarding unfit or out of condition food or extraneous matter. A further 14 complaints concerning the composition or labelling of food items were received. No complaints were received regarding animal feeding stuffs. Investigations into the above were undertaken within our target of 2 working days.

6.2.9 Food Poisoning

The service received 81 notifications of food borne illness during the year. The majority (66) of these notifications related to cases of *Campylobacter*; all of which appeared to be sporadic (isolated) cases.

Campylobacter is the most common bacterial cause of food poisoning in England and Wales. National data shows that while the incidence of *Salmonella* infections has steadily declined since the late 1990s those caused by *Campylobacter* had significantly increased and as a result in recent years the FSA has been spearheading a campaign to address this.

6.2.10 Food Safety Incidents

The Service received Food Alerts and a number of Product Recall/Withdrawal notifications and Allergy Alerts from the Food Standards Agency during the year. All Food Alerts requiring action were dealt with expeditiously.

The Service also receives reports from the FSA regarding incidents involving food fraud, which may present a risk to health and require immediate investigation. Many of these relate to illicit alcohol due to the chemicals used as a substitution for genuine alcohol. In addition intelligence is received from HM Revenue & Customs (HMRC) regarding counterfeit alcohol.

6.2.11 Enforcement

No enforcement was undertaken in relation to official food controls during the year.

6.2.12 COVID-19 Response

The COVID-19 pandemic had a significant impact on the Public Protection Division in 2020/21 with most officers having to spend some, or all, of their time giving advice to the general public/traders, dealing with complaints regarding various issues such as shops being open when they shouldn't be and a lack of social distancing or contact tracing.

Public Protection Officers dealt with 2065 COVID related complaints/requests for guidance in 2020/21 and carried out 2469 contact tracings.

6.2.13 Complaints against Our Staff/Service

No complaints were made against our staff during 2020/21.

7. KEY AREAS FOR IMPROVEMENT & CHALLENGES FOR 2021/22

In addition to committing the service to specific operational activities such as performance of the intervention 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 2021/22.

1. The outbreak, and continued impact, of COVID-19 has presented a range of new challenges for the Public Protection Service which has been given shared responsibility for ensuring business compliance with COVID-19 requirements whilst having to continue to monitor, enforce and engage with the trade in a COVID secure manner.
2. The service will need to address its backlog of overdue inspections in particular in relation to unrated premises awaiting inspection in accordance with Food Standards Agency (FSA) direction. The FSA has introduced a 2 year recovery programme which we will need to have regard to. We will also need to address any fall in standards and where necessary this may involve taking enforcement action.
3. We will continue to explore how we can contribute to the Public Health Outcomes Framework and funding streams to support this area of work. Our aim is to secure improvement in Public Health through the Health Protection and Improvement Elements of the Core Public Health Strategy.
4. We will continue to seek additional income streams to supplement our budget.
5. We will need to keep abreast of and respond to any changes to legislation, guidance and policy decision and monitor the impacts of any changes to the regulatory framework. We will review and update our Quality Management System/Standard Operating Procedures for Food and Feed as appropriate.

NEIGHBOURHOOD SERVICES COMMITTEE

23rd September 2021



Report of: Assistant Director (Place Management)

Subject: **KESTEVEN ROAD – TRAFFIC REGULATION ORDER**

1. TYPE OF DECISION / APPLICABLE CATEGORY

1.1 Non Key.

2. PURPOSE OF REPORT

2.1 To consider objections to proposed double yellow lines in Kesteven Road (see Appendix 1).

3. BACKGROUND

3.1 A previous Ward Member raised a complaint regarding parked cars on the side road junctions of Kesteven Road. It was reported that cars were parking on the footpath areas around the junctions and consequently reducing visibility and restricting pedestrian movements.

4. PROPOSALS

4.1 It was requested to implement double yellow lines around those junctions along Kesteven Road (seven in total), which don't already have yellow lines in place.

4.2 In line with the Council's Constitution, the request has been referred to Neighbourhood Services Committee as two or more material objections have been received.

4.3 In March 2021, Members previously approved a budget allocation for the installation of road crossings in Kesteven Road.

4.4 Dropped kerbs would only take up part of the radii around each junction, still leaving the majority of the area free for vehicles to park and therefore not adding to congestion in the cul-de-sacs. A drop kerb though would provide a clear area at which pedestrians can cross.

- 4.5 It is an offence for a vehicle to park on or across a formal dropped kerb with the associated tactile paving, and this is something which the Council's Enforcement Team have the legislative powers to enforce.
- 4.6 It is therefore proposed to progress with the installation of the drop crossings in order to improve visibility at the junctions, but not install the double yellow lines.

5. CONSULTATION

- 5.1 Notices and plans of the proposed order were sent to all affected properties, while notices were also posted on site. In total ten objections were received and included:
- 1) The proposed restrictions are not required;
 - 2) They are a waste of money;
 - 3) The measures will only push parked vehicles into the already congested cul-de-sacs; and
 - 4) The measures will further exacerbate parking problems there.
- 5.2 In view of the high level of opposition to the proposals from local residents the matter has been referred to Neighborhood Services Committee for decision.

6. FINANCIAL CONSIDERATIONS

- 6.1 The yellow lines proposed would cost approximately £1,000, while there is currently no identified budget for these works.

7. LEGAL CONSIDERATIONS

- 7.1 Should the yellow line scheme be approved, a Traffic Regulation Order would be confirmed by the Council's Legal Section.

8. OTHER CONSIDERATIONS

Risk Implications	No relevant issues
Child/Family Poverty Considerations	No relevant issues
Equality and Diversity Considerations	No relevant issues
Section 17 of The Crime And Disorder Act 1998 Considerations	No relevant issues
Asset Management Considerations	No relevant issues
Staff	No relevant issues

9. RECOMMENDATIONS

- 9.1 That the proposed drop crossing scheme is implemented in accordance with this Committee's previous decision.
- 9.2 That the proposed double yellow line scheme is not implemented.

10. REASONS FOR RECOMMENDATIONS

- 10.1 It is not considered appropriate to implement these restrictions in a residential area given the number of objections received and the alternative solution proposed and approved by this Committee.

11. BACKGROUND PAPERS

- 11.1 None.

12. CONTACT OFFICER

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TITLE		
Kesteven Road - Prohibition of Waiting Order		
HARTLEPOOL BOROUGH COUNCIL Department of Regeneration and Neighbourhoods Assistant Director (Environment and Neighbourhoods): Kieran Bostock		DRAWN LS
		DATE Dec 2020
		SCALE NTS
		DRG. NO.

NEIGHBOURHOOD SERVICES COMMITTEE

23rd September 2021



Report of: Assistant Director (Place Management)

Subject: Olive Street / The Lawns – One Way System

1. TYPE OF DECISION / APPLICABLE CATEGORY

1.1 Non Key.

2. PURPOSE OF REPORT

2.1 To report objections to the proposed one way street and double yellow lines in Olive Street / The Lawns.

3. BACKGROUND

3.1 A request has been made from a resident via a Ward Member to introduce a one way restriction along Olive Street and The Lawns. It was reported that due to the narrow carriageway width and tight bend, it can be difficult for vehicles to negotiate, especially when faced with oncoming traffic.

4. PROPOSALS

4.1 The restriction would allow traffic to enter at The Lawns and exit via Olive Street. In order to protect sight lines at the exit onto the Marine Crescent / Moor Parade junction, a short section of double yellow lines are proposed around each radius (**see Appendix 1**).

4.2 In line with the Councils Constitution, the request has been referred to Neighbourhood Services Committee as two or more material objections have been received.

5. CONSULTATION

5.1 Copies and plans of the proposed order were sent to all properties that were directly affected by the proposed restrictions, while notices were also posted on site. In total four written objections were received and included:

- The proposed restrictions are not required and there has never been an accident. *(A check of the Council's road casualty database confirms that there have been no reported injury accidents on these streets in the past 5 years);*
- Concerns that the proposed direction of the one way system could lead to speeding vehicles colliding with a residential property, rather than an allotment wall;
- The proposed yellow line restrictions will put further pressure on parking in Marine Crescent and Moor Parade;
- It will make accessing a garage / allotment located on Olive Street difficult for a resident who lives on Marine Crescent;
- Concerns have been raised for deliveries from large vehicles being able to access Olive Street. The tight bend is difficult for large vehicles to negotiate; and
- Required signage will be ugly and intrusive. *(No entry signs will be required on both sides of the Olive Street junction).*

5.2 The proposed direction of the one way system was identified primarily to accommodate existing on street parking. On the section of The Lawns closest to the bend there is a lay-by where vehicles are generally parked at an angle, rather than parallel to the carriageway. The existing kerb line dictates that these park at an angle which would be accessed by entering at The Lawns, rather than Olive Street.

5.3 The concern over large vehicles negotiating the bend is noted, however this is the same in both directions and there is nothing to prevent such vehicles from entering via The Lawns at present.

5.4 In view of the good safety record, this being a quiet residential area, and the concerns over parking, on balance it is not considered that the implementation of a one way system at this location is required.

6. FINANCIAL CONSIDERATIONS

6.1 The one way system and yellow lines would cost approximately £1,500 to implement, while there is currently no identified budget for these works.

7. LEGAL CONSIDERATIONS

7.1 Should the scheme be approved, a Traffic Regulation Order will be confirmed by the Council's Legal Section.

8. OTHER CONSIDERATIONS

Risk Implications	No relevant issues
Child/Family Poverty Considerations	No relevant issues
Equality and Diversity Considerations	No relevant issues
Section 17 of The Crime And Disorder Act 1998 Considerations	No relevant issues
Asset Management Considerations	No relevant issues
Staff Considerations	No relevant issues

9. RECOMMENDATIONS

- 9.1 That the proposed one way system and double yellow lines not be introduced.

10. REASONS FOR RECOMMENDATIONS

- 10.1 It is considered that the advantages of the one way system are outweighed by the disadvantages and on balance the roads should be maintained for 2 way traffic.

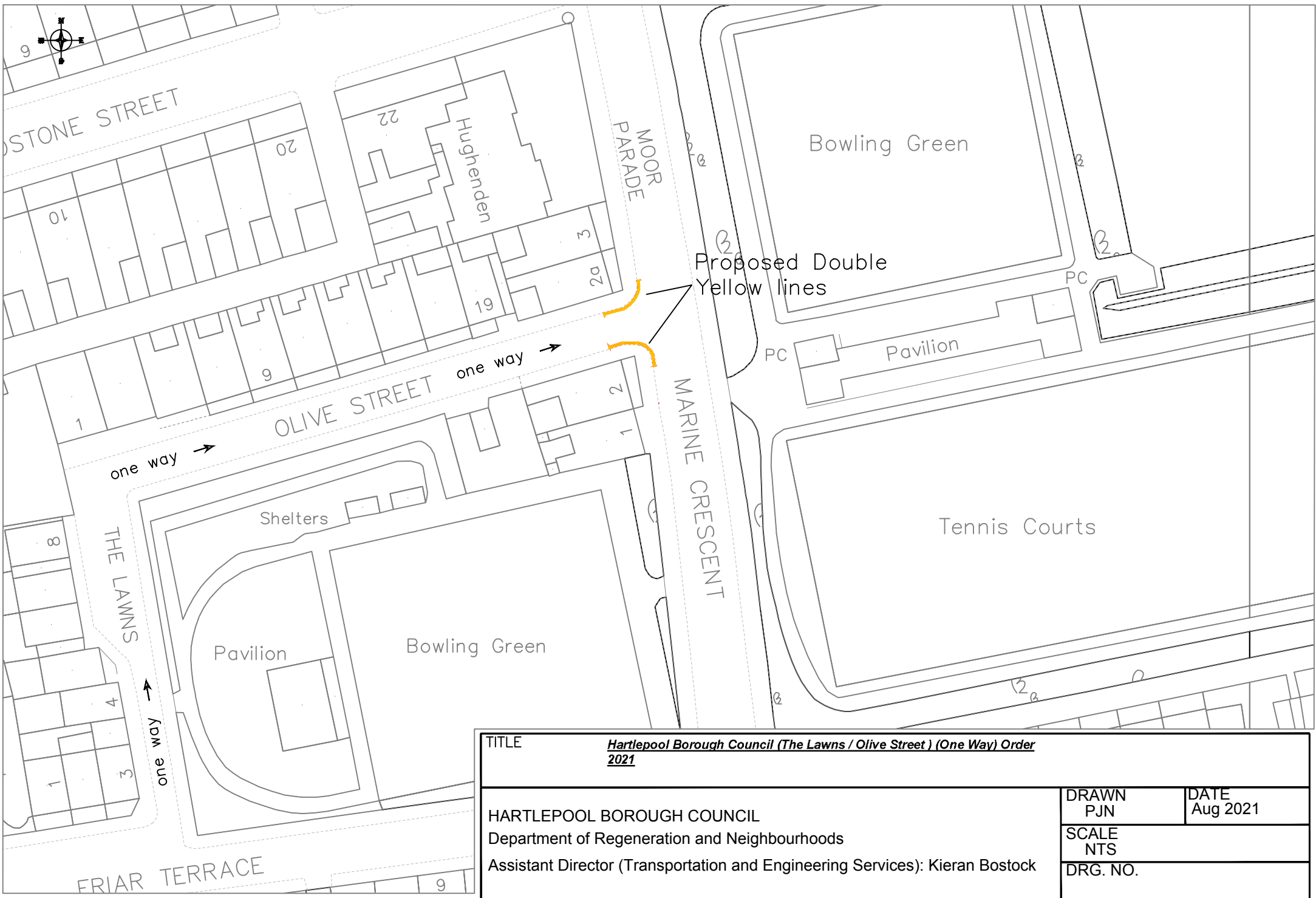
11. BACKGROUND PAPERS

- 11.1 None.

12. CONTACT OFFICER

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TITLE		
<i>Hartlepool Borough Council (The Lawns / Olive Street) (One Way) Order 2021</i>		
HARTLEPOOL BOROUGH COUNCIL Department of Regeneration and Neighbourhoods Assistant Director (Transportation and Engineering Services): Kieran Bostock		DRAWN PJN DATE Aug 2021
		SCALE NTS
		DRG. NO.