



Brighton & Hove
City Council

Overview & Scrutiny

Title:	Environment & Community Safety Overview & Scrutiny Committee
Date:	7 March 2012
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Morgan (Chair), Sykes (Deputy Chair), Cobb, Gilbey, Hawtree, Janio, Jones and Littman
Contact:	Mary van Beinum Overview & Scrutiny Support Officer 01273 - 29 - 1062 mary.vanbeinum@brighton-hove.gov.uk

	The Town Hall has facilities for wheelchair users, including lifts and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	FIRE / EMERGENCY EVACUATION PROCEDURE If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions: <ul style="list-style-type: none">• You should proceed calmly; do not run and do not use the lifts;• Do not stop to collect personal belongings;• Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and• Do not re-enter the building until told that it is safe to do so.

AGENDA

Part One	Page
44. PROCEDURAL BUSINESS	1 - 2
45. MINUTES OF THE MEETING HELD ON 23 JANUARY 2012	3 - 8
46. CHAIRS COMMUNICATIONS	
47. PUBLIC QUESTIONS/ LETTERS FROM COUNCILLORS/REFERRALS FROM COMMITTEES/NOTICES OF MOTION REFERRED FROM COUNCIL	
48. REPORT OF THE TRAVELLER STRATEGY SCRUTINY PANEL - FOR AGREEMENT Scrutiny Panel report to follow	
49. MONITORING SCRUTINY REVIEWS: RENEWABLE ENERGY POTENTIAL	9 - 18
50. STREET LIGHTING	19 - 24
51. WINTER SERVICE PLAN VERBAL UPDATE	
52. OFFICIAL FEED AND FOOD CONTROLS SERVICE PLAN	25 - 56
53. HEALTH AND SAFETY ANNUAL SERVICE PLAN	57 - 76
54. ITEMS TO BE REFERRED TO CABINET MEMBER, CABINET OR FULL COUNCIL	

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on

ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Mary van Beinum, (01273 - 29 - 1062, email mary.vanbeinum@brighton-hove.gov.uk) or email scrutiny@brighton-hove.gov.uk

Date of Publication - Tuesday, 28 February 2012

Agenda Item 44

PROCEDURAL BUSINESS.

A. Declaration of Substitutes

Where a Member of the Commission is unable to attend a meeting for whatever reason, a substitute Member (who is not a Cabinet Member) may attend and speak and vote in their place for that meeting. Substitutes are not allowed on Scrutiny Select Committees or Scrutiny Panels.

The substitute Member shall be a Member of the Council drawn from the same political group as the Member who is unable to attend the meeting, and must not already be a Member of the Commission. The substitute Member must declare themselves as a substitute, and be minuted as such, at the beginning of the meeting or as soon as they arrive.

B. Declarations of Interest

- (1) To seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code of Conduct for Members in relation to matters on the Agenda. Members who do declare such interests are required to clearly describe the nature of the interest.
- (2) A Member of the Overview and Scrutiny Commission, an Overview and Scrutiny Committee or a Select Committee has a prejudicial interest in any business at meeting of that Committee where –
 - (a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the Council's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken the Member was
 - (i) a Member of the Executive or that committee, sub-committee, joint committee or joint sub-committee and
 - (ii) was present when the decision was made or action taken.
- (3) If the interest is a prejudicial interest, the Code requires the Member concerned:-
 - (a) to leave the room or chamber where the meeting takes place while the item in respect of which the declaration is made is under consideration. [There are three exceptions to this rule which are set out at paragraph (4) below].
 - (b) not to exercise executive functions in relation to that business and
 - (c) not to seek improperly to influence a decision about that business.
- (4) The circumstances in which a Member who has declared a prejudicial interest is permitted to remain while the item in respect of which the interest has been declared is under consideration are:-

(a) for the purpose of making representations, answering questions or giving evidence relating to the item, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, BUT the Member must leave immediately after he/she has made the representations, answered the questions, or given the evidence,

(b) if the Member has obtained a dispensation from the Standards Committee, or

(c) if the Member is the Leader or a Cabinet Member and has been required to attend before an Overview and Scrutiny Committee or Sub-Committee to answer questions.

C. Declaration of party whip

To seek declarations of the existence and nature of any party whip in relation to any matter on the Agenda as set out at paragraph 8 of the Overview and Scrutiny Ways of Working.

D. Exclusion of press and public

To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is confidential and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

4.00PM 23 JANUARY 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Morgan (Chair); Sykes (Deputy Chair), Cobb, Gilbey, Hawtree, Janio Jones and Deane

PART ONE

34. PROCEDURAL BUSINESS

34a Declarations of Substitutes

Councillor Deane was substituting for Councillor Littman.

34b Declarations of Interests

There were none.

34c Declaration of Party Whip

There were none.

34d Exclusion of Press and Public

In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

RESOLVED: That the press and public be not excluded from the meeting.

35. MINUTES OF THE MEETING HELD ON 31 OCTOBER 2011

35.1 The Minutes of the meeting held on 31 October 2011 were agreed and signed by the Chair.

36. CHAIRS COMMUNICATIONS

36.1 The Chair Councillor Warren Morgan welcomed everyone to the meeting. To keep the meeting within a reasonable time, he asked that discussion be kept to around half an hour for each item.

37. PUBLIC QUESTIONS/NOTICES OF MOTION REFERRED FROM COUNCIL/LETTERS FROM COUNCILLORS

37.1 There were none.

38. TAXI LICENSING AND THE HACKNEY CARRIAGE OFFICE

38.1 The Head of Regulatory Services Tim Nichols introduced the report on Taxi Licensing and the Hackney Carriage Office.

38.2 Regulation of Taxis was largely out of date and the government would be consulting on draft legislation this year, with a draft Bill expected in late 2013.

Some key provisions of the Equality Act 2010 such as taxi access and control of taxi numbers did not yet have commencement dates.

38.3 There had been significant developments since the request for scrutiny was considered by ECSOSC in September. Licensing Committee in November had: reviewed the terms of reference of the Taxi Forum (the Fed Centre for Independent Living was a formal member of the Forum); agreed additions to the Blue Book, that gave guidance to drivers on providing services to people with disabilities, copies of which were available to Councillors on request.; and commissioned a survey of taxi provision compared with other authorities. There was now a 'shadow' list of designated wheelchair-accessible vehicles (WAVs) and officers were trying to achieve the right proportion of WAVs, he said.

38.4 Chair of Licensing Committee Councillor Lizzie Deane highlighted some of the challenges around gaps in the law and explained that drivers are self employed. She told the Committee that the Taxi Forum held regular meetings that were well attended and its Members included drivers, union reps and the Fed Centre for Independent Living. She said there was a lot of goodwill to work well in partnership.

38.5 Councillor Deane, the Head of Regulatory Services and the Hackney Carriage Officer answered questions on the Local Government Ombudsman 2011 decision not to investigate a complaint; how WAVs are designated and allocated (in view of a wide range of saloons and other vehicles, plus a wide range of disabilities); longer waiting times for users of WAVs; the role of the taxi driver in handling wheelchairs; driver training, especially covering the change from saloon to WAV; and estimating the level and proportion of use of accessible taxis.

38.6 Regarding risk assessments, drivers are self-employed and have a duty to operate safely. Training is provided by two local providers, the meeting heard.

38.7 Geraldine Des Moulins of the Federation of Disabled People said there were concerns about the types of accessible vehicles, and the voice of the FDP had been 'drowned' for years. There were difficulties for disabled people in accessing taxis in some out of town areas and at some times of day eg during school runs. There should be more consultation with stakeholders; more benchmarking; better information on numbers of drivers trained and on the content of learning modules to ensure safe transfer and travelling, she said.

38.8 Geraldine Des Moulins said other local authorities provided better taxi services for disabled people despite the legal situation so research on best practice elsewhere would be invaluable to be applied in Brighton & Hove, she said. Asked about positive experience from elsewhere, Geraldine Des Moulins gave Bath and London as examples.

38.9 Councillor Cobb said there had been a lot of consultation and the Taxi Forum worked well. Driver training and equalities work was continuing and officers worked pro-actively.

38.10 After further discussion and a vote Members did not agree to a scrutiny review.

38.11 **RESOLVED:** That the matter be submitted to the Licensing Committee to continue to develop taxi licensing policy to improve services for disabled passengers.

39. WASTE MANAGEMENT STRATEGY REVIEW

39.1 The Head of Strategy and Projects introduced the report on the Waste Management Strategy Review. The 8 December Cabinet had given permission to consult on the revised Strategy.

39.2 The main aims were to increase the recycling rate of dry recyclables and to consider work on food waste which represented around one third of waste thrown away. Recycling of dry materials could potentially be increased through existing services; officers were continuing to look at other dry recyclables from the point of view of demand for materials and facilities. A waste audit was in progress.

39.3 Regarding food waste, evidence appeared to show that collecting food waste separately results in waste minimisation and an increase in dry recycling rates. An updated Life Cycle Analysis based on local data found marginal benefits.

39.4 The Chair Councillor Warren Morgan queried the possible changes in markets for recyclables, the potential for tetrapak kerbside recycling, the main issues for industrial waste in Brighton & Hove and the timeframe for works at Brighton Household Waste Recycling Site.

39.5 The Head of Strategy and Projects said the current recycling rate was approximately 27% – 29%. He outlined the current collections and destinations of recyclables and some potential options for the future such as aluminium foil and various plastics. Members were interested to know the breakdown of the estimated 37% recycling rate that would be achieved if everyone recycled all the materials for which a kerbside collection service already existed, and the extent to which this would be practicable.

39.6 Some Members questioned the justification for a food waste collection trial in the 'suburbs,' that would cost around £500k and could unduly disrupt waste and recycling collection rounds and residents' routines - because households here were more likely to be able to compost waste food than in 'central' areas of the City.

39.7 The Head of Strategy and Projects set the context for work on food waste, starting with the 2010 Waste Strategy including home composting and initiatives by the Food Partnership. He gave reasons why food waste collections had been modelled only for 'suburban' areas; for instance space for food waste containers was more limited and communications with residents to encourage participation were more difficult in 'central' areas where there were more HMOs.

39.8 He also clarified that commercial and industrial waste collection by the council had not been considered in detail though it might be feasible from 2013 when the Landfill Allowance Trading Scheme was due to be scrapped, with potential demand particularly from smaller businesses in central areas of the City. Overall, household waste comprised only a small part of the total waste produced he said.

39.9 Councillor Ollie Sykes, Deputy Chair asked about the validity of the life cycle analysis methodology. Anaerobic Digestion had additional economic and environmental benefits that

had not been modelled, he said. It was 'the way forward' and more sustainable. This was a good start in his view.

39.10 Answering a question the Head of Strategy and Projects said current research had cost £26k.

39.11 Members noted an apparent reduction in overall waste arisings that was possibly due to the economic downturn and initiatives such as work with the Food Partnership.

39.12 There was discussion on food waste schemes elsewhere, health and safety and regulation of food waste processing.

39.13 Some Members felt that more could be done to encourage composting including for allotments, and reduce overpackaging of goods.

39.14 RESOLVED: That comments be referred to the Executive.

40. EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS PLAN

40.1 The Head of Planning Strategy Rob Fraser introduced the report together with East Sussex County Council Head of Planning Tony Cook. The Waste and Minerals Plan was being developed jointly between the three separate waste planning authorities and was due to be discussed at full council on 26 January. This Plan was not site specific; it would be the next stage that would bring forward areas of search.

40.2 Mr Cook referred to a correction at paragraph 3.5; the consultation period had been changed following legal advice. Consultation was now from 24 February to 10 April 2012.

40.3 Councillor Warren Morgan the Committee Chair asked whether local authority collection of commercial refuse or recycling could significantly affect landfill disposal (paragraph 3.3 refers).

40.4 Members asked questions on the local sourcing of clay bricks and the use of local materials in construction projects.

40.5 Asked about Hangleton Bottom and Hollingdean Depot, the Head of Planning Strategy confirmed there were no current development proposals although the allocations in WLP8 policy were saved on the basis that they would potentially be viable for waste facilities. This would be reconsidered by the sites allocation document. Brighton & Hove was responsible to deal with its own waste as far as possible.

40.6 **RESOLVED** that comments be referred to the Executive.

41. CITYWIDE PARKING REVIEW

41.1 The Project Manager Owen McElroy gave the Committee a progress report on the Citywide Parking Review including current and planned contacts with stakeholders such as adjoining authorities, ward councillors, local action teams and residents' associations.

41.2 The Project Manager said cashless/mobile phone transactions were being considered. He clarified that parking charge 'holidays' meant bank holidays and one or two days before

Christmas, rather than longer periods. Tickets were not transferable between tariff bands but it was legal to transfer a ticket between different areas if they were within the same band and this was not widely known.

41.3 Members asked questions on permits for vehicles that were both for trade and residential use, transferring tickets between vehicles, visitor parking, straight-line distance measurements for travel to work; and introducing 'one hour' parking periods where currently there are only 30 minutes or two hours. Members also discussed parking on verges/pavements; damage to trees from on-road parking and the use of cars for travel whilst at work.

41.4 The Project Manager noted that some of the survey data was up to 10 years old, so not to be heavily relied upon. He said that suggestions were being considered by a working group. All Ward Councillors were asked to encourage local groups to be involved in the review.

41.5 The Chair Councillor Warren Morgan said it was important that parking restrictions were clear.

41.6 He thanked officers for their on-going work on the consultation and their involvement in the scrutiny workshops on the citywide parking review.

41.7 **RESOLVED** that the update be noted.

42. ECSOSC WORK PLAN

42.1 Members noted the Committee Work Plan.

43. ITEMS TO GO FORWARD TO CABINET OR CABINET MEMBER MEETING

43.1 There were none.

The meeting concluded at 6.05pm

Signed

Chair

Dated this

day of

ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 49

Brighton & Hove City Council

Subject:	Monitoring Outcomes of the Scrutiny Review of Renewable Energy Potential		
Date of Meeting:	7 March 2012		
Report of:	Strategic Director Place		
Contact Officer:	Name: Susie Howells	Tel: 29-3332	
	E-mail: Susie.howells@brighton-hove.gov.uk		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 Environment and Community Safety Overview and Scrutiny Committee resolved to establish a Scrutiny Panel on Renewable Energy Potential in September 2010. The work of this panel supports the council's Corporate Plan priority, "Creating a More Sustainable City", and strongly supports the council's emerging One Planet approach to sustainability, with Zero Carbon being a key principle. The City's Climate Change Strategy incorporates 'renewable and sustainable energy' as one of its five high-level outcomes.

1.2 This report enables ECSOSC to monitor and track progress towards addressing recommendations for Renewable Energy Potential in the city. The recommendations and update are included in Appendix 1 to this report. The report will help the Commission to assess the impact and consequences of the scrutiny recommendations.

2. RECOMMENDATIONS:

- (1) That the Committee considers the action taken against the Renewable Energy Scrutiny Review recommendations set out in Appendix 1
- (2) That the Committee provides feedback for the consideration of the Strategic Director, Place.
- (3) That the Committee agrees the approach for ongoing monitoring of progress of this work through the committee system.

3. BACKGROUND INFORMATION

3.1 The Scrutiny Review

- 3.1.1 The Environment and Community Safety Overview and Scrutiny Committee resolved to establish a Scrutiny Panel on Renewable Energy Potential in September 2010. The panel was suggested because there had been no large-scale support or uptake of renewable energy in the city. The aim of the panel was to find out “What is the renewable energy potential of the city? Is this being maximised; and if not, why not?”
- 3.1.2 The panel comprised Dr Adrian Smith (Chairman) of the Science and Technology Policy Research Unit, University of Sussex, Councillor Warren Morgan, Councillor David Watkins and Councillor Pete West.
- 3.1.3 The panel held four public meetings, hearing from 26 expert witnesses. The Panel’s completed report was endorsed by ECSOSC in April 2011 and referred to the Council’s Cabinet in July 2011, where all 13 recommendations were endorsed.

3.2 Progress

- 3.2.1 The focus for addressing the recommendations of this panel to date has mainly been on the solar photovoltaic (PV) programme for council housing and corporate buildings. The original business plan and procurement route has been affected by changes to the Feed in Tariff. While the government’s decision has been challenged, this has delayed the implementation of the new rate to March 12. This does not provide enough time to finalise a procurement solution at scale, and other solutions are now being evaluated. The industry is responding, and the Council is exploring options combining renewables with energy efficiency and finance packages, and other measures to improve commercial viability.

Detailed progress against recommendations is set out in Appendix 1.

- 3.2.3 A more comprehensive overall approach has now been adopted, informed by the recommendations of this panel. This will take forward the council’s policy for renewable and sustainable energy and its wider role in the city. A meeting with relevant council officers took place in January 2012 to consolidate progress to date and define a commissioning scope for this work in the context of the recommendations of this panel and other policy links. It will include the council’s One Planet approach, the Climate Change Strategy and a review of the effectiveness of existing renewable energy installations to date. A draft policy will be produced for approval and adoption by the council.
- 3.2.4 The city’s [Climate Change Strategy](#) has now been published, and ‘Renewable & Sustainable Energy’ is one of its 5 key outcomes. This is now a citywide strategic commission, incorporated in the council’s commissioning work plan. Working groups are being established to deliver practical interventions that promote or catalyse local investment to mitigate or adapt to the impact of climate change. The Renewable and Sustainable Energy outcome will be

taken forward through the City Sustainability Partnership (CSP) and the Sustainable Energy Working Group.

- 3.2.5 The Sustainable Energy Working Group presented its terms of reference to the CSP on 16th January 2012 and is awaiting formal endorsement. It will then develop a work programme to support the delivery of recommendations of this panel that relate to citywide work (3, 5, 10, 11, 12 and 13). This group brings expert knowledge and experience across relevant sectors including energy efficiency retrofit, microgeneration and community energy.
- 3.2.6 A City Energy Study is currently being scoped to inform the development of the City Plan, planned for March 2012.
- 3.2.7 The council's Energy and Water Team will produce a report on feasibility and costs for the Heat Mapping exercise, programmed for autumn 2012.

4. CONSULTATION

- 4.1 The scrutiny panel met four times and heard evidence in public from a wide range of contributors.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The implications of the Government's feed in tariff review continue to be assessed. The corporate Solar PV programme will focus on Council buildings within the Workstyles programme. Policy development to take recommendations forward on renewables and sustainable energy will include an investment options appraisal and identify any additional resource requirements.

Finance Officer consulted: Anne Silley Date 23 February 2012

Legal Implications:

- 5.2 The purpose of this report is to enable the Overview & Scrutiny Commission to monitor progress against the recommendations of the Scrutiny Panel on Renewable Energy Potential. The Panel's recommendations were referred to Cabinet in July 2011 for executive response and action planning. In monitoring progress against those recommendations and actions, the Commission is entitled to refer specific matters back to Cabinet for further consideration. Equally, the Commission may refer matters to a Cabinet member or a council committee, if appropriate.

Lawyer consulted: Oliver Dixon Date: 24 February 2012

Equalities Implications:

- 5.3 The Housing PV report considered fuel poverty, and the role of renewables in the council and rental sector. Ongoing work through the officers working group and Sustainable Energy Working Group will be subject to review against the City Sustainability Partnership checklist.

Sustainability Implications:

- 5.4 Further progress towards the meeting the recommendations of this panel will help to develop the city's capacity for renewable energy, and support the council's One Planet approach to sustainability, in particular the Zero Carbon principle, and contribute to one of the five key outcomes of the city's Climate Change Strategy (2011).

Crime & Disorder Implications:

- 5.5 None identified.

Risk and Opportunity Management Implications:

- 5.6 Failure to mitigate against unpredictable future energy price and availability of supply for purchased electricity, gas and oil; and unsustainable energy bills and future budget pressure risks.

There is an opportunity for the council to lead the city by example, support the expansion of renewables, and stimulate the environmental industries sector across the city.

Corporate / Citywide Implications:

- 5.7 This work support the council's corporate plan priority to create a more sustainable city, and supports the delivery of the city's Climate Change Strategy

SUPPORTING DOCUMENTATION

Appendices:

1. Recommendations of the Scrutiny Panel on Renewable Energy Potential, Cabinet response and progress against the recommendations.

Documents in Members' Rooms/ Background Documents

None.

APPENDIX 1: Progress update - Renewable Energy Scrutiny Review, 7 March 2012

Rec No	Scrutiny Recommendation	PROGRESS UPDATE to March 2012	NEXT STEPS
1	<p>Council plans to invest in sustainable energy:</p> <p>The Strategic Director, Place, to publish in 3 months time a public document setting out the council's plans to invest in sustainable and renewable energy.</p>	<p><u>Corporate:</u> An update report went to Cabinet 19.01.12 confirming that due to unexpected government proposals to reduce the Feed in Tariff payments for new installations, the business cases for the 40 non-housing corporate sites were no longer viable. A reduced scheme to install PVs at 3 sites (Hove Town Hall, Bartholomew House & Learning Development Centre) as part of the <i>Workstyles</i> accommodation project was approved subject to the results of the government's consultation on FIT payments and the consequent business case.</p> <p><u>Housing:</u> Following the Government announcement at the end of October 2011 regarding the FIT changes the council's Repair & Improvement Partner Mears Limited undertook 17 PV installations and these were completed before 12 December 2011.</p>	<p>These 3 sites, Hove Town Hall, Bartholomew House and Learning Development Centre. will be project managed by the Architectural & Design team in accordance with the <i>Workstyles</i> project programme.</p> <p>The full outcome of Phase 1 of the government's FIT review has now been announced (January 2012) and Phase 2 is due to be announced on 3 April 2012. This will determine the detail required to inform the business case for the longer term housing PV programme. The business case will then be revised in conjunction with tenants to reflect the new rates and FIT scheme requirements. A report outlining the options and business case will be presented to Cabinet after April.</p>
2	<p>Encouraging the city to invest in sustainable energy:</p> <p>The Strategic Director, Place, to approach major local land-owners and developers (including Shoreham Harbour) to explore as a matter of urgency how they can incorporate sustainable energy in their developments. The Strategic Director, Place, to report back on progress in 3 months time.</p>	<p>Following the withdrawal of the submission Core Strategy in September 2011 the council is working towards a City Plan. This will continue to promote the growth of environmental industries in the city through an update to relevant policies such as policy CP16 Planning for Sustainable Economic Development and Shoreham Harbour (DA7) which was identified as a specific location for environmental industries. Where appropriate, development area policies will be amended to encourage sustainable energy measures to be incorporated into strategic site allocations. Policy CP1 will continue to address Sustainable Building Design targets for new build. Draft City Plan is scheduled for consultation Mar/April this year subject to publication of National Planning</p>	<p>This will be taken forward through City Plan, CP16, DA7, CP1, and through the Sustainable Energy Working Group.</p>

		<p>Policy Framework (NPPF).</p> <p>Shoreham Port is developing targets and a programme of practical measures to reduce carbon footprint. They have signed a 10 year agreement to develop renewable energy schemes to meet own power needs with the possibility of involving other firms in the port area later. Schemes being considered are the installation of solar panels on warehouse roofs and the possibility of erecting wind turbines along Basin Road South. Other RE technology may be considered such as use of sea water for heating. They encourage other RE projects to be based at Shoreham. These are:</p> <ul style="list-style-type: none"> - Edgeley Green Power expected to submit planning application shortly to Adur Council for a 32 megawatt power station using waste oils. - Bid for the Rampion Operations and Maintenance Base to be here. 	
3	<p>A sustainable energy programme for the city</p> <p>The council to feed into a city wide energy planning process. This programme could be developed by the City Sustainability Partnership, if sufficiently resourced, to produce a citywide sustainable energy programme, to ensure that sustainable energy is integrated into all appropriate projects.</p>	<ol style="list-style-type: none"> 1. Planning & Public Protection is commissioning in 2012 an energy study which will inform the City Plan Part 2 and other planning policy documents. 2. The Climate Change Strategy is now published and 'Sustainable Energy' is one of its 5 main outcomes, taking into account the recommendations of this panel and other policy influences including the One Planet approach and the Sustainable Community Strategy. 3. The Sustainable Energy Working Group presented its Terms of Reference to the CSP on 16 January. This group brings 	<p>Exploratory work on this is beginning February 2012. The study will focus primarily on potential delivery options for medium and large scale energy infrastructure for the Development Areas included in the Plan. There is potential for the study to take in a wider brief which could benefit further aspirations for the city such as exploring renewable energy potential across the entire city and urban fringe, and potential links with the council property portfolio and estate. This may require additional financial resource to be found. The lead officers will work corporately and co-operatively to ensure the study provides a sound evidence base for policy development across the council.</p> <p>This is now a citywide strategic commission, incorporated in the council's commissioning work plan, and is being taken forward through the City Sustainability Partnership (CSP) and the Sustainable Energy Working Group.</p> <p>Report to the City Sustainability Partnership in March</p>

		expert knowledge and experience across relevant sectors including energy efficiency retrofit, microgeneration and community energy. It is awaiting formal endorsement to develop a work programme (in March). It includes an aim to support the CSP in delivery of Climate Change Strategy, specifically including Recommendations 3, 5, 10, 11, 12 and 13 of this panel.	
4	<p>A council policy on sustainable energy:</p> <p>The Strategic Director, Place, to develop a corporate policy on sustainable energy which would bring together the work being undertaken across the authority.</p>	An officer group has been convened to develop this work stream. The draft policy is being taken forward to inform the council's approach for the generation of renewable/sustainable energy; and also the council's role in citywide sustainable energy.	The energy study (see response to Recommendation 3) will inform council policy on sustainable energy. In order to facilitate this, the brief for the study will be written in consultation with the officer group on Renewable and Sustainable Energy. As said before, additional financial resource may need to be found. Work on writing the brief and establishing costing is currently being initiated.
5	<p>A sustainable energy team</p> <p>The council to explore how to establish a dedicated team – for example, a Sustainable Energy Agency - to take forward sustainable energy initiatives in the city.</p>	The council is currently focusing on its own carbon footprint and reduction of emissions through various projects over the next 2-3 years under the value for money and "Workstyles" transformation projects. Good practice will be shared with outside organisations.	The Sustainable Energy Working Group will include this in its work programme (see Recommendation 3).
6	<p>Long term strategic planning:</p> <p>The council to undertake, or enable, a study on renewable energy potential in the city over the next 10 years.</p>	The Draft NPPF stated energy infrastructure studies should be undertaken for Plan areas in order that policy be developed from a sound evidence base.	Following consultation, publication of the NPPF is expected in spring 2012. Whilst the thread on energy studies is expected to remain, the final NPPF may offer further clarity over what will be required in Planning Policy terms for sound policy development around energy infrastructure. The National Infrastructure Plan 2011, published by the UK Treasury on 29 November, indicates an increasing role for heat networks in future. Officers were awaiting the publication of national heat map data by the Department of Energy and Climate Change to enable development of local policy. Brighton & Hove data has now been made publicly available by DECC via 'Community

			<p>Energy Online' (http://chp.decc.gov.uk/developmentmap/). This information will contribute to the development of the B&H study.</p> <p>The findings of this work will provide background for policies in Parts 1 and 2 of the City Plan and other development plan documents.</p> <p>Also see Recommendation 3</p> <p>Property & Design will take this forward with Sustainability team</p> <p>The energy study will include heat mapping and exploration of potential sites where district heating would be most viable. (Also see recommendation 6).</p> <p>This is now a citywide strategic commission, incorporated in the council's commissioning work plan, and its implementation will be informed by the officer working group above, together with city partners through the City Sustainability Partnership (CSP) and the Sustainable Energy Working Group.</p>
7	<p>A heat mapping exercise:</p> <p>The Strategic Director, Place, to ensure that a heat mapping exercise is undertaken.</p>		<p>The Climate Change Strategy has now been published, and Sustainable Energy is one of its 5 key outcomes.</p>
8	<p>A priority for Intelligent Commissioning</p> <p>The Strategic Director, Place, to consider the suitability of sustainable energy as a priority for Intelligent Commissioning and identify how both sustainable and renewable energy could be embedded in the council's planning process.</p>		<p>The Online Sustainability Checklist for Planning facilitates monitoring of planning applications for residential and mixed used new builds and conversions. Applicants are asked to provide specification of low and zero carbon technologies proposed. This data is now monitored, though officers are finding discrepancies between what is proposed, what is approved and what is commissioned on site. Despite this, the data is still the most accurate to date and enables follow up to confirm accuracy.</p> <p>Permitted Development Rights are regularly revised by government. PD rights given to micro-generation were last amended and widened in summer 2011. This means that</p>
9	<p>Monitoring sustainable energy:</p> <p>The Head of Planning and Public Protection to identify a resource to monitor renewable energy projects in the city and establish a monitoring system which enables learning from these projects to inform future policy.</p>		<p>Ongoing</p>

		many installations do not require planning permission. Where PD rights are removed by Article 4 Directions, such as in some Conservation Areas, the council is able to monitor applications for micro-generation. Data on this is provided within the AMR.	
10	<p>Training and employment - opportunities and gaps:</p> <p>The Strategic Director, Place, to ask the Economic Development team to review and identify the training and employment suppliers for this sector; including the opportunities and gaps – e.g. apprenticeships, helping job seekers, City Employment Skills Plan and potential links to the city's Economic Partnership and the 'Coast to Capital' Local Enterprise Partnership.</p>	<p>Bid Unsuccessful; City College Brighton and Hove is working with the Port Authority, Shoreham Harbour Regeneration and the City Council to see how elements from the bid such as the training centre and the employer engagement can be developed using local rather than EU funds.</p>	<p>An outline proposal is being drafted by CCBH and will be considered by the partners in Spring 2012</p> <p>The Sustainable Energy Working Group will include this in its work programme (see Recommendation 3).</p>
11.	<p>Raising the profile of renewables:</p> <p>The Strategic Director, Place, to establish a campaign to raise the profile of renewable energy</p>		<p>This is incorporated in the officer group's remit, and the Sustainable Energy Working Group will include this in its work programme (see Recommendation 3).</p>
12	<p>A statement of ambition:</p> <p>The City Sustainability Partnership to be resourced to link up with universities, developers and installers in the city, community groups, as well as energy utility companies and developers experienced in city-scale renewables in other cities to produce a statement of ambition</p>		<p>This is incorporated in the officer group's remit, and the Sustainable Energy Working Group will include this in its work programme (see Recommendation 3).</p>

13	<p>on sustainable energy for Brighton & Hove.</p> <p>Helping community energy</p> <p>The Strategic Director, Place, to ensure that the Citywide Sustainable Energy programme would have as a key aim to use the growth of this sector to assist the community.</p>		<p>The Sustainable Energy Working Group will include this in its work programme (see Recommendation 3).</p>
----	---	--	---

ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

Agenda Item 50

Brighton & Hove City Council

Subject:	Street Lighting Review		
Date of Meeting:	7 March 2012		
Report of:	Gillian Marston, Head of City Infrastructure		
Contact Officer:	Name:	Gillian Packham	Tel: 29-1202
	Email:	gillian.packham@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report sets out progress made since the previous report was submitted.
- 1.2 The report also sets out current initiatives to move the service forward.

2. RECOMMENDATIONS:

- 2.1 That the committee note the report and agree whether further scrutiny action is needed.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Background and General Information

- 3.1 The City's current street lighting stock consists of approximately 25,000 items. This is made up of 19,000 lighting columns, and the remainder of the stock includes illuminated bollards, signs and beacons. Approximately 15% of the stock is cast iron or heritage. The remainder is made up of concrete (approximately 250), aluminium and steel.
- 3.2 The maintenance needs of this diverse stock have historically caused problems for the city with the result that many items were simply removed from the street scene or not brought back in to service because there were and still are insufficient funds to replace or repair them.
- 3.3 Over the past two years, with new management and a greater focus on the needs of the service, the maintenance regime has improved, with regular inspection and replacement of life-expired, faulty or damaged equipment. However the revenue budget is sufficient only for mainly reactive maintenance with a small degree of planned replacement being funded where possible along individual streets.

Condition of the Assets

- 3.4 A structural testing programme has been implemented to ascertain the overall condition of our stock. 20% of our stock has been structurally tested since April 2010.
- 3.5 Results are available through a web based reporting management tool. This has enabled us to focus on the columns most in need of replacement as our funding permits.
- 3.6 The management report has also enabled us to consider streets for more energy efficient lantern changes where the majority of the equipment is considered to be in a sound structural condition.
- 3.7 Once the full survey is completed the information will be used to programme future inspections and produce information annually on what needs to be prioritised.
- 3.8 There has been no programme to change out life expired equipment in the City and as such much of stock is nearing the end of its useful life. Unfortunately this again is due to the fact that there has been no planned funding allocated for this type of work.

Day-Burning Lanterns

- 3.9 There are still a number of day burning lanterns across the City. There are generally 2 reasons for this. Firstly the District Network Operator (currently UK Power Networks) may have undertaken some work to their cable network without informing us. Secondly the photocell which controls the lamp may have failed or been damaged in some way.
- 3.10 Whilst day burners do not necessarily cause any financial burden to the Council due to the way our energy is measured, it is fully appreciated that that it is not a good advertisement for the service or the City.
- 3.11 Whilst a regular night patrol is carried out to pick up outages the team relies on members of the public to report day burners in general. Once reported they will generally be repaired in line with contract timescales, unless there is a major cable issue in which case repair will depend on the funding available and be weighed up against other maintenance priorities such as failing columns.

Heritage/Conservation Equipment

- 3.12 Approximately 15% of our stock is cast iron and a number of our columns are designated as 'heritage'. No budgetary provision has ever been made to maintain or replace existing stock.
- 3.13 A number of the large Victorian seafront columns have had to be removed over recent years, either due to damage following road traffic incidents or due to concerns over their structural integrity.

- 3.14 It is recognised that the seafront columns are an integral part of the City's street scene and commitment has been made to have a mould produced and copies cast out of this year's LTP funding.
- 3.15 In respect of conservation areas, cuts proposed to our maintenance budget from April 2012 means that these will no longer be replaced on a like for like basis. This is because heritage cast iron columns cost almost ten times more than a standard steel option. Standard columns and lanterns will therefore now be used.

Performance Indicators and Contract Management

- 3.16 The maintenance contract was re-let in April 2010 for a period of 28 months. Negotiations to extend the existing arrangement until August 2015 are currently under way.
- 3.17 Contract performance is measured by a number of Key Performance Indicators which have been agreed to meet our needs. System reports have been developed to assist in this and monthly meetings are held to discuss performance and improvement issues.
- 3.18 Figures are reported monthly to the Head of City Infrastructure.
- 3.19 The BVPIs used previously to monitor the performance of the DNO are no longer used. The DNO now operates to a Guaranteed Standards of Performance arrangement whereby should their performance fall below a defined level they make a payment to the Council for any such failure (taking into account a number of relevant adjustments and exemptions).

Initiatives

- 3.20 The lack of planned investment in the city has resulted in numerous problems that need to be addressed. As a result it is often not possible to achieve long-term gains in efficiency because the majority of column replacements are undertaken on a one for one basis rather than by whole street. We have had to replace with similar or the same light source in order to comply with the original design and with that street's overall lighting type.
- 3.21 Over the last two years there have been some advances. White light schemes have been installed to over 30 streets across the city resulting in a reduction in energy consumption and carbon footprint. The lanterns used are more efficient with better quality components. Part night dimming has also been introduced to a number of streets which further reduces the energy and carbon output.
- 3.22 White light has a number of benefits assisting in the improved quality of CCTV image to assist local police and providing excellent colour recognition. This light source in a modern lantern also means less light spill to properties and an end to the orange glow that is a common sight across the city.

- 3.23 A scheme using LED lanterns is currently being installed to a footpath. This will be evaluated and we will look to install LED schemes where we consider it appropriate in the future. There are many LED solutions on offer, and these need to be assessed to ensure they will provide the benefits that suppliers claim. Whilst there is certainly the potential to use LED across the city it is not necessarily the full and final solution. LED illuminated signage is also being installed to new schemes across the city.
- 3.24 In respect of solar powered options, we are now introducing solar powered bollards across the city as and when illuminated bollards require replacement.
- 3.25 We are currently working with a local consultancy to produce a modelling tool to help identify and justify initiatives to deliver greater energy efficiencies across the city. The tool will also enable us to produce a prioritisation programme in respect of replacing age-expired equipment. There is no charge for this since we are providing live data for the consultant to use in order that the product can be promoted to other local authorities and interested parties.
- 3.26 There are plans to install another 700 new lanterns in the next financial year, potentially using a dimming ballast to part night dim. However this will be dependent on the outcome of the design works to be carried out. Finance for this is being provided through a loan from the Carbon Management Board and repayment terms are yet to be agreed.
- 3.27 The current Street Lighting manager is keen to continue to forge good relations with Transport Planning, Highways Projects and external developers to ensure that lighting is always given due consideration and incorporated appropriately into future projects and their funding.

System and Inventory Management

- 3.28 A great deal of work has been carried out over the last eighteen months to ensure the integrity and accuracy of the Mayrise Management System. The appointment of a Street Gazeteer/Mayrise Administrator to the Highways Operations Group has been of great value.
- 3.29 The system has been cleansed of much out of date and incorrect data particularly in relation to the types of lamps we use. This is vital to ensure that we are correctly invoiced for our electricity consumption. It is a complex task and is ongoing.
- 3.30 Work is ongoing in respect of carrying out further improvements in relation to the production of useful reports and the uploading of results of structural testing for example.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Not considered necessary for an update of this nature.

5. FINANCIAL & OTHER IMPLICATIONS:

- 5.1 Capital Funding: There is £250,000 of LTP funding allocated to Street Lighting for the financial year 2011-2012. In addition to this, a further sum of £120,000 has recently been agreed.

Revenue Funding: For the current financial year, there is a revenue allocation of £1,338,000 for general maintenance and £122,400 for corrosion/structural testing, which averages out to approximately £58 per unit per annum. The energy budget for the current financial year is £918,000. The contract is jointly held with East Sussex through an open ended framework agreement with six months' notice required to be given by us should we wish to withdraw.

Finance Officer Consulted: Name Karen Brookshaw Date: 06/02/12

Legal Implications:

- 5.2 The Committee is asked to note the report and to make recommendations in light of the content. The Committee has the following options:

(i) to appoint an Ad Hoc Overview & Scrutiny Panel to carry out a short, sharply focused piece of scrutiny, and report its findings to the Cabinet Member for Environment, including any recommendations requiring an executive decision;

(ii) to propose to the Overview & Scrutiny Commission a Select Committee review to carry out a more in-depth investigation. Such a proposal would need to be supported by recommended terms of reference, membership, scrutiny brief and resource requirement.

(iii) to keep a watching brief on the issue and review any need for involvement when the next set of performance indicators are published.

Lawyer Consulted: Carl Hearsum Date: 03/02/2012

Equalities Implications:

- 5.3 The Council's Codes in relation to equalities and inclusion are enforced in all procurement matters. The provision of street lighting and the supply of related energy to the street lighting units facilitates social inclusion and equality for all.

Sustainability Implications:

- 5.4 The Council is committed to reducing carbon emissions as set out in the Corporate Strategy. New energy saving technology is being introduced to street lighting wherever possible and when funding permits and it is proposed that this will become the standard for the future.

Crime & Disorder Implications:

- 5.5 Well-lit streets help to reduce crime and fear of crime as well as providing a safer night-time street scene.

Risk and Opportunity Management Implications:

- 5.6 There are health and safety risks involved in failing to keep the city in light during night time hours which could potentially have severe and costly consequences. The same is true in respect of keeping the assets in a safe and maintainable condition.

ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 52

Brighton & Hove City Council

Subject:	Official Feed and Food Controls Service Plan 2012/13		
Date of Meeting:	ECSOSC 7 March 2012 Cabinet 15 March 2012		
Report of:	Planning and Public Protection		
Lead Cabinet Member:	Communities, Equalities and Public Protection		
Contact Officer:	Name:	Nick Wilmot	Tel: 29-2157
	Email:	nick.wilmot@brighton-hove.gov.uk	
Key Decision:	Yes/No	Forward Plan No: CAB 21128	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Cabinet and full Council are asked to agree the Official Feed and Food Controls Service Plan previously known as Food Law Enforcement Service Plan required by the Food Standards Agency.

2. RECOMMENDATIONS:

- 2.1 ECSOSC is recommended to comment on the Plan.
- 2.2 *(Cabinet is recommended to agree the Official Feed and Food Controls Service Plan 2012/2013 set out in the appendix to this report and to commend it to Full Council for approval.)*

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement requires the production and publication of a service plan. Every local authority is required to develop an annual food enforcement service plan, which provides the basis on which local authorities are monitored and audited by the Food Standards Agency.
- 3.2 To ensure local transparency and accountability, it is a requirement that the Official Feed and Food Controls Service Plan is submitted to the relevant member forum for approval.

- 3.3 The attached plan (Appendix 1) is an integral part of the organisation of Regulatory Services within Planning and Public Protection.
- 3.4 In accordance with the Standard outlined in the Framework Agreement the food service is a mix of enforcement, intelligence based work, investigation and education. It is planned that a performance targets of completion of 98% of programmed food safety interventions and 90% of service requests responded to within 5 days.
- 3.5 In addition, areas of current good practice, and opportunities for further improvement, have been identified, both in Food Safety and Food Standards, in section 6.3 of the Service Plan. The targeting of resources to these areas of work aims to provide a balanced mix of services, which is most likely to benefit the business sector, consumers and other stakeholders. In line with the amendment to the Food Safety Code of Practice in June 2008 the service will continue to focus enforcement action on the poorer performing businesses.
- 3.6 A healthy food award scheme has been developed to improve healthy life expectancy and tackle obesity. Health Development Advisers also provide NHS vascular risk assessments (health checks).
- 3.7 Migration to the National Food Hygiene Rating Scheme from the local Scores on the Doors Scheme for publicising food safety standards of local businesses has had resulted in a significant resource pressure from 1st January 2012. This pressure will create an ongoing pressure. Further details are given in 6.1 and 6.3 of Annex A.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Brighton & Hove Food Partnership were consulted during the drafting of this plan.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 **Food Safety:** The proposed detailed budget for 2012-13 for providing the Food Safety Service within Environmental Health is detailed below. The staffing figures include a figure to cover the appropriate proportion of the Head of Environmental Health & Licensing and administrative support:-

Staffing	£545,460
Transport	£ 13,870
Supplies and Services	<u>£ 18,930</u>
	<u>£578,260</u>

Food Standards: It is difficult to detail the time spent on the food standards function, as it is carried out during a comprehensive assessment. Time monitoring is not currently used to apportion time to the food function. The cost of the food standards function in 2011/12 was as follows based on the percentage of time officers spend on the food function. Similar apportionments would be expected for 2012/13.

Inspection, complaints and advice	
Management Support	£ 3,200
Food Team	<u>£30,120</u>

Total £33,320

Sampling

Purchases £ 500

Analysis £ 9,500

Total £10,000

TOTAL **£43,320**

Finance Officer Consulted: Name Karen Brookshaw Date: 23/02/12

Legal Implications:

- 5.2 The Food Standards Agency places a requirement on local authorities to develop and submit a service plan. Local authorities are audited and assessed by the Food Standards Agency on the basis of their food law enforcement service as provided for in their Service Plans. The Food Safety Act 1990 (Code of Practice) places a requirement on local authorities to operate an inspection rating scheme, which determines frequency of intervention of food premises. The Official Feed and Food Controls Service Plan 2012/13 identifies the planned number of interventions for that period.
- 5.3 The Council's Constitution requires the adoption of the Official Feed and Food Controls Service Plan to be reserved to full Council. It is for Cabinet, following consultation with relevant stakeholders and overview and scrutiny, to formulate the Service Plan for submission to full Council for approval.

Lawyer consulted: Oliver Dixon Date: 14 February 2012

Equalities Implications:

- 5.4 An Equalities Impact Assessment has been undertaken. See 2.4.5 of appendix 1 for profile of food premises registering with the food service during the year 2011/2012. The service is mindful of the greater assistance food business operators require where their first language is not English. Written information, translation and interpreting services are employed where necessary to assist businesses to comply with regulatory requirements.

Sustainability Implications:

- 5.5 Liaison with relevant agencies in connection with local food initiatives, including the Brighton & Hove Food Partnership

Crime & Disorder Implications:

- 5.6 None

Risk and Opportunity Management Implications:

- 5.7 SMART targets for the food safety service is 98% of due food safety interventions achieved and 85 % of food businesses deemed to be 'broadly compliant'.

Public Health Implications:

- 5.8 The Food and Feed Service Plan is seen as key to protecting public health in the City. It is in line with the stated outcome to 'reduce health inequalities and long standing public health issues' as part of the priority of tackling inequalities which states that 'we will continue with high profile enforcement of food and health and safety rules, maintaining our excellent record of environmental health improvements.'

Corporate / Citywide Implications:

- 5.9 See 1.2 of appendix 1

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 There is no legal alternative to the statutory service plan.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 In order to comply with the Food Standard Agency Code of Practice.

SUPPORTING DOCUMENTATION

Appendices: 1. Draft Official Feed and Food Controls Service Plan 2012/2013

Brighton & Hove City Council
Official Feed and Food Controls Service Plan 2012/2013

1. Service Aims and Objectives

1.1 Aims and Objectives

- 1.1.1 The food service function of Brighton & Hove City Council is enforced by Environmental Health & Licensing and Trading Standards staff within Regulatory Services of Planning and Public Protection.
- 1.1.2 Environmental Health & Licensing staff are primarily concerned with protecting and improving public health and the environment across the City. Within this service food safety officers work to ensure that food prepared and sold from local establishments is safe. This is achieved by carrying out a programme of interventions at food businesses, sampling and responding to service requests. Wherever practicable links are formed with the business community and all relevant professional groups with the objective of increasing and promoting food safety awareness.
- 1.1.3 The overall objective of the service is to provide a comprehensive food safety service to benefit consumers and the business community, with a considered balance between enforcement, investigation, advice and education.
- 1.1.4 Trading Standards officers aim to provide a comprehensive range of enforcement and advisory services to the community within a statutory framework. Its goal is to contribute, in conjunction with other agencies, to the development of a safe, fair and equitable trading environment for all consumers, by means of advice, information, education and enforcement.

The core aims being to ensure: -

- Accurate and informative labelling of food; and
- That compositional standards of food are maintained

The objectives being: -

- To carry out risk-based and intelligence led activities
- To undertake screen testing and food sampling to reflect identified areas of concern.
- To respond appropriately to food complaints and initiate proportionate action.
- Respond to trader requests in a timely manner
- To educate the public on compositional and labelling issues to improve eating habits

1.2 Links to Corporate Objectives and Plans

1.2.1 The City Council's Corporate Plan for 2011-2015 has five priorities:

- Tackling inequalities
- Creating a more sustainable city
- Engaging people who live and work in the city
- Responsible and empowering employer
- A Council the city deserves

1.2.2 The service has strong links with these priorities. In particular the outcome to 'reduce health inequalities and long standing public health issues' as part of the priority of tackling inequalities which states that 'we will continue with high profile enforcement of food and health and safety rules, maintaining our excellent record of environmental health improvements.'

1.2.3 The service reduces inequality by funding training and coaching to small and medium businesses that may otherwise struggle to comply with legal requirements. Where English is not the first language, interpretation and translation services are provided.

1.2.4 The Official Feed and Food Control Service Plan is part of the corporate annual planning and development process.

1.2.5 The service has a published Enforcement Policy. This policy is a cornerstone for fair and open enforcement.

1.2.6 The service continually monitors business opinion through satisfaction surveys. This fits in with the priority of engaging people who work in the city. The findings help to ensure that the service meets the requirements of local businesses, residents and visitors and provides a service the city deserves.

1.2.7 The food service also has links with National Indicators:

NI 53 Prevalence of breastfeeding at 6 – 8 weeks from birth

See 3.7.1 of this plan.

NI 55 Obesity among primary school age children in Reception Year See 3.7.1 & 3.8

NI 56 Obesity among primary school age children in Year 6 See 3.7.1 & 3.8

NI 120 All-age all cause mortality rate – The whole service.

NI 122 Mortality from all cancers at ages under 75 – See 3.7.1 & 3.8

2. Background

2.1 Profile of the Local Authority

- 2.1.1 Brighton & Hove is a unitary authority on the south coast of England. It is approximately 50 miles from London. Bounded by the English Channel to the south and the South Downs to the north, it covers an eight-mile stretch of seafront and extends inland for approximately five miles.
- 2.1.2 Demographic information is available from online Brighton & Hove Local Information Service <http://www.bhlis.org/> .

Resident Population by Ethnic Group 2007 Estimated

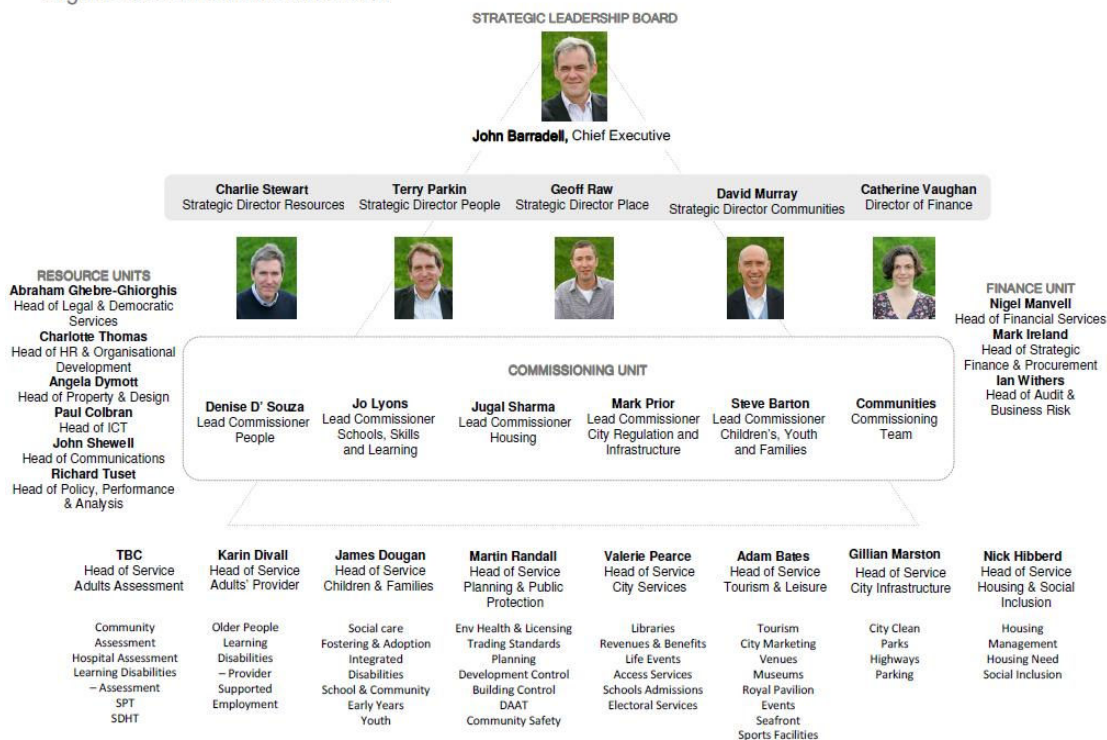
Total	253,500
White British	212,600
White Irish	3,600
White Other	14,000
Mixed White Other	5,800
Asian or Asian British	8,100
Black or Black British	4,400
Chinese	5,000

- 2.1.3 Tourism plays a major part in the local economy. Figures from the VisitBrighton Strategic Partnership 2010 estimate that 15% to 20% of jobs in the city are tourism related and eight million visitors bring £400 million into the local economy. The city boasts 4293 bedrooms, offering a bed stock of approximately 10,000. There is a large variety of hotels, food retailers and over 400 restaurants serving cuisine from around the world. The VisitBrighton Visitor Survey 2007 identified that 70% of visitors put going to a restaurant or place to eat as one of the most popular activities to do in Brighton & Hove.

2.2 Organisational Structure

- 2.2.1 Brighton & Hove City Council intends to pass a resolution in April 2012 to change its governance arrangements from a Leader & Cabinet model to a committee system, to take effect from 17 May. If the resolution is passed, the committee with delegated responsibility for food safety and standards is likely to be the Environment & Sustainability Committee.
- 2.2.2 From November 2010 Brighton & Hove City Council changed the way it works, rather than having directors responsible for specific services the Chief Executive and Strategic Directors lead a commissioning team looking at needs across the city, with eight teams delivering frontline services. The food service reports to the Head of Service Planning & Public Protection.

Brighton & Hove City Council
Organisational Structure 2010-2011



2.2.3 A formal arrangement is in place with the Health Protection Agency's Food Water & Environment laboratory based at Porton Down for the analysis of samples that require microbiological examination.

2.2.4 The Public Analyst contract was awarded to Worcestershire Scientific Services in May 2009 and will last for four years, the aim being to reduce cost, duplication and improve service delivery. The current allocation of costs for sampling analysis is £9,500. The focus of the contract remains composition and labelling plus some chemical contamination.

2.2.5 An entomologist from a local natural history museum assists with insect identification where found in foodstuffs.

2.3 Scope of the Feed and Food Service

2.3.1 A specialist Food Safety Team within Environmental Health carries out the food safety function. The work of the team includes:-

- Inspecting food premises;
- The investigation of food safety complaints;
- Food poisoning investigations when linked to a premises;
- Investigating infectious disease notifications;
- Microbiological food sampling;
- Food safety training;
- Responding to requests for advice;

- Initiatives relating to working with the community and businesses;
- Taking appropriate steps to publicise and act upon national food alerts;
- Publicising the food hygiene standards of local businesses.

2.3.2 The food standards function is carried out by Trading Standards Officers in the Business Support Team. The work of the team includes the following: -

- Risk based enforcement activity
- Complaint investigation
- Food Analysis and investigation
- Service Requests from businesses
- Education programmes
- Reacting to Food Alerts

2.3.3 Food Standards work is undertaken in conjunction with work on other areas of Trading Standards law. For instance, a programmed food visit will also include giving advice about other matters such as prices, business names and weights and measures. In this way a comprehensive visit is undertaken so as to minimise any inconvenience caused to the general day-to-day running of the business.

2.3.4 Trading Standards Officers are responsible for enforcing relevant legislation in respect of imported feedstuff, whilst the Food Safety team enforce relevant legislation controlling imported food of non-animal origin and products of animal origin.

2.4 Demands on the Feed and Food Service

Food Safety

2.4.1 As at January 2012 there are 3165 food businesses registered. These premises are broken down into the following profile:-

2	Primary Producers
43	Manufacturers/Processors
3	Importers/Exporters
30	Distributors/Transporters
646	Retailers
2441	Restaurants and other Caterers
3165	TOTAL

2.4.2 Three food businesses are approved under Regulation (EC) 853/2004 for specific dairy, fish and meat products processing.

2.4.3 The nature of the city causes a considerable seasonal variation in the department's workload. Some businesses only open during spring, summer or school holidays; the intervention programme has to be

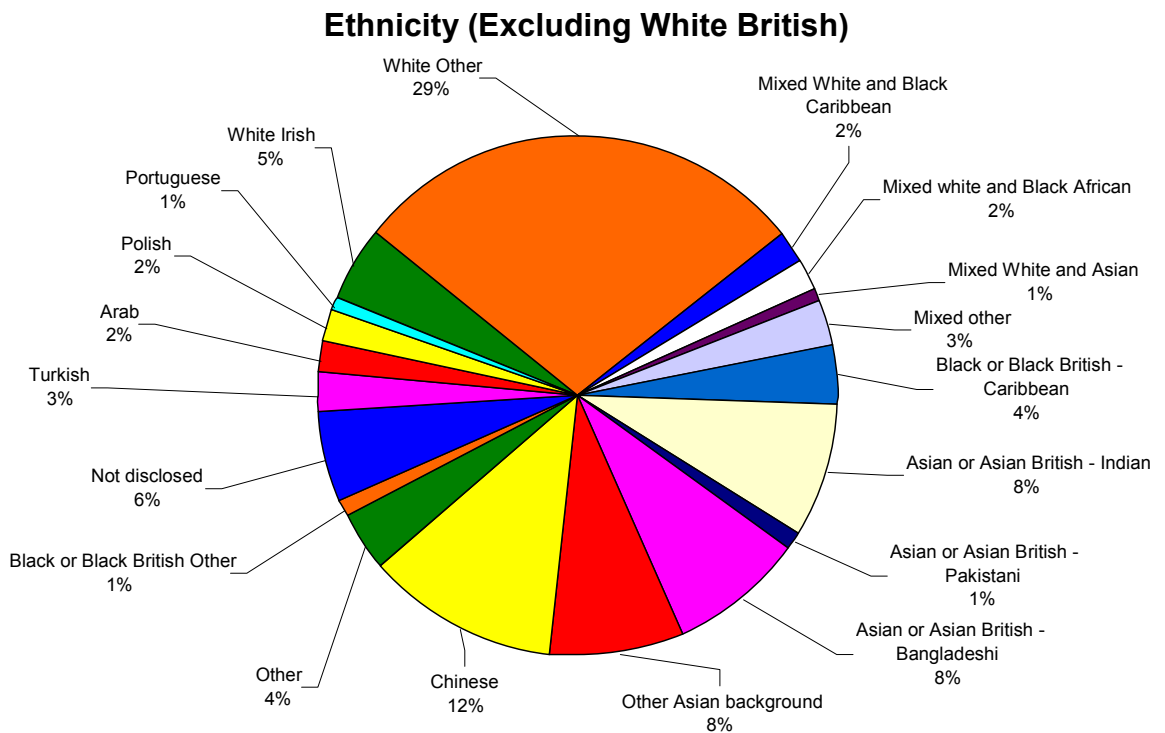
tailored to meet these service needs. There is a dramatic increase in the number of visitors in the spring and summer and this increases the volume of requests for service, enquiries and other reactive work. Outdoor events such as music events, festivals, specialist markets, farmers' markets, open-air concerts and funfairs also add to the seasonality of the workload.

Food Standards

2.4.4 Premises data is captured on Uniform and therefore the premises profile is the same but as the risk assessment is based on the LGR scheme the individual premises have a different inspection frequency for Food Standards. As of the 18th January 2012 2336 premises were considered to have an inspectable risk for Food Standards work. It has been noted that there is a high turnover of new premises requiring food standards advice.

Access to services

2.4.5 As part of the drive for continued improvement and dialogue with businesses all establishments are requested to complete feedback questionnaires following inspections. The questionnaires request information on the ethnic origins of the business owners. A total of 315 questionnaires were returned between April 2010 and March 2011 184, or 63%, of the total responses identified themselves as White British. The ethnic profile of the remaining 131 was as below.



Demographic Information from Post Inspection Questionnaires April 2010 to March 2011.

- 2.4.6 In addition to having a number of key food safety advice leaflets in a variety of languages, the service has the capacity to have any leaflet, letter or other document translated as required. Wherever possible, opportunities are taken to provide information about services to ethnic communities. Food safety training courses have been staged in languages other than English including Bengali, Cantonese, Thai and Turkish which have proven to be successful and popular with traders. Where necessary, interpreters accompany officers on planned interventions. Where necessary, officers can access The Big Word On-Call Language Service by telephone when carrying out visits.
- 2.4.7 Service users are able to access the service by visiting either of the two Customer Services Centres situated one in central Brighton and one in central Hove opening hours 8:45am to 4:30pm on weekdays. Remote access to council services is facilitated through 'self-help' in 25 locations across the city including all the main council offices, libraries, leisure centres and some schools. General telephone calls are fielded via a Call Contact Centre on (01273) 292161. Advice can also be accessed via the council's web site, www.brighton-hove.gov.uk, or by email to ehl.food@brighton-hove.gov.uk.
- 2.4.8 Food Standards complaints are initially received by Consumer Direct South East. There is a referral protocol regarding food issues requiring enquiries to be sent to Trading Standards within 24 hours.
- 2.4.9 The Food Safety Team operates a Food Safety Hotline where businesses and consumers can obtain immediate advice from a food safety officer, during office hours. Senior food competent Environmental Health staff provide cover for an out of hours service to respond to food safety emergencies and incidents.
- 2.4.10 New food businesses registering with the service are provided with a access to a detailed information pack and offered guidance to assist compliance with food safety legislation.

2.5 Regulation Policy

- 2.5.1 Brighton & Hove City Council has a Corporate Enforcement Policy in line with the national Compliance Code for Enforcers. This provides and overarching policy for all regulatory services. In addition the Environmental Health service has adopted a service Enforcement Policy in line with the national Compliance Code, Statutory Codes of Practice and relevant guidelines issued by Central Government departments and co-ordinating bodies. This policy is based on the seven 'Hampton Principles' of economic progress, risk assessment, advice and guidance, inspections and other visits, information requirements, compliance and enforcement actions and accountability.
- 2.5.2 The services detailed in this plan have arrangements in place to comply with the requirements of the Regulatory and Sanctions Act

2008, the main effect being measures to comply with the Primary Authorities Partnership scheme.

2.5.3 Any breaches of food law noted in businesses where Brighton & Hove City Council has an interest, either as proprietor or responsibility for structural repair, are brought to the attention of the Chief Executive without delay.

3 **Service Delivery**

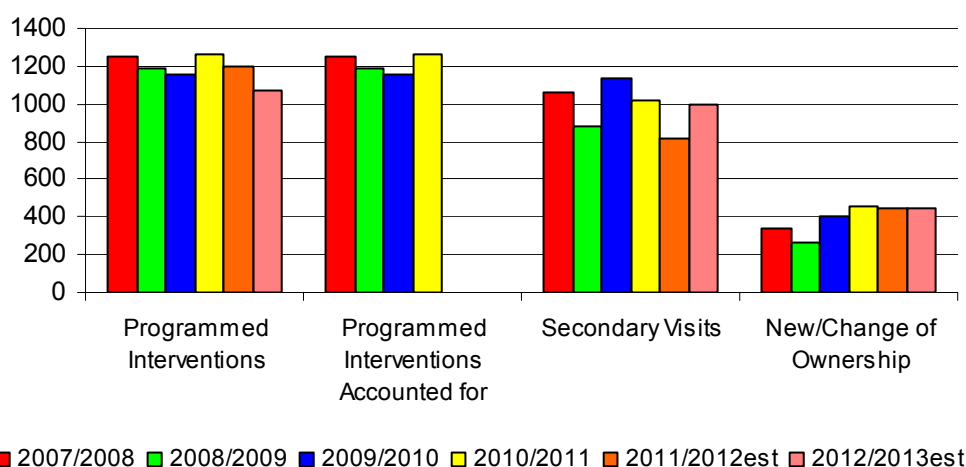
3.1 **Interventions at Food and Feedingstuffs Establishments**

Food Safety

3.1.1 This section details the planned risk based food safety intervention programme for 2012/2013. The level of achievement in food safety intervention based activity over the past four years is shown in the chart below along with estimates for completion of the current year and 2012/2013.

3.1.2 The Food Safety Code of Practice published in 2008 gave local authorities flexibility to introduce a mixture of interventions. Implementation of an intervention-based programme enables services to reduce the level of burden on compliant businesses and focus more resources on those with poorer standards. See detailed in 3.1.19 below the approach to be adopted by the Food Safety service for the year 2012/2013.

Chart of Intervention-Based Activity 2007-2013



See tables 3.1.1 and 3.1.3 for further details.

3.1.3 The service follows a risk-based approach when implementing the local food safety intervention programme. It aims to account for a minimum of 98% of businesses due for intervention in the year 2011/2012 in accordance with the Food Safety Code of Practice as detailed in 3.1.8 below. Table 3.1.1 gives details of performance against target since

2007 and estimates the number of planned interventions for the current year and 2012/2013. The target is set at 98% to take account of possible service or operational problems such as a turnover of staff at the end of the year, emergencies or difficulties contacting seasonal businesses or home caterers.

Year	07/08	08/09	09/10	10/11	11/12est	12/13est
Programmed Interventions	1255	1193	1159	1262	1197	1076 A-D
Accounted for	1248	1188	1156	1262		
Target %	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D	98
Achieved%	99.4 A-D	99.6 A-D	99.7 A-D	100 A-D		

Table 3.1.1 Achievement of Planned Food Safety Inspection/Intervention Programme 2007-13.

- 3.1.4 The Food Safety Code of Practice contains a mechanism for risk rating each businesses based on factors such as:- if unwrapped high risk-food is handled, prepared or cooked; size of the business; any high-risk operations are undertaken; number of customers; vulnerability of the customers to food-bourne illness; standards of hygiene; condition of the structure and confidence in management. By scoring all of these factors, an overall risk rating of A to E is arrived at. Category A premises are the highest risk and E the lowest.
- 3.1.5 As category E premises tend to present a minimal risk due to the limited types of food they handle and/or they cater for a limited number of people. The service has operated an alternative enforcement strategy to maintain surveillance of these low risk businesses. This strategy enabled the service to provide greater focus on higher risk category A to D premises. This approach was in line with the Food Safety Code of Practice.
- 3.1.6 The alternative surveillance of low-risk businesses follows a structured documented procedure. The strategy employs postal questionnaires, sample inspections to check the validity of the information gained and follow up inspections where either the information returned leads to the conclusion that an intervention is necessary or no information is returned. Table 3.1.2 below shows the number of premises dealt with by this alternative method since 2007.
- 3.1.7 Migration from the local 'Scores on the Doors' scheme for publishing food hygiene standards to the national Food Standards Agency's Food Hygiene Rating Scheme (FHRS) has resulted in the need for a greater level of surveillance. The service therefore proposes to alternate between a questionnaire and intervention on the usual frequency for a category E rated food business. As a number of interventions were undertaken during February and March of 2012 as part of the migration process, see 6.2.1 for further details, it is not clear how many additional interventions this will generate for 2012/13. Although the current estimate is for an additional 56 interventions.

Year	07/08	08/09	09/10	10/11	11/12est
Number of premises	285	243	188	277	151

Table 3.1.2. Number of premises dealt with under alternative strategy.

3.1.8 Planned food safety interventions programme for the year 2012/2013 as at January 2012 is:-

Risk Category of Premises	Number of Interventions Due
A	8
B	56
C	611
D	401
Total	1076
Low-risk premises due for intervention as at January 2012	282

3.1.9 It is the intention of the service to account for a minimum of 98% of the 1076 high-risk (A–D) establishments due during the year as above. The three product-specific premises approved under Regulation (EC) 853/2004 will receive interventions within the risk rated programme as necessary.

3.1.10 The Food Safety Code of Practice encourages food enforcement services to provide greater focus on the outcomes of activities rather than the traditional approach of reporting on activity alone. Local authority performance is monitored by the Food Standards Agency through the Local Authority Enforcement Monitoring System (LAEMS).

3.1.11 The service aims to achieve 98% of the food safety intervention due and 85% of food establishments deemed to be 'broadly compliant', or better.

3.1.12 As at December 2011 the level of broadly compliant businesses stood at 96.5% of all food businesses.

3.1.13 **Secondary Interventions** - The main purpose of secondary interventions is to monitor food businesses that fail to comply with significant statutory food hygiene requirements, or where directly required by Regulation. Failure could include:-

- Failure to comply with a single requirement that compromises food safety, public health or prejudices consumers;
- Failure to comply with a number of requirements that, taken together, indicate ineffective management; or
- Service of a Hygiene Emergency Prohibition Notice or Order.

3.1.14 Then considering both the need for and timing of a secondary intervention, consideration is given to the seriousness of any failing,

history of the business, confidence in management and the likely effectiveness of this action when compared to any other enforcement option.

3.1.15 In addition to undertaking secondary visits to businesses that are not complaint at the initial intervention, as part of the safeguard measures associated with the FHRS, any food business that does not attain the top rating of five may request a rescore once any necessary issues have been resolved. The revisit must be unannounced and made no sooner than three months after the initial intervention and within three months of the request being made.

3.1.16 It is not known what level of demand there will be for such revisit but using the experience of neighbouring local authorities in Sussex who launched on the FHRS in April 2012 the level of demand could reach 80 to 100 visits in the first quarter and 20-25 per quarter thereafter. This will create a significant service pressure which the Food Standards Agency has agreed to fund.

3.1.17 Other secondary interventions are categorised as those that are not primary interventions but include:-

- Additional interventions of establishments that are subject to product-specific food hygiene regulations;
- Sampling visits;
- Visits to check on the progress of measures required after a previous intervention;
- Visits to investigate food and food premises complaints;
- Visits to discuss implementation of Hazard Analysis of Critical Control Points based system;
- Visits involving training of food handlers;
- Inspections of premises to assess a licence.

3.1.18 **Interventions at New Businesses/Change of Ownership** - Where the service becomes aware that ownership of a food business has changed or a new business has commenced, it aims to undertake an intervention within 28 days of the business starting trading.

3.1.19 The purpose of the intervention is to establish the scope of the business, gather and record information, determine if food sampling or swabbing is necessary, identify food safety breaches, determine relevant enforcement action to be taken by the food service, communicate this to the business and determine a risk rating score. Based on the last five years data, it is predicted that there will be 450 new businesses or changes of ownership in 2012/2013.

3.1.20 **Monitoring of Vacant Premises** - Where food premises fall vacant, arrangements are made to monitor activity at the premises. When new businesses open, it is important that support and guidance on food safety issues are given at an early stage.

Year	07/08	08/09	09/10	10/11	11/12est	12/13est
Secondary inspections	1060	855	1131	1017	820	1000
New Premises or Change in Ownership	336	267	398	461	450	450

Table 3.1.3 Estimate of secondary inspections & new businesses inspections for 2012/2013 based on data since 2007.

3.1.21 It is estimated that the number of staff required to carry out the programme of inspections plus other visits is 8 full time equivalents. Resources required to undertake secondary visits generated by complaints, enquiries or to undertake sampling are included in the appropriate part of this plan.

3.1.22 If the demand for rescoring under the FHRS scheme as outlined in 3.1.16 is at the level estimated this would create a service pressure equivalent to 1 full time officer, this would be funded by the Food Standards Agency.

Food Standards

3.1.23 The LGR system requires high-risk premises to be visited each year, medium risk every two years and the low risk every five years. This means that all 56 high risk, 50% of the 670 medium risk and 20% of the 1610 low risk premises should be visited each year.

3.1.24 The target for 2011-12 was to visit 56 high-risk and 345 medium risk premises liable to inspection. Similar targets will remain in place for 2012/13.

3.1.25 There is no commitment to visit low risk premises but in 2011-12, 215 low risk premises were visited as a result of project work, complaints and other routine inspections.

3.1.26 Approximately 5% of inspections require a follow-up visit. Officers do not work exclusively on the food function. Follow up visits will be made to all premises when a non-compliance is detected and formal action is contemplated.

3.1.27 Two part time posts make up the Food Team. All officers within the team work on a part time basis and their time is equivalent to 1 FTE. About 80% of their time is spent on the food function.

3.1.28 **New Businesses** - All new businesses are assessed and if appropriate will be inspected within 56 days of being identified. On registration an information pack containing advice on food standards, food safety and other relevant legislation will be supplied to the business offering a communication channel between the local authority and the business. The initial visit will be to establish the scope of the businesses activity, identify its compliance with food standards legislation and to determine the level of support required. An intervention programme will be

designed to reflect the needs of the business and reviewed after one year. Inspections will then be programmed based on the LGR risk assessment.

- 3.1.29 **High Risk Premises** - All premises will be assessed to determine the most appropriate intervention method for them. Premises with good management control, no history of contraventions or complaints will be advised that they will be the subject of a 'light touch' approach and will only be inspected if they change their product range or complaints are received.
- 3.1.30 **Poorer performing High Risk Premises** -These premises will be inspected every year but may be the subject of additional interventions depending on their compliance.
- 3.1.31 **Medium Risk Premises** - These premises will receive an intervention at two yearly intervals. These interventions will alternate between comprehensive inspections, and a mix of sampling visits, complaint visits or other monitoring or surveillance. At least 50% of the premises liable to an inspection will be subject to a comprehensive visit.
- 3.1.32 **Low Risk Premises** - A programme of interventions will be based on the intelligence received about the individual premises or where the business requests support/advice.

3.2 Feed and Food Complaints

Food Safety

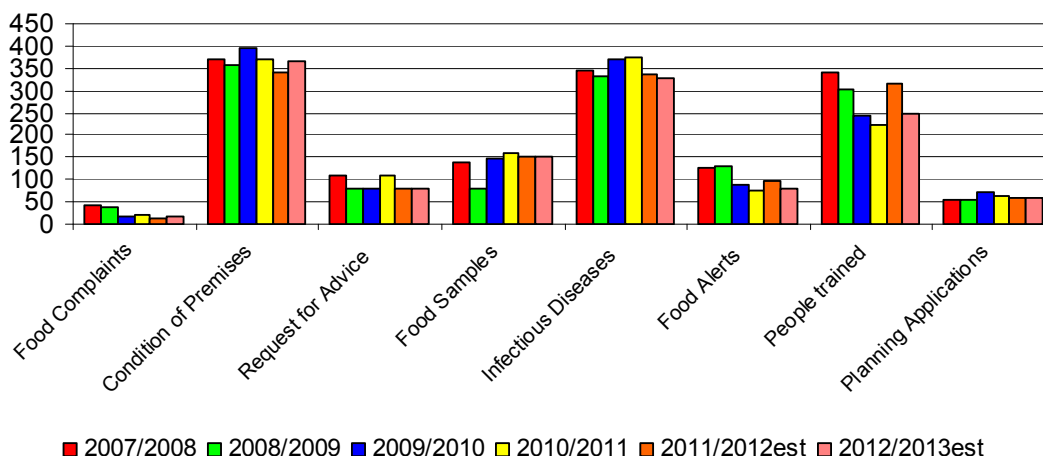
- 3.2.1 It is the policy of this authority to respond promptly to all requests for advice from business. It is the target of the service to respond to 90% of planning application consultations within 10 days, and all other demand driven work within 5 days.

Year	06/07	07/08	08/09	09/10	10/11
Within target %	96.6	97	96.6	97.7	98.8

Table 3.2 Percentage of Demand Driven Work within Target Response Time

- 3.2.2 All food complaints received are investigated in accordance with the council's Enforcement Policy and documented procedures. See below for a chart showing the pattern of demand driven work since April 2007 and estimates for the current year and 2012/2013. The source figures for this chart are contained in tables within the relevant part of the plan.

Chart of Demand Driven Work 2007-2013



See tables 3.2.1, 3.4.1, 3.4.3, 3.5.1, 3.6 and 3.8 for the source of data.

Year	07/08	08/09	09/10	10/11	11/12est	12/13est
Food Complaints	41	36	15	20	12	15
Condition of Premises	370	357	394	371	340	365

Table 3.2.1 Estimate of number of complaints for current year and 2012/2013 based on data from 2007 onwards.

3.2.3 It is estimated that 1.5 Full Time Equivalent officers will be required to meet this level of service requests.

Food Standards

3.2.4 It is the policy of this authority to respond promptly to all food complaints and to carry out enquiries in accordance with the complaints' procedure. The following figures show a final estimate for 2011/12 as the report is generated before the end of the calculated year.

Year	06/07	07/08	08/09	09/10	10/11	11/12 est
Number of Complaints	183	253	295	279	185	125

3.3 Home Authority Principle and Primary Authority Principle

3.3.1 Brighton & Hove Council fully supports the LGR Home Authority principle, and has entered into six formal and 22 informal arrangements with businesses whose operational activity extends outside of the city. Currently there are no primary authority food businesses in the city.

3.4 Advice to Businesses

Food Safety

3.4.1 The service follows a policy of graduated enforcement in assisting businesses to comply with legal requirements. The key first step of this

approach is to provide advice and information to businesses. Contact is made with new or potential businesses through the provision of new business information packs and via the development control planning process.

3.4.2 In addition to this, advice is given by an officer when carrying out interventions, making an officer available for one to one advice sessions and having a duty hotline service covering office opening hours.

3.4.3 Advice and information is also available through the council's website.

Year	07/08	08/09	09/10	10/11	11/12 est	12/13 est
No of Requests	108	80	82	109	82	80
Planning Applications	55	53	70	64	60	60

Table 3.4.1 Showing number of requests received since 2007 and estimates for the current year and 2012/2013

3.4.4 It is estimated that 0.5 Full Time Equivalent Officer is required to meet this estimated demand.

3.4.5 The service is committed to good liaison arrangements with proprietors of food businesses, to encourage effective two-way communication and to provide information and training on legislation and good practice.

3.4.6 A Food & Safety newsletter is produced twice a year, which informs proprietors of new legislation, advice on good practice, and general items of interest. This is widely distributed throughout the city and sent out with intervention reports.

Food Standards

3.4.7 Requests by businesses for advice are recorded as Service Requests. There was a significant increase in the number of requests for advice in 2007 and this level has remained reasonably constant since then. The following shows requests up until mid Jan 2012.

Level of Service Requests					
06/07	07/08	08/09	09/10	10/11	11/12est
32	150	192	151	188	145

3.5 Feed and Food Sampling

Food Safety

3.5.1 The service participates in national sampling initiatives organised by LGRegulation, countywide programmes co-ordinated by the Chartered Institute of Environmental Health (CIEH) Sussex Food Liaison Group, local Health Protection Agency (HPA) and those instigated by the FSA. The sampling programme includes food or food-contact surfaces at approved premises, food manufacturers, and manufacturers selling

mainly by retail as well as caterers and retailers. Samples of food and swabs of food-contact surfaces are also taken as part of routine work and when investigating specific issues at food premises.

3.5.2 During 2011/2012, the service took part in national food sampling programmes:-

- Study 43 - Lightly cooked foods such as sous vide foods cooked by water bath, rare duck meat (pink duck), parfait and pâté made with flash fried liver. Testing for a range of food poisoning pathogens
- Study 44 – Testing raw shell duck eggs on retail sale for Salmonella spp
- Study 45 – Sampling cleaning cloths, swabbing work surfaces and Ready to Eat (RTE) foods at catering and retail premises handling both raw and cooked before consumption and RTE foods or only RTE foods.
- Study 46 – Pre-cut fruits, with a particular focus on melon for Salmonella spp. and Listeria and a variety of food poisoning pathogens.

3.5.3 In addition to these nationally agreed programmes, the service took part in Sussex wide microbiological sampling programmes.

- RTE fish and fish products. Identify the presence of food safety pathogens and to ascertain the storage conditions and general quality of the product as compared to national guidelines.
- Modified Atmosphere Packaged (MAP) and Vacuum Packed Cooked RTE Meats at End of Shelf-life from Retail Premises for the presence of L. monocytogenes, other Listeria spp., and Salmonella spp

3.5.4 Sampling is also carried out during routine food hygiene inspections to aid officers in the assessment of practices carried out within commercial kitchens and identify any issues. Where any unsatisfactory results were found corrective action was put in place to ensure the quality of food products.

3.5.5 The national and CIEH Sussex Food Liaison Group have yet to be finalised countywide studies.

3.5.6 An Environmental Health Officer within the Food Safety Team is responsible for organising and co-ordinating food safety sampling: it is estimated 0.25 Full Time Equivalent officer will be required for this service.

Year	07/08	08/09	09/10	10/11	11/12est	12/13est
No. of samples	137	82	146	160	150	150

Table 3.4.3 Number of Food Safety Samples Submitted for Analysis 2007-2011 & estimate for the current year and 2012/2013.

3.5.7 Arrangements are in place with the local Health Protection Agency laboratory for the analysis of samples that require microbiological examination. The allotted cost for sampling for the financial year 2011/2012 was £11,429.

3.5.8 As at the end of January 2012, the allocation for the year 2012/2013 had not been confirmed.

Food standards

3.5.9 Food Standards work is performed during a comprehensive inspection of the premises and generally linked to the metrology function. Officers currently undertake the food standards programme and deal with enquiries from consumers and businesses. The percentage of Officer time devoted to these functions has already been described earlier in this document. The food standards function in 2011/12 equated to approximately 1FTE.

3.5.10 A budget of £ 9,500 was allocated in 2011/12 to facilitate the contract with the appointed Public Analyst for the purposes of food analysis. A budget of £9,500 will be allocated in 2012/13. Sampling will be initiated to reflect perceived or identified problem areas but it is intended that we will be involved in at least one FSA led initiative, two regional projects, and two local projects in 2012/13. Sampling is undertaken in accordance with documented procedures and in accordance with the Codes of Conduct produced under the provisions of the Food Safety Act. Further funding is allocated for sample purchases.

Food Sampling Work undertaken in 2011/2012

<u>MONTH</u>	PROJECT
April	Halal foods
July	Ochratoxins
Year long	Spirits Sampling as a part of the inspection programme
Year long	Home Authority Sampling
Year long	Foreign language labelling
Year long	Complaints/Officer initiative

3.5.11 The national initiative is fully funded and takes account of potential problems requiring further investigation. The cost for the regional and local projects will be set to allow for contingencies, such as, complaints and reacting to food hazard warnings.

3.5.12 **Control and Investigation of Outbreaks and Food-related Infectious Disease** - Specific infectious diseases are notifiable to the local authority. The department investigates these cases in an attempt to identify the cause of illness and any practical measures to control potential outbreaks. See below for the number of cases investigated from 2007 to 2011 and an estimate of the numbers expected for the

current year and 2012/2013. Investigations of outbreaks must commence as soon as practical. In individual notifications, the investigation has to commence within 5 days. It is estimated that 0.5 FTE officer will be required to meet this level of complaints.

Year	07/08	08/09	09/10	10/11	11/12 est	12/13est
No. of reports	344	333	306	373	335	330

Table 3.5.1 Estimate of Number of notifications for 2011/2012 & 2012/2013 based on data from 2007 onwards.

3.5.13 The number of notifications included in table 3.5.1 has been corrected to discount those illnesses not associated with food such as mumps, measles and hepatitis. Table 3.5.2 below shows the number of *Campylobacter* and *Salmonella* cases notified from 2007 onwards. The number of *Campylobacter* confirmed notifications have decreased slightly from the high number reported last year.

Year	07/08	08/09	09/10	10/11	11/12est	12/13est
Campylobacter	217	202	125	222	195	180
Salmonella	61	34	60	33	30	35

Table 3.5.2 Estimate of Number of specific notifications for 2011/2012 & 2012/2013

3.5.14 Foodborne illness can be contracted as a result of a number of reasons including poor food handling in the home or foreign travel it is therefore difficult to attribute any increase or reduction to one source.

3.6 Feed/Food Safety Incidents

3.6.1 An out of hours emergency service is staffed by senior staff who are suitably authorised to carry out the full range of food safety functions including responding to emergency food safety incidents.

3.6.2 Information regarding national food safety alerts, such as product recalls from the FSA, is received during office hours via the national alert system.

3.6.3 The Environmental Health Manager (Food Safety) and senior staff within the Food Safety Team are registered on the rapid alert system to receive food alerts through a text message scheme direct to their mobile phones. The information contained in the food incidents is distributed and acted on as deemed necessary.

Year	07/08	08/09	09/10	10/11	11/12est	12/13est
Food Alerts	127	130	88	76	95	80

Table 3.6 Estimate of Food Alerts for the current year and 2012/13 based on data from 2007 onwards.

3.7 Liaison with Other Organisations

Food Safety

3.7.1 There are a number of arrangements in place with other professions and local authorities to promote consistency, provide joint projects and develop services: -

- The Environmental Health Manager in the Food Safety Team attends the Sussex Food Liaison Group. This group identifies and develops common approaches to food safety legislation, best practice and food safety training needs across Sussex.
- An Environmental Health Officer in the Food Safety Team attends the Chartered Institute of Environmental Health's Sussex Food Study Group. This group discusses common food safety delivery problems and develops joint procedures and practices for food safety issues.
- The Food Safety Team has regular liaison meetings and agreed working arrangements with Educational Services and catering contract supervisors to ensure consistent enforcement within schools.
- The Health Development team within Environmental Health & Licensing develops initiatives such as increasing breastfeeding in restaurants.
- The service works with nutritional advisers for the PCT on the Healthy Choice Award initiative to promote healthy menu options in eateries. As at January 2012 58 gold level awards have been issued, 27 silver and 7 bronze since the scheme was launched in 2008. There are currently another 12 applications pending for assessment.
- Officers from Environmental Health & Licensing attend the District Control of Infection Committee co-ordinated by the Community Consultant in Disease Control which reviews procedures and agrees communicable disease outbreak and food poisoning control measures.
- The authority is a member of the Brighton & Hove Food Partnership. The partnership includes representatives from local businesses and community groups, community workers and members of the Sustainability Commission. The Partnership raises awareness of food producers in supporting health, the economy and the environment increasing access to nutritious, safe, affordable food and providing a network for information exchange.
- A liaison arrangement is in place with Sussex Career Services and local schools to enable teachers and students from Brighton & Hove to gain work experience.

This work is accounted for in the reactive work estimate of resources required.

Food Standards

3.7.2 The team works closely with 18 other Trading Standards Services in the southeast that together make up Trading Standards South East

(TSSE). Activities include liaison on all trading standards issues, coordinated activities, sampling and advice projects and sharing of information via the TSSE intranet.

3.7.3 Trading Standards liaise closely with Environmental Health colleagues regarding healthy eating issues and support the Food Partnership activity wherever possible.

3.8 Feed and Food Safety and Standards Promotional Work, and Other Non-Official Controls Interventions

3.8.1 The service organises a number of food hygiene training courses per year. The food safety training activity April 2011 to January 2012 and total numbers of people trained are given below.

3.8.2 Type of Course	Number of Delegates
CIEH Level1 Award in Food Safety in Catering Awareness	32
CIEH Level 2 Award in Food Safety in Catering	226
TOTAL	258

Year	2007/08	2008/09	2009/2010	2010/2011	2011/2012est	2012/13est
Number Trained	340	301	245	225	316	250

Table3.8 Total Training Undertaken Since 2007

- 3.8.3 Thirteen Level 2 Awards in Food Safety in Catering courses have already been scheduled for 2012/13 and two level 1 courses.
- 3.8.4 The service also offers the CIEH Level 3 Award in Implementing Food Safety Management Procedures designed specifically to assist food businesses to comply with requirements introduced in 2006.
- 3.8.5 Safety in Action is a multi-agency event held over the course of a week in June, involving up to 600 Year 6 schoolchildren from across Brighton & Hove. The Food Safety Team attends and uses an ultra-violet 'Bug Box' to demonstrate good hand-washing practices. Children are also quizzed on the symptoms of food poisoning, when to wash hands and why good hand-washing is essential to prevent germs spreading. Food hygiene leaflets on hand-washing and the safety of packed lunches are included in 'goody bags' given out to each child at the end of the event, and fresh fruit cups are also given to the children at the end of the hand-washing activity session.
- 3.8.6 Food Safety Week took place from 6-12 June 2011 and a variety of activities were staged at venues across the city, including children's centres and day centres for adults. Displays were on show in council buildings and a community café in Kemp Town, where catering students with learning difficulties held a food safety quiz, and posters were distributed to libraries. The aim was to highlight common sense measures to ensure food is stored, handled and cooked properly to

minimise the risk of food poisoning. The service plans to take part in the 2012 Food Safety Week, which runs from 11-17 June. The theme for 2012 will be 'Food safety on a budget', focusing on how people can ensure that they keep their food safe when trying to save money.

3.8.8 Two Food and Safety newsletters are produced per year. The newsletters carry articles and information for businesses and members of the public. A copy is posted on the web site and sent out with correspondence.

3.8.9 In 2011 the Food Safety Team organised their second annual Curry Chef of the Year competition. It is planned to continue this as an annual event

4. Resources

4.1 Financial Allocation

Food Safety

4.1.1 The 2012/2013 projected budget for the food safety service within Environmental Health & Licensing is detailed below. The staffing figures include an appropriate amount for the Head of Regulatory Services, administrative support and management time.

Staffing	£545,460
Transport	£ 13,870
Supplies and Services	£ 18,930
Total	£ 578,260

Food Standards

4.1.2 It is difficult to detail the time spent on the food standards function as it is carried out during a comprehensive inspection. Time monitoring is not currently used to apportion time to the food function. Cost of the food standards function in 2011/12 was as follows based on the percentage of time officers spend on the food function outlined above and below:

Staffing Inspection, complaints and advice	
Management/Support	£ 3,200
Food Team	£30,120
Total	£ 33,320
Purchases	£500
Analysis	£9,500
Total	£10,000
Total	£43,320

The budget has not yet been set for 2012/13 but we envisage similar funding levels as this year.

4.2 Staffing Allocation

Food Safety

4.2.1 Establishment of the Food Safety Team for the year 2012/2013 is 11.3 full time equivalent field officers plus two full time equivalent administrative support staff and management, broken down as follows:-

1 x Environmental Health Manager
2 x Senior Environmental Health Officers
4.3 x Environmental Health Officers
3 x Senior Technical Officers
1 x Technical Officer

This is a reduction in establishment by 0.5 from previous years. The half a post being offered up as savings to assist the Environmental Health & Licensing Department meet the saving requirements of the Comprehensive Spending Review for 2011/2012.

4.2.2 All enforcement staff comply with strict guidelines governing qualifications and competencies before they are permitted to undertake food safety duties. All Senior Technical Officers hold Higher Certificates in Food Premises Inspection and are able to inspect all risk categories of food businesses. All Environmental Health Officers are qualified to undertake inspections of all risk categories of food businesses.

4.2.3 Seven officers within the other Environmental Health & Licensing Teams retain competencies to undertake food safety inspections. All food competent officers must undergo a minimum of 10 hours food safety training per year to retain their authorisation to undertake food safety inspections. In addition to the competencies and qualifications required by the Food Safety Code of Practice, officers engaged in food safety inspections must have undergone additional 'Food Hygiene Rating Scheme' consistency training.

Food Standards

4.2.4 The Inspection and Sampling Team is responsible for Food Standards Inspection. The proportion of time allocated to this function in 2011/12 was estimated as follows:-

Support	0.05
Management	0.05
Food Staff	1.00
Total	1.1 FTE

4.3 Staff Development Plan

- 4.3.1 The Authority has a structured appraisal and development system. During staff appraisals, individual training needs and any gaps in competence are identified. The information is used to produce individual training and development plans for each officer for the coming year. Brighton & Hove City Council was awarded accreditation to Investors in People in early 2009.
- 4.3.2 The Food Safety Team also has team meetings every six weeks. Any training needs of the service as a whole are identified and discussed at these meetings.
- 4.3.3 Through this system, the service ensures that all food competent officers receive sufficient good quality focused food safety training to comply with relevant Codes of Practice and professional membership schemes.
- 4.3.4 The service currently has three staff undergoing part time or distance learning to become Environmental Health Officers and one working towards a Higher Certificate in Food Premises Inspection

5.0 Quality Assessment

5.1 Quality Assessment and Internal Monitoring

Food Safety

- 5.1.1 The service has a documented procedure relating to food safety duties. Internal audits are carried out to ensure compliance with these procedures. The service is accredited to ISO 9001 and externally audited by the British Standards Institute.
- 5.1.2 The service actively seeks the views of businesses by giving out post-inspection questionnaires to traders inspected. In 2010/2011 315 questionnaires were returned. The key findings of these returns were:-
- 98% of respondents were either very satisfied or satisfied that Brighton & Hove City Council had done all that it could to help deal with their premises inspection.
 - 99% of respondents understood the purpose of the visit to their premises.
 - 99% found the information given to them by the visiting officer easy or very easy to understand.

Similar high levels of satisfaction were recorded from questionnaires returned in the previous five years.

Food Standards

5.1.4 We aim to continually improve the level of service provided. Procedures are implemented and reviewed where necessary to incorporate identified improvements.

6. Review

6.1 Review Against the Service Plan.

Food Safety

- 6.1.1 In addition to the quality checks detailed in 5.1, performance is reviewed against the Service Plan by comparing the number of interventions achieved against the number programmed. Monthly statistical reports are produced so that performance can be closely monitored and managed through the year. Any problems are promptly identified and resolved through management reviews, team meetings and monthly one to one's between field staff and their line manager.
- 6.1.2 Official Feed and Food Controls Service Plans are produced and reviewed on an annual basis by management review and consideration by elected members through the committee structure and Full Council.
- 6.1.3 In the year 2010/2011 100% of the due food safety interventions were accounted for. This included interventions carried out and businesses that ceased trading before they could receive their planned intervention. 461 interventions were undertaken of new businesses or premises that had changed ownership.
- 6.1.4 At March 2011 90.8% of the food businesses in the city were deemed to be 'broadly compliant', or better.
- 6.1.5 The 2011/2012 Service Plan predicted that a total of 1197 food safety interventions would take place in this year. To the end of December 2011, 343 inspections of new businesses were undertaken and the service is on target to achieve the goal of carrying out interventions in at least 98% of the businesses due.
- 6.1.6 From April 2011 to the end of December 2011 the Food Safety Team served 29 Hygiene Improvement Notices, accepted one voluntary closure of an establishment and undertook two successful prosecutions and one simple caution. The prosecutions attracted total fines of £4,668 and costs of £2,100. One owner was prohibited from managing a food business.
- 6.1.7 Charts in Section 3 give a detailed break down of service activity from April 2007 to March 2011 and an estimation of the activity for the remainder of the current and coming year.

Food Standards

- 6.1.8 Service reviews are carried out on a monthly basis to check that our inspection programme is on target and to ensure that projects are being completed in the agreed timescale.
- 6.1.9 The Service Reviews indicate that we are on target to achieve our interventions programme.
- 6.1.10 During staff one-to ones each officer's performance is monitored, to identify good performance and any areas of improvement.

Complaints are responded to within the stated timescales

6.2 Identification of Any Variation from the Service Plan

Food Safety

- 6.2.1 Reviewing the final outcome of 2010/2011 and the current prediction, as at end of January 2012, for 2011/12 against last year's Service Plan 2011/12 shows six probable areas of variation.
- Last year's Service Plan estimated that 400 applications to register a new food business or change of ownership would be received during 2011/12. This was calculated from the number of applications received in the previous five years. Based on applications received to the end of January 2012 this estimate has been amended to 450. The increase appears to be a result of a greater number of business turnovers and more people setting up businesses from their home
 - The 2010/11 Service Plan estimated that 414 low risk businesses would return survey questionnaires during 2010/11 and 277 in 2011/12. In fact 277 were received in 2010/11 and 151 so far for 2011/12. As in general these businesses are surveyed every three years the significant decrease in returns is attributable to businesses ceasing trading during the three year period.
 - Last year's plan estimated that 1110 secondary inspections would be undertaken in 2011/12. At the end of January 2012 this was reduced to 820. It was felt that this reduction was due as a result of the Scores on the Doors Scheme encouraging higher standards of hygiene. This plan estimates that 1000 secondary interventions will be undertaken during 2012/13. The increase being due to the demand for rescors under FHRS.
 - The number of food complaints had reduced from the estimated 20 to 12 for 2011/12.
 - Equally the number of complaints about the condition of premises had reduced from an estimated 400 to 340 for 2011/12.

Food Standards

6.2.2 There was no significant variation from the plan.

6.3 Areas of Improvement

Food Safety

6.3.1 Current possible areas of improvement for the future are:

- It is hoped that migration to the national FHRS from the local Scores on the Doors scheme will continue to have a positive effect on standards of hygiene. The dramatic improvement in standards can be demonstrated by comparing the rankings of businesses when the scheme was launched in October 2007 to when it closed in December 2011.

Ranking	2007	2011
0 stars	39	13
1 star	139	39
2 stars	221	93
3 stars	427	295
4 stars	263	389
5 stars	78	637

Number of food businesses in each Scores on the Doors category

6.3.2 The FSA have started to produce performance data for local authority food services based on information received in annual returns. It is pleasing to note that when compared to the other 57 English Unitary authorities, of which Brighton & Hove is the ninth largest when measured by number of registered food establishments that:

- The authority was one of six who accounted for 100% of it's food safety inspection programme;
- It was ranked 15th for the proportion of food establishments that are deemed broadly compliant, see 3.1.12 for details.

Food Standards

6.3.3 Advancements have been made in the delivery of food law enforcement. There are many examples of joined up working and cooperation where coordinated sampling programmes and officer training feature highly. However there are still areas for improvement. They are as follows:

- Improved use of the Environmental Health newsletter to provide businesses with information.
- Increasing the number of voluntary contacts by businesses

- Developing the access to on line business advice.
- Better publicity for the healthy eating education message.
- Developing links with the schools
- Increasing and maintaining the competency and professional development of food officers.
- Establishing consumer concerns and reflect this in local activity.

ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 53

Brighton & Hove City Council

Subject:	Annual Health & Safety Service Plan 2012-13		
Date of Meeting:	ECSOSC 7 March 2012 Cabinet 15 March 2012		
Report of:	Strategic Director, Place		
Lead Cabinet Member:	Councillor Ben Duncan		
Contact Officer:	Name:	Roy Pickard	Tel: 29-2145
	Email:	Roy.pickard@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: 21131	
Ward(s) affected:	All		

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Health & Safety Annual Service Plan required under the Health & Safety at Work Act etc 1974 Section 18 standard is part of the Council's Policy Framework on which the relevant cabinet member and other stakeholders are normally consulted before final proposals are formulated.
- 1.2 This work is very important to a city like Brighton & Hove with its leisure and tourist industry, its night time economy and its retail businesses. It keeps the city's workers, residents and visitors safe and healthy and enhances the city's reputation as an attractive place to work, live and visit.

2. RECOMMENDATIONS:

- 2.1 ECSOSC is recommended to comment on the Plan.
- 2.2 *(Cabinet is recommended to agree the proposed Health & Safety Annual Service Plan 2012/2013 at Appendix 1 and recommend that Council approve it.)*

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Health & Safety Annual Service Plan is a statutory document required under guidance issued by the Health and Safety Executive (HSE), Section 18 Standard. The Annual Service Plan for this year reviews 2010-11 and details the aims and objectives for the enforcement of health & safety as a function of the Health & Safety Team.
- 3.2 To ensure local transparency and accountability, it is a requirement that the Health & Safety Service Plan is submitted to the relevant member forum for approval. It also requires members to make a commitment to the Health & Safety Executive strategy 'be part of the solution'

- 3.3 Section 18 of the Health and Safety at Work etc Act 1974 (HSWA) puts a duty on Local Authorities (LAs) to make adequate arrangements for enforcement. The primary purpose of the HSWA is to control risks from work activities. The role of the Local Authority is to provide advice and support to duty holders, manage and control these risks and thus prevent harm to employees and to the public.
- 3.4 This year the coalition government has been carrying out a major review of health and safety legislation, strategy and enforcement.
- 3.5 In March 2011, the Minister for Employment announced the next steps in the Government's plans for reform of the health and safety system in Britain with the publication of "*Good Health and Safety, Good for Everyone*".¹ Under the reforms, protecting people in the workplace and in society as a whole remains a key priority. The focus of the health and safety regime will move to a lighter touch approach concentrating on higher risk industries and on tackling serious breaches of the rules.
- 3.6 The Government's reforms require HSE and LAs to reduce the number of inspections carried out; to have greater targeting where proactive inspections continue; and to increase information provision to small businesses in a form that is both accessible and relevant to their needs.
- 3.7 In May 2011, Local Government Group² (LGG) and HSE published joint guidance - "Reducing Proactive Inspections". This document provided guidance for LAs to determine their proactive interventions with flexibility to deliver local and national health and safety priorities within the Government's overall policy framework.
- 3.8 The joint HSE/LGG guidance ask LAs to use both national planning priority information and local information to determine the key causes of serious workplace accidents, injuries and ill-health and to develop intervention plans for poorly performing businesses. The nature of the intervention appropriate to a particular premises will be determined by the rating assigned to the premises
- 3.9 The HELA Local Authority Circular 67(3) that's give advice to local authorities on targeting interventions was revised in November 2011. In summary, LAs should target their health & safety interventions plans for the premises they enforce using the most appropriate option from the full range of interventions available. In keeping with the joint HSE/LGG guidance, LAs should reserve proactive inspection for Category 'A' premises and consider the use of other non-inspection techniques for other categories of premises. In keeping with the Government's reforms of health and safety, there are no restrictions on reactive work but LAs should consider using HSE's Incident Selection Criteria and risk based approach to complaints handling to assist with targeting their resources.
- 3.10 In November 2011 a report was released by Professor Ragnar E Löfstedt called Reclaiming health and safety for all: The report was an independent review of health and safety legislation. Its key recommendations that relate to local authority work were:

- Exempting from health and safety law those self-employed whose work activities pose no potential risk of harm to others.
- That legislation is changed to give HSE the authority to direct all local authority health and safety inspection and enforcement activity, in order to ensure that it is consistent and targeted towards the most risky workplaces.

3.11 The attached Service Plan (Appendix 1) sets out the adequate arrangements for enforcement of the Health and Safety at Work etc Act 1974 by the Local Authority, in line with the above reports.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

4.1 A Senior Lawyer and Accountant have been consulted regarding the legal and financial implications. The service plan will be part of a rigorous consultation process in March 2012 involving members of the public, employers, employees, internal and external stakeholders such as Trade Unions, Corporate Health & Safety and local business forum. It must be a published document and is also available on the Council's website.

4.2 Businesses satisfaction rates for the Health and Safety service remain high with 98.3% of business feeling that they had been treated fairly and 98.7% of businesses felt the contact was helpful.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The annual Health and Safety Service Plan sets out the approach that the Council will use to fulfil its statutory duties. The 2012/13 net budget for the Health and Safety Service within Environmental Health will be determined by Budget Council on 23rd February 2012. The net budget for the current year is £215,870, and this includes a figure to cover the appropriate proportion of the Head of Environmental Health & Licensing and administrative support.

Finance Officer consulted: Karen Brookshaw Date: 21/12/11

Legal Implications:

5.2 Local authorities have a duty under Section 18 of the Health and Safety at Work Act 1974 to make adequate arrangements for enforcement of health and safety legislation in their area. 'The Standard for Health and Safety Enforcing Authorities' issued by the Health & Safety sets out the requirements that local authorities are obliged to follow in meeting their s18 duty'. The plan in Appendix 1 complies with these requirements.

5.3 The Council's Constitution requires the adoption of the Health & Safety Annual Service Plan to be reserved to full Council.

Lawyer consulted: Oliver Dixon Date: 23/12/11

Equalities Implications:

- 5.3 An Equalities Impact Assessment has been completed as part of our contact with groups during discussions in 2010. It has identified that additional work with BME takeaways is required.

Sustainability Implications:

- 5.4 Unacceptable risk, fatalities and major injuries would reduce development of the city, tourism and benefits to local people, in addition to private and family lives.

Crime & Disorder Implications:

- 5.5 Reduction in crime and disorder as part of the work place violence projects and retail robbery work.

Risk and Opportunity Management Implications:

- 5.6 A sensible approach to health & safety protects the Councils reputation as a responsible authority. Leading and promoting health & safety avoids tragedy and consequent adverse impacts.

Public Health Implications:

- 5.7 The service plan protects public health by improving standards in work places reducing sickness and ill health. The public and visitors to the city are also protected from accidents and incidents that can lead to injury.

Corporate / Citywide Implications:

- 5.8 A safe and healthy workforce benefits the local economy and develops the city's tourism

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 None. The Service Plan is a statutory requirement.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Compliance with statutory duties.

SUPPORTING DOCUMENTATION

Appendices:

1. Health & Safety Annual Service Plan 2011/2012

Documents in Members' Rooms

1. None

Background Documents

1. Health & Safety at Work etc Act 1974
2. Health & Safety Executive strategy 'be part of the solution'
3. Local Authority Circular 67(3)
4. Minister for Employment : Good Health and Safety, Good for Everyone
5. Local Government Group2 (LGG) and HSE published joint guidance - "Reducing Proactive Inspections"
6. Professor Ragnar E Löfstedt: Reclaiming health and safety for all

Appendix I

Brighton & Hove City Council – Service Plan - Health and Safety at Work – 2012/13

Overall **Aim** of the Service:

Tackling inequality by engaging with people who live and work in the City to protect public health by ensuring that the risks in changing workplaces are properly managed.

Summary of national planning priorities 2012 - 2013

Over arching principles

Local Authorities should decide, plan and target their health & safety interventions having regard to the range of interventions available, the risk profile of the business/sector, national information (accident statistics, national priorities, Primary/Lead Authority inspection plans) and local knowledge and priorities. Local Authorities should reserve proactive inspection for Category 'A' premises and consider the use of other non-inspection techniques for other categories of premises. In keeping with the Government's reforms of health and safety, there are no restrictions on reactive work.

Our key delivery **priorities** are:

- To inspect category A premises
- To investigate accidents
- To respond to complaints and enquires
- To respond to referrals from services or other organisations
- To support the City's outdoor events
- To carryout interventions as part of a national priority, a significant potential local issue or where there is a sufficient weight of intelligence over a period of time.

National Priorities for Local Authorities

- Visitor attractions to prevent or control ill health arising from animal contact.
- Asbestos duty to manage and awareness raising.
- Where Local Authorities are involved in the London 2012 Games.
- Visits to specified sites as part of the coordinated national campaign to address LPG underground pipe work in response to the Lord Gill recommendation.
- Intervention to sites identified as within the scope of the nationally recognised Beauty Sector intervention plan
- During visits for another primary purpose, for example a food safety inspection where if matters of evident concern and /or significant breaches of health and safety law are identified they are dealt with at the same time.

Local Priorities:

- Work place violence BME Takeaways – working with the community and partners.
- Outdoor Events (including events with pyrotechnics in light of concerns by East Sussex Fire Service).

- Asbestos Duty to Manage.
- Scrap Metal Merchants.
- Swimming Pool Safety.
- Animal Attractions.
- Skin Piercing.
- Providing advice to duty holders.

Our Achievements: 2010/11 – ‘Selling our story’ –Review of the 2011/12 Service plan

The team’s achievements in 2011/12 were:

- Inspections of city’s high risk businesses
- Visits to 90 BME takeaways to raise awareness of work place violence and research it cause and effects.
- Completed 50 visits to night clubs and bars to give and advice and assistance on reducing workers exposure to excessive noise.
- The team website reviewed to give up to date information to businesses and workers.
- New hotel health and safety resource designed for the Councils website, with a letter drop to 500 hotels and guest houses launching the site.
- Health and safety inspections of fish pedicure premises, Laser treatments and sun bed businesses advising them of the new regulations.
- Responded to 675 service requests.
- Reviewed 300 accident notifications and investigated as necessary.
- Scrutinised 250 new and varied licence applications & planning applications.
- Ensured that the City’s outdoor events ran safely and included advice and assistance given to Pride, Marathon, Burning of the Clocks, Chinese State Circus and the Brighton Festival, Brighton carnival and the children’s parade.
- Participating in the Sussex flexible warranting scheme and Major Incident Team.
- 12 messages of the month sent to over 200 businesses on mailing list
- Working sub-group for Healthy Workplaces now fully established and forms part of the wider Healthy City Partnership
- Promoted the new ‘Workplace Wellbeing Charter’ through existing networks
- Presented at the European Healthy City Network in Liege, Belgium June 2011. ‘Working with businesses to promote health & well-being of their employees’
- Continue to promote the Free Health Check service for employers and employees.
- 46 Businesses have received Health Checks for their workforce
- 610 Health Checks were conducted in workplaces
- Promoted the Sussex Business Awards (sbawards) to businesses
- 6 x Beach Volleyball Tournaments for businesses held over the summer
- Small grants scheme (up to £500) 15 businesses received grants to deliver a programme that addressed the health and wellbeing of employees

Ensuring Quality

To ensure that the service we offer to residents and businesses is of high quality we will ensure that:

- All officers carrying out enforcement work are appropriately authorized, according to their ability, qualifications, expertise and experience.
- That officer's competence is continually assessed and that we support officers to develop their skills and widen their experience.
- That we will ask for feedback from business and residents on the quality of the service we provide and strive to continually improve
- That our work is audited externally by the British Standards Institute to ensure compliance with ISO9001 Quality Assurance.
- We will continue to participate in local peer reviews with neighbouring local authorities to ensure consistency and best practice.
- To continually update our data base to provide accurate details of business to help us communicate targeted health & safety messages effectively.

Work plan and resources

Staff resources – 4.75 FTE Health & Safety Team – 2.25 FTE Occupational Health Team

Item	Resources	Timescales	How & Why	Outcome
<p>BME Takeaways – Work place violence</p> <p>To complete visits to 20 BME takeaways, working with the racial harassment forum, the partnership community safety team, and police to raise awareness of work related violence and ensure compliance with other related H&S requirements.</p>	0.1 FTE	Throughout 20012/13	<p>Visits to 20 vulnerable premises (takeaways) identified in the questionnaire survey of 2011. To provide 121 support given to draft risk assessments and to identify controls to combat violence at work, stress at work, Slips trips and falls, gas/electrical safety, working with the police, business crime reduction partnership, partnership community safety team, racial harassment forum</p>	<p>National Planning Priority A significant potential local issue and where there is a sufficient weight of intelligence over a period of time.</p> <p>Type of intervention Awareness raising and education & and working with those at risk.</p> <p>Performance indicator Number of completed visits % increase in confidence in management %increase in those premises that are H&S compliant.</p> <p>Outcome Increased standards of employee and public health and safety in take-away premises. Increased awareness of specific and general H&S issues pertinent to night time economy businesses.</p>

<p>Swimming Pool Safety</p> <p>To inspect all swimming pools in the city to ensure that they meet safety standards</p>	<p>0.1 FTE</p>	<p>Throughout 2012/13</p>	<p>Visits to approximately 20 premises.</p> <p>A recent prosecution of local gym as a result of a major incident caused by an overloading of a spar pool with chlorine has identified a need to look at this sector.</p>	<p>National Planning Priority A significant potential local issue Type of intervention Sector and industry wide initiatives Performance indicator No of visits to swimming pools % increase in risk assessments Outcome Increased compliance with H&S requirements</p>
<p>Scrap Metal Merchants</p> <p>To ensure all scrap metal merchants in the city are registered under the Scrap Metal Merchants Act 1964 and carryout joint inspections with the police.</p>	<p>0.05 FTE</p>	<p>Throughout 2012/13</p>	<p>5 inspections of premises.</p> <p>In response to national metal thefts, the 1964 Act is being reviewed. The police have asked to carry out joint visits to ensure compliance with the Act.</p>	<p>National Planning Priority A significant potential local issue Type of intervention Sector and industry wide initiatives Performance Indicator No registered No of visits to Scrap Metal Merchants Outcome Increased compliance with H&S legislation Reduction in Metal Crime</p>
<p>Animal Attractions</p> <p>To raise awareness of ill health arising from animal contact at visitor attractions.</p>	<p>0.05 FTE</p>	<p>Throughout 2012/13</p>	<p>As part of the national priority project of visitor attractions to prevent or control ill health arising from animal contact. To</p>	<p>National Planning Priority Prevent or control ill health arising from animal contact. Type of intervention</p>

			write to nursery's in the City giving advise on trips to animal attractions.		Awareness raising and education Performance Indicator Numbers of nursery's advice given to. Outcome Protection of children from ill health
Licensed Premises – Work Related Violence					
To follow up information from Joint intelligence meetings with the Police, Fire Service, Trading Standards, Licensing Teams of violence and other health & safety issues in licensed premises and carry out visits to ensure compliance with H&S requirements.	0.1 FTE	Throughout 2012/13	Visits to 50 businesses. Advice given in respect of work related violence and ensure compliance with H&S requirements.		National Planning Priority Reactive referral visits Performance Indicator Number of premises inspected % increase in confidence in management % reduction in reported incidents in those premises Outcomes: Reduction in corresponding associated violence to workers
Skin Piercing Registration					
To carry out visits to register skin piercers and premises and to ensure compliance with the city's bylaws.	0.3FTE	Throughout 2012/12	Visits to 100 premises to ensure compliance with the City's bylaws and Health & Safety Legislation		National Planning Priority Reactive referral visits Performance Indicator No of visits carried out Outcomes Reductions of complaints about skin piercers
Supporting Small & Medium Sized Enterprises					
Send monthly health & safety messages promoting sensible risk management. &	0.1 FTE	Throughout 2012/13	Collect email addresses from visits & self assessment risk		National Planning Priority Education and awareness

<p>Updating website to provide resource for small and medium sized businesses</p>			<p>rating questionnaires. Use BHCC email system to deliver messages. Update the website.</p>	<p>Type of intervention Awareness raising and education Performance Indicator Number of messages sent Website updating Outcome Increased standards of employee and public health and safety business contacted. Sensible risk management promoted</p>
<p>Asbestos Duty to Manage To publicise the duty to manage Asbestos with at risk groups</p>	<p>0.05 FTE</p>	<p>Throughout 2012/13</p>	<p>Publicity campaign on the duty to manage asbestos.</p>	<p>National Planning Priority Asbestos duty to manage and awareness raising Type of intervention Awareness raising and education Performance Indicator Advertising campaign completed Outcome Increased compliance with H&S legislation</p>
<p>Community Events Support the following community events</p> <ul style="list-style-type: none"> • Children's Parade • Brighton Carnival • Brighton Fringe Festival • Brighton Festival • Ladyboys of Bangkok • Paddle Around the Pier • Moscow State Circus 	<p>0.5FTE</p>	<p>Throughout 2012/13</p>	<p>. Attend meetings, give advice, review event management plans and risk assessments. Attend events where necessary to enforce and give advice. Monitor and enforce occupational noise exposure limits.</p>	<p>National Planning Priority Reactive referral work Type of intervention Promoting best practice. Performance indicator Number of Event Management Plans Reviewed Outcome Increased safety at public community events.</p>

<ul style="list-style-type: none"> • Olympic Relay Event • Pride • Zippo Circus • Burning of the clocks • Brighton Marathon • Shakedown • Waterhall festival • White Night • Tattoo Convention • Organised firework displays 				Forming links with communities
<p>Partnership Working</p> <p>Participate in the Sussex Liaison Group (SHSLG) pan Sussex health & safety project</p>	0.1 FTE	Throughout the year 2012/13	<p>Represent BHCC at SHSLG</p> <p>Participate in Sussex wide Health & Safety initiative</p>	<p>National Planning Priority</p> <p>Section 18 compliance - partnership working</p> <p>Performance indicator</p> <p>Number of meetings attended</p> <p>Project completed.</p> <p>Outcome</p> <p>Joined up approach to regional health & safety initiatives.</p>
<p>Alcohol Licensing and Planning Applications</p> <p>To review new and varied alcohol license applications & planning applications and make representations where appropriate.</p>	0.2FTE	Throughout 2012/13	<p>Scrutinise and comment on applications where appropriate. 150 licensing applications and 100 planning applications. Advice on CDM</p>	<p>National Planning Priority</p> <p>Reactive referral work</p> <p>Performance indicator</p> <p>Numbers of licence & planning applications reviewed.</p> <p>Outcome</p>

			regulations & workplace regulations. Visits to premises as necessary.	Proactive development of consistent and high standards of health and safety in proposed new commercial operations and licensed premises.
Inspections of Category A Premises To carry out approximately 20 High risk planned general inspection targeting the highest risk (category A,) including Cooling Towers	0.2 FTE	Throughout 2012/13	To carry out 20 planned general inspections to high risk business due to be inspected in 2011/12. To advise and carry out enforcement as necessary.	<p>National Planning Priority Proactive Inspection of Category A premises</p> <p>Type of Intervention Inspection</p> <p>Performance Indicator Number of inspections undertaken. % increase in confidence in management % increase in H&S compliant businesses</p> <p>Outcome To maintain or where necessary improve standards of employee and public health and safety in local businesses.</p>
Investigations of complaints To respond to approximately 675 requests for service	1.8FTE	Throughout 2012/13	Respond to 95% of Service Requests within deadlines.	<p>National Planning Priority Reactive referral work</p> <p>Performance Indicators. Percentage of Service Requests responded to within departmental deadlines.</p> <p>Outcome</p>

					Maintain standards of customer service at a high level.
Investigations of Accidents To review all accident notifications and to investigate them all appropriately.	1 FTE	Throughout 2012/13	To review approximately 300 accident notifications and investigate accidents where they meet BHCC criteria for investigation		National Planning Priority Reactive referral work Performance Indicator Number of accidents investigated. Outcome Reduce the level of work place accidents in local businesses
Data base accuracy To update the data base using food safety registration details and business rates details.	0.1FTE	Throughout 2012/13	Premises data from food safety registration forms and businesses rates to be placed on the health & safety premises data base. Street surveys to identify new or changed businesses.		National Planning Priority Section 18 compliance - maintaining a data base. Performance Indicator Number of business placed on data base Outcome Better targeting of resources to the highest risk premises.
Healthy Work Places Healthy Workplaces Action Plan completed as part of the wider Healthy City Partnership	0.4 FTE	Throughout 2012/13	To promote the importance of workplace health and wellbeing to businesses		Responsibility Deal Workplace health and wellbeing pledge for businesses Type of intervention Advice and support Performance Indicator Number of businesses promoting employee health and wellbeing Outcome Increased health and wellbeing

					initiatives in the workplace
Promote the Healthy Workplace Action Plan to businesses	0.2 FTE	Throughout 2012/13	To provide advice and support to employers around the benefits of addressing employee health and wellbeing	<p>Responsibility Deal Workplace health and wellbeing pledge for businesses</p> <p>Type of intervention Advice and support</p> <p>Performance Indicator Number of businesses promoting employee health and wellbeing</p> <p>Outcome Improved health & wellbeing in the workplace</p>	
Promote the Workplace Wellbeing Charter (WWC) to businesses	0.2 FTE	Throughout 2012/13	To promote the WWC to businesses	<p>Workplace Wellbeing Charter Self assessment standards</p> <p>Type of intervention Advice and support</p> <p>Performance Indicator Number of business engaged with the action plan</p> <p>Outcome Improved health & wellbeing in the workplace</p>	
Work with businesses to attain WWC status	0.2 FTE	Throughout 2012/13	To promote the importance of workplace health and wellbeing to businesses	<p>Workplace Wellbeing Charter Self assessment standards</p> <p>Type of intervention Review work practices in light of WWC standards</p> <p>Performance Indicator Number of businesses signed up to the WWC</p> <p>Outcome</p>	

Promote the Free NHS Health Check Service for employers and employees.	0.2 FTE	Throughout 2012/13	Increased health & wellbeing initiatives NHS Health Checks Vascular risk assessment Type of intervention NHS Health Checks for employees Performance Indicator Number of health checks delivered Outcome Improved health & wellbeing and reduced sickness absence
Promote Small Grants scheme available to businesses	0.2 FTE	Throughout 2012/13	Healthy City Partnership Type of intervention Support and advice around health and wellbeing initiatives Performance Indicator Number of grants awarded Outcome Improved employee health and wellbeing
Support Businesses in the delivery of health promoting activities that address employee health and wellbeing	0.2 FTE	Throughout 2012/13	Healthy City Partnership Type of intervention Support and advice Performance Indicator Number of business engaged with the action plan Outcome Increased health & wellbeing initiatives
Organise 5 x Beach Volleyball Tournaments through summer months	0.2 FTE	Throughout 2012	Healthy City Partnership Type of intervention

<p>Promote the Sussex Business Awards to businesses</p>	<p>0.2 FTE</p>	<p>Throughout 2012/13</p>	<p>Healthy Business award</p>	<p>Physical activity Performance Indicator Number of business taking part Outcome Increased physical activity Healthy City Partnership</p>
				<p>Type of intervention Promoting the awards to businesses Performance Indicator Number of businesses nominated for the awards Outcome Improved health & wellbeing of employees</p>

