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## **CABINET AGENDA**

**Date:      Wednesday 16th June 2021**

**Time:      6.00pm NB Time**

**Venue:    NB Remote Microsoft Teams**

**This meeting will be webcast live on the internet.**

### **Membership:**

<b>Councillor Sheldon</b>	<b>Chairman - Leader of the Council</b>
<b>Councillor Cutler</b>	<b>Waste &amp; Environmental Health</b>
<b>Councillor Mrs Egan</b>	<b>People – Health &amp; Wellbeing</b>
<b>Councillor Hart</b>	<b>Place – Infrastructure</b>
<b>Councillor Isaacs</b>	<b>People – Community</b>
<b>Councillor Johnson</b>	<b>Resources</b>
<b>Councillor Mrs Thornton</b>	<b>Growth - Economic Environment &amp; Sustainability</b>
<b>Councillor Varker</b>	<b>Special Projects (Deputy Leader of the Council)</b>

**Cabinet Enquiries:**      **Ann Horgan ext. 2413**  
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**Reference:**                **1/2021/2022**  
**Publication Date:**      **Tuesday 8th June 2021**

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**AGENDA**  
**PART I**  
**(Business to be taken in public)**

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- 1. Apologies**
- 2. Members' Interests**
- 3. Minutes**  
To approve the Minutes of the meeting held on 21st April 2021.
- 4. Forward Plan**  
To review the Forward Plan.
- 5. Quarter 4 Corporate Performance Scorecard**  
*(Report of the Cabinet Member Special Projects)*
- 6. Food and Health & Safety Service Plan**  
*(Report of the Cabinet Member Waste & Environmental Health)*
- 7. Update easing of Covid regulations Pavement Licences & Outdoor Hospitality**  
*(Report of the Cabinet Member People – Community)*
- 8. Authority to Represent the Council**  
*(Report of the Cabinet Member Resources)*
- 9. Adoption of Working Definition of Anti-Semitism**  
*(Report of the Cabinet Member People – Community)*
- 10. Matters to be referred from /to Policy & Scrutiny Committees**
- 11. Matters to be referred from /to the Standing Committees**

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**PART II**  
**(Business to be taken in private)**  
**(Item to be considered with the press and public excluded from the meeting)**

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There were no items at time of publication of this agenda.



## CABINET



**21ST APRIL 2021**

### **PRESENT:**

Councillor Stanley	Chairman – Leader of the Council
Councillor B Egan	Special Projects
Councillor Hart	Place - Housing
Councillor Isaacs	Place Infrastructure
Councillor Johnson	People – Community
Councillor MacLean	People – Health & Wellbeing
Councillor Sheldon	Growth – Strategic Planning
Councillor Mrs Thornton	Environment
Councillor Varker	Economic Development Delivery
	Resources

### **ALSO PRESENT:**

Councillors Anderson, Blackwell, Campagna, Fuller, May, Mumford, Palmer, Riley, Sach, Skipp, Thomas, Tucker

### **APOLOGIES:**

None

### **171. MEMBERS' INTERESTS:**

There were none.

### **172. MINUTES:**

The Minutes of the Cabinet meeting held on 24.02.2021 were approved as a correct record.

### **173. FORWARD PLAN**

To comply with regulations under the Localism Act 2011, the Leader presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter of 2020. The Plan was reviewed each month. The item referring to, ASELA - appointment of a joint committee to give formality to the Memorandum of Understanding had been delayed.

**Resolved** – To note and approve the Forward Plan.

### **174. ECONOMIC DEVELOPMENT:**

Cabinet received a report containing an overview on Economic Development in Castle Point and outlining an approach for supporting future business and economic growth and opportunities.

The Council has long played a role in supporting the economic prosperity of its regions, albeit economic development was not in itself a statutory function of local authorities. By creating an environment where local enterprise can flourish, many flow-on benefits occur to the local area either directly or indirectly. For example, the availability of quality local jobs leads to general prosperity, enhanced education and health outcomes, and a reduction in travel brings associated environmental benefits.

The disruption and associated impact caused by COVID-19 has had a significant impact on the local economy of Castle Point. As the pandemic continues its disruption beyond most people's initial expectations, the full economic effects (positive as well as negative) were still not known.

This report presents to Cabinet a comprehensive update on the local economic context and the initiatives underway to support economic development in Castle Point as guided and supported by the Castle Point Regeneration Partnership. The report also considers the opportunities for the Council to support businesses to look ahead to the recovery of the economy as the current Covid19 pandemic eases and to ensure that businesses take advantage of the new economic opportunities that are emerging.

Since the first lockdown in March 2020, there has been a significant impact to the local economy as various lockdowns and the restrictive regulations have impacted business operations and the staff that work in them, particularly for retail and leisure sectors.

Many Castle Point businesses have benefitted from the several grant support schemes offered by government including business rate relief, the local restrictions support grants, the Essex Business Adaptations Grant and other business support grants. As of January 2021, circa. £16 million of grant funding has been administered and distributed to local businesses by the Council.

The disruption of the pandemic and the rebound of the recovery meant that the future economy was likely to look different to the past. New opportunities had emerged relating to changed habits and behaviours ranging from shopping to business methods.

The report covered the impacts and identified key opportunities to be exploited both within the surrounding area and the borough itself.

The report covered our Economic Development Activities which included:

The Association of South Essex Local Authorities (ASELA). ASELA had developed a Growth and Recovery Prospectus, which was submitted to the government in July 2020. At its very core was strengthening the local economy and setting out how South Essex can adapt and seize opportunities which improve the employment, health and well-being of residents, whilst also protecting the environment. The Council was providing leadership on this, in particular connectivity, strategic planning and housing delivery. ASELA was working towards the delivery of pathfinder projects within these programme areas.

The report identified the current Economic Development Projects including those designed to support and stimulate the local economy. This has seen the creation of

the new Market in Canvey Town Centre, The Castle Point Business Forum and the development of the reopening of the High Streets Safely and Welcome Back Fund

The Council was a partner in Essex County Council's Path to Prosperity Project. The project includes elements of marketing, signposting and wayfinding to support the promotion of the coast, with the objective to support coastal businesses.

Key Infrastructure & Growth Projects underway to help to support economic development by providing an environment that is conducive for businesses to prosper and to enhance job prospects in the Borough. Current key projects included: The New Local Plan, Canvey Town Centre, Canvey Seafront and Hadleigh Town Centre.

Particular attention was drawn to the rollout of the Local Full Fibre Network Project and the USP College's new XTEND R&D facility on Canvey.

Cabinet acknowledged the report illustrated the current limited resources for Economic activity within Castle Point Borough Council. The Council were reliant on support and collaboration with our partners.

Cabinet noted the current methods of Communication with our businesses and the business community and the ways in which we had over the last year attempted to forge better links and a better information flow.

The Council was committed to assisting tackling climate change. As agreed by Cabinet on 16 September 2020 an officer action group was progressing initiatives to achieve Carbon reduction targets.

Cabinet recognised these are uncertainty times for businesses, the local economy and well-being of residents. But it was vital that Council used its local leadership role, partners and opportunities to support business development. Next steps were outlined in the report to achieve this.

Cabinet and Members discussed and raised questions regarding the report.

Members expressed their thanks for the Green initiatives and to the Climate Change Action Group

**Resolved:**

1. To note the content of the report and recognises the role of the Council both directly and indirectly to support Economic Development in Castle Point
2. To support the development of an Economic and Growth Strategy that integrates with the strategic focus and activities of other partners in South Essex such as Opportunity South Essex and ASELA.
3. To support the proposed activity areas of focus for future economic growth.

**175. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) POLICY – ANNUAL UPDATE OF USE OF POWERS:**

Cabinet considered a report providing an update to the Cabinet and Council on the current RIPA policy and its use.

The Regulation of Investigatory Powers Act (the Act) was introduced by Parliament in 2000. The Act sets out the reasons for which the use of directed surveillance and covert human intelligence source may be authorised. When undertaking an investigation, the Council would more than likely use overt technology such as CCTV or open source methods rather than covert methods (without the individual's knowledge) of gathering information.

The Council's RIPA Policy sets out the approach that the Council is taking towards Regulation of Investigatory Powers Act 2000 (RIPA) in relation to its policies, practices and services.

It is a requirement under paragraph 4.47 (page 41) of the Home Office Covert Surveillance and Property Interference Code of Practice 2018 that use of the Council's RIPA policy is reported to Council annually as to whether there have been any such applications made under the act and that the policy remains fit for purpose.

The Council had not found it necessary to make any RIPA applications to the Magistrates' Court in the past year. However, should overt means of gathering of information for investigations prove to be insufficient the Council had the necessary policy and procedures in place whether the surveillance is to be unregulated or regulated by the Act.

The Council updated its RIPA policy in 2020 following a successful inspection by The Investigatory Powers Commissioner which found that the Council was demonstrating compliance with policies and had satisfactory arrangements in place in relation to RIPA. By reporting to the Council, the use of the RIPA policy in the last year, the Council was continuing to demonstrate compliance with the policy and its associated Codes of Practice.

**Resolved:** To note the content of this Report.

#### **176. THE PADDOCKS - WORKING GROUP UPDATE**

Cabinet considered a report on the work of the Paddock's Working Group to date in progressing the provision of the new community facility to replace the existing Paddocks Community Hall.

At its meeting on 18th September 2019 Cabinet endorsed the formation of a Working Group consisting of members from all parties to progress the provision of a new facility to replace the Paddocks Community Hall which has reached its end of life and is no longer fit for purpose.

The Working Group had met on three occasions and members of the group have also visited the Chantry Way Centre in Billericay to see the new community facility, the building and design of which was overseen by Ingleton Wood for Billericay Town Council.

The Working Group had considered the feedback from DRDH Architects / Business of Culture who were commissioned to assess latent demand and operational costs of a new facility. Two options were considered, namely a replacement community centre and a larger scale entertainment events venue/replacement community centre. Their report took into account information about engagement and

attendances across the arts, museums, and cinema for residents within the catchment area, which is defined as within 20 minutes' drive of the venue.

Having considered the pros and cons of both options and in particular the potential financial risk to the Council if the new facility failed to attract the visitor numbers and income required to make the facility viable, the Working Group concluded that the most appropriate option was for a replacement Community Hall, albeit one that was capable of hosting shows and other forms of entertainment from time to time.

Ingleton Wood, Architects was subsequently commissioned to undertake a high-level feasibility study and to develop potential layout plans for a new multi-functional community facility to demonstrate what a new build could look like within a budget that is affordable.

In consultation with the Leader and Deputy Leader who had received financial advice from the Strategic Director (Resources) the Brief was to work to an initial budget of £3m which was to include the cost of the new build plus demolition of the existing facility.

The estimated cost of the draft layout proposal put forward by Ingleton Wood was £3.28m. This cost included demolition of the existing facility but excludes professional fees /survey costs (additional estimated cost £363k) and some of the fit-out costs. It also assumed the facility would be built on the same footprint as the existing building but if it were to be built elsewhere on the site in order to ensure continuity of use of the facility throughout the construction period then there would be additional costs associated with the upgrading of services and the replacement of the car park on the existing footprint which potentially could be significant.

Borrowing of £3m could be offset assuming the establishment of a new facility which results in a net reduction in operational costs of £100k per annum. This is however based on a "leap of faith" and must be sustainable for a period of 40 years in order to absorb the resulting capital financing charges.

Given the reduction in operational costs for a new facility and the likely increased usage and income, it was felt that a net reduction in operational costs of £100k per year was likely to be achievable, but this would need to be confirmed by the operational service plan in due course.

Cabinet and Members discussed and raised questions regarding the report. In order to progress the provision of the new facility it will be necessary to draw £30k from reserves to cover the cost of the detailed feasibility study.

**Resolved** - That Cabinet endorse:

1. The progress the Paddocks Working Group has made in respect of the provision of the new community facility to date; and
2. The drawing down of £30k from the Council's general fund reserves to cover the cost of the detailed feasibility study needed to progress the provision of the new Community Centre.

#### **177. CORPORATE PERFORMANCE SCORECARD QUARTER 3 2020/21:**

Cabinet considered the performance figures for the Corporate Performance Scorecard for quarter 3 2020/21.

The performance summary in Appendix 1 set out the performance achieved by the Council against the measures in the scorecard. Of the 28 indicators reported, 23 were on or above target, a further 1 was near target and 4 indicators did not meet the target. Trend in performance showed that there was improving performance in 17 indicators, declining performance for 7 indicators and performance levels maintained for a further 3 indicators. The allotment vacancy indicator was new for 2020/21 and does not have an indication of trend.

The percentage of household recycling was slightly down on the same period last year and just below target. Household composting (including food waste) was above target although slightly down on the same period last year. Overall, this meant that over 51% of household waste collected was either recycled or composted.

Tenant satisfaction with repairs and maintenance at 98.3% remained strong and above target although down on performance at the same time last year. The average void turnaround time was 49.6 days for the quarter. Covid 19 lockdowns have had a significant effect on void turnaround, with suspensions of viewings and difficulties for the contractor obtaining materials. When Castle Point moved into Tier 3 restrictions in December 2020, the Council suspended all void works, and allocations, to sheltered units.

Satisfaction with Leisure Services was measured by a Net Promoter Score (NPS) Exceptionally high NPS were achieved in Q3 due to the arrangements put in place to ensure social distancing at the centres and the free classes offered online during lockdown. As a result of these scores, Castle Point Leisure Services was informed in December that it had retained its 2019 crown for Best Member Experience – Local Authority as well as winning a prestigious Platinum Medal, the only club in the UK to achieve this honour and 1 of just 5 from a worldwide pool of over 5,000 leisure facilities.

Congratulations were given to The First Contact team who continued to deal with queries effectively; 95% of calls received were dealt with at the first point of contact without the need to transfer to the back office. This was above target, an improvement on last year and maintains a consistently high level of performance.

**Resolved:** To note the report and continues to monitor performance.

#### **178. MATTERS REFERRED FROM / TO POLICY AND SCRUTINY COMMITTEES**

There were no matters.

#### **179. MATTERS REFERRED FROM / TO THE STANDING COMMITTEES**

There were no matters.





# **Castle Point Borough Council**

## **Forward Plan**

**JUNE 2021**

# **CASTLE POINT BOROUGH COUNCIL**

## **FORWARD PLAN**

**JUNE 2021**

This document gives details of the key decisions that are likely to be taken. A key decision is defined as a decision which is likely:-

- (a) Subject of course to compliance with the financial regulations, to result in the local authority incurring expenditure which is, or the savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates subject to a threshold of £100,000; or
- (b) To be significant in terms of its effects on communities living or working in an area comprising two or more Wards in the area of the local authority.

The Forward Plan is a working document which is updated continually.

<b>Date</b>	<b><u>Item</u></b>	<b>Council Priority</b>	<b>Decision by Council/ Cabinet</b>	<b>Lead Member(s)</b>	<b>Lead Officer(s)</b>
June 2020	<u>Food and Health &amp; Safety Service Plan</u> - for approval	People - Health and Wellbeing	Cabinet	Health & Wellbeing	Head of Environment
June 2021	<u>Quarter 4 Corporate Score Card</u>	All	Cabinet	Resources	Strategy Policy & Performance Manager
July 2021	<u>Commercial Strategy</u>	A Commercially and Democratically Accountable Council	Cabinet	Resources	Strategic Director (Resources)
July 2021	<u>Housing Strategy</u> – revision for approval	Housing and Regeneration	Cabinet	Place – Housing	Head of Housing
July 2021	<u>Planning Policy Update</u> -to note	Housing and Regeneration	Cabinet	Growth – Strategic Planning	Head of Place & Policy
July 2021	<u>ASELA</u> – appointment of a joint committee to give formality to the Memorandum of Understanding	A Commercially and Democratically Accountable Council Housing and Regeneration	Cabinet	Leader of the Council	Strategic Director (Resources)
July 2021	<u>Financial Update</u> –	A Commercially and Democratically	Cabinet	Resources	Strategic Director (Resources)

		Accountable Council			
July 2021	Corporate Plan	All	Cabinet	Leader of the Council	Strategy Policy & Performance Manager
July 2021	Boundary Commission Parliamentary Constituencies Review 2023 – Response to Consultation	A Commercially and Democratically Accountable Council	Council	Leader of the Council	Returning Officer

**CABINET**

**16th June 2021**

**Subject: Corporate Performance Scorecard Quarter 4 2020/21**

**Cabinet Member: Councillor Varker - Special Projects**

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**1. Purpose of Report**

**To set out the performance figures for the Corporate Performance Scorecard for quarter 4 (Q4) 2020/21.**

**2. Links to Council's priorities and objectives**

**The scorecard is explicitly linked to the Council's priorities.**

**3. Recommendations**

**That Cabinet notes the report and continues to monitor performance.**

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**4. Background**

4.1 The Corporate Scorecard reports on performance indicators for important service outcomes that are relevant to the Council's priorities.

4.2 The indicators for the Corporate Performance Scorecard for 2020/21 were considered and approved by Cabinet in July 2020.

**5. Report**

**5.1 Summary of performance**

5.1.1 The performance summary in Appendix 1 sets out the performance achieved by the Council against the measures in the scorecard. Of the 32 indicators reported, 21 are on or above target, a further 2 are near target and 4 indicators did not meet the target. Performance against target was not shown for 5 indicators. Trend in performance shows that there is improving performance in 20 indicators, declining performance for 6 indicators and performance levels maintained for a further 3 indicators. Trend in performance was not shown for 3 indicators. The Q4 report includes 6 annual indicators in addition to those reported over the year.

### 5.1.2 Performance is set out against the four priorities in the corporate plan as follows:

#### ***Environment***

The percentage of household recycling is slightly down on the same period last year and just below target. Household composting (including food waste) is above target and up on the same period last year. Overall, this means that over 50% of household waste collected was either recycled or composted.

The good performance for street cleanliness continues this quarter and is on target with just 8.7% of inspected streets deemed unsatisfactory, down from 8.9% over the same period last year.

Fly tipping removal is above target, maintaining high levels of performance with 100% of fly tips removed within one working day, an improvement on the same period last year. There were 210 fly tips over the quarter.

Once grass cutting commenced in March 2021, the Council started to receive service requests about this. There were 9 service requests received, meeting target, although a slight increase from 6 over the same period last year. Mostly, these were in relation to areas being missed or not finished but all were resolved once reported.

This quarter, the report includes some satisfaction survey results for: parks and open spaces; refuse and recycling collection; and keeping public land clear of litter and refuse. 58% of respondents to the corporate plan survey - which also asked questions about Council services – indicated that they were satisfied or very satisfied with maintenance of parks and open spaces. In the same survey, 84% or respondents indicated that they were satisfied or very satisfied with household waste collection, including recycling and composting. This was the highest level of satisfaction in the survey across all Council services. In a local survey on street cleanliness, 61% of respondents indicated that they thought street cleansing in the Borough was either satisfactory or excellent.

#### ***Housing and Regeneration***

Tenant satisfaction surveys with repairs and maintenance were not carried out in Q4 as the incumbent contractor was demobilising and the Council was changing to new contractor. Covid-19 lockdowns have had a significant effect on void turnaround, with suspensions of viewings and difficulties for the contractor obtaining materials. Year-end performance was an average void turnaround time of 41.4 days.

The percentage of planning applications processed within target times has two measures – one for major and one for non-major applications – and gives a longer-term view of performance, looking over a rolling two-year period. Nationally set standards have been comfortably achieved and performance has improved when compared with the same period last year.

The building control service ensured all applications were processed within statutory timescales.

Full Council approved the draft Local Plan for Regulation 19 consultation on 22 October 2019. The Council also approved the Local Development Scheme (LDS). The plan was submitted for examination in public on the 2 October 2020. The Plan is now in the examination phase. An Inspector, Phillip Lewis has been appointed. He issued two initial sets of questions in late 2020 and early 2021, and his Matters Issues and Questions in February 2021, the responses to which were submitted by 8 April 2021. The examination Hearing Sessions commenced on 11 May 2021 and are due to conclude in the week commencing 21 June 2021.

The JSP is part of a suite of documents that set out how the transformation will be achieved, and investment secured for South Essex. The preparation of the Joint Strategic Plan (JSP) has run concurrent with the development of the wider strategies for South Essex and will be based on those strategies. The publication of the Prospectus for Growth and Recovery published by ASELA in July 2020. That prospectus is helping to inform the draft Plan. The Plan is in preparation, as a strategic 'framework' with a view to draft publication during 2021. A significant amount of evidence has been prepared and published with further work underway. The joint commissioning of evidence across South Essex also helps to inform future Local Plans and other strategies.

A new indicator for 2020/21 is the *Number of new affordable homes in the Borough*. There were no new affordable homes provided in the Borough in 2019/20 and 13 new affordable homes in 2020/21. Whilst delivery has improved in 2020/21, it remains significantly below the target in the Local Plan (approved for submission in October 2019) and consequently substantial action in terms of the use of S106 Agreements to secure affordable housing, and the building of affordable homes by the Council and Registered Provider partners is required to improve this figure.

### ***Health and Community Safety***

The Homelessness performance indicator is split into two parts and looks at the success rate of the homelessness team in preventing and relieving homelessness. Over the course of the year, the service secured accommodation for nearly 7 out of every 10 households to whom the Council owed a Prevention duty and over 5 out of 10 households owed a Relief duty.

The percentage of food premises that have been awarded a score of at least 3 on the food hygiene rating scheme was 95% (438 of 463 premises) and exceeded the target of 90%.

Satisfaction with Leisure Services is measured by a Net Promoter Score (NPS) which can range from -100 (where everybody is a detractor and would not recommend the service) to +100 (where everybody is a promoter and would recommend the service). Exceptionally high NPS were achieved in Q4 with 78 and 72 for Waterside Farm and Runnymede, respectively. Nationally, leisure facilities score around 40-45 for Net Promoter Score.

The number of leisure memberships stood at 1,790 at the end of the quarter, which was a fall from the 3,068 members at the end of the same period last year. This reflects the ongoing impact of Covid-19 and financial hardship some residents are experiencing or expecting to experience. However, following the easing of restrictions from the 12 April 2021, membership sales and usage have increased

dramatically, with both leisure centres seeing strong demand for activities in general. At the time of writing this report – end of May 2021 – membership numbers have now increased to 2,250 with frozen members dropping from 450 to 300 members. Leisure Services expects (assuming no further restrictions in the future) that membership sales will continue to increase throughout the 2021/22 financial year.

A new indicator for 2020/21 is the *Percentage of usable allotment plots owned and managed by Castle Point Borough Council that are vacant*. During Q4 the number of usable vacant plots has increased by 2 from 20 to 22 as these were handed back to the Council due to the plot holders moving out of the Borough. All personal items have been removed from these newly vacant plots and letters have gone out to those on the waiting list. Overall, 133 of the 155 usable plots are now being worked and there are just 14% vacant.

A new annual indicator included this quarter is the *Proportion of people participating in physical activity*. As reported by Sports England in November 2020 (the latest available figures) 61% of residents are “Active” (participating in physical activity for 150+ minutes per week). Although, this was an increase of 2.2% the change is not statistically significant and therefore trend showing as maintained.

This report also includes this quarter a perception measure *Proportion of people who feel safe after dark*. The latest survey was carried out in March and April 2020 when 42% of respondents indicated that they felt “fairly safe” or “very safe” after dark. This is the same as in 2018 when the last survey was carried out. However, despite perceptions, it should be noted that as at the end of Q4 2020 (to 31 December 2020), Castle Point had the fourth lowest rate of recorded crime in Essex at just 67 cases per 1,000 population (Rochford 50; Uttlesford 58; and Maldon 58)

### ***A Commercial and Democratically Accountable Council***

The First Contact team continue to deal with queries effectively; 96% of calls received were dealt with at the first point of contact without the need to transfer to the back office. This is above target, an improvement on last year and maintains a consistently high level of performance.

The sickness absence indicator has been split between short-term and long-term (4 calendar weeks or more). At 3 days, short-term absence is better than the target of 4.6 days. Managers report that home workers are able to continue working when suffering from minor health conditions, and this is shown in the reduction in sickness leave being taken. Long-term sickness absence is 2.5 days, also better than the target of 3.9 days.

A measure introduced to the corporate performance scorecard last year is the *Number of wheeled bin garden waste subscribers*. The service has an annual target of 8,970 subscribers to the wheeled bin garden waste collection service. Performance at the end of Q4 (11,719 subscribers) means the service comfortably met target and saw an increase from the 9,444 subscribers at the end of March 2020.



The Council is keen to encourage members of the public and businesses to transact with the Council online. The “channel shift” indicator continues to measure the numbers signed up to the e-billing service for council tax and business rates and now also includes a measure of Council Tax transactions using online forms. The number signed up to e-billing at the end of Q4 is 8,479 which has exceeded the annual target and is an improvement on last year. Up to the end of Q4 2020/21, there were 1,871 Council Tax transactions completed online via OPENChannel (new occupations, vacations, single adult discount applications, payment method changes), a significant increase on the same period last year and well in excess of the target set for the year.

The final new indicator for 2020/21 is the *Average time to process housing benefit claims*, split into new claims and change of circumstances. Despite ongoing demands on the team, including the introduction of the Test and Trace self-isolation payment scheme in late September 2020, the average time to process new claims was 23 days which is an improvement on last year although just misses the target. Performance times processing change of circumstances has been maintained since the same period last year and meets the target set.

5.1.3 Further information and commentary on performance is set out in the table in Appendix 1.

## **6. Corporate Implications**

### **a. Financial implications**

Good performance on some indicators can lead to reduced costs.

### **b. Legal implications**

There are no direct legal implications at this stage.

### **c. Human resources and equality**




There are no direct human resource or equality implications at this stage.

### **d. Timescale for implementation and risk factors**

Monitoring of the Corporate Performance Scorecard is ongoing throughout the year.

## **7. Background Papers: None**





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Key	
	More than relative 10% below target
	Less than relative 10% below target
	On or above target



## Appendix 1: Corporate Scorecard 2020/21 (Environment)


Quarter 4: 1<sup>st</sup> January to 31<sup>st</sup> March 2021

Note: All performance values are cumulative (i.e. from 1<sup>st</sup> April to end of June/September/December/March) unless otherwise stated

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
OPS4: Percentage of Household Waste Recycled  Service Manager: Operational Services Manager	25.92%	24.69%	25%			<p>At the end of Q4, the amount recycled is just below target and slightly down on the same period last year.</p> <p>Although tonnages of recycling have increased, there has been more contamination of recycled waste which counts against performance.</p> <p><i>Note: Figures are very early estimates and may be subject to change.</i></p>
OPS5: Percentage of Household Waste Composted (including food waste)  Service Manager: Operational Services Manager	25.61%	26.07%	25%			<p>Performance is above target and an improvement on last year.</p> <p><i>Note: Figures are very early estimates and may be subject to change.</i></p>

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
SS2 Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology.  Service Manager: Contracts Manager	8.9%	8.7%	Less than 10%	↑	✓	Whilst there was a slight increase in litter levels in February over the quarter, unsatisfactory levels of litter on the streets was below 10%. Overall litter levels were impacted at various stages of 2020/21 due to Covid-19 restrictions.
SS3: Fly tips removed within one working day  Service Manager: Contracts Manager	99%	100%	90%	↑	✓	There were 210 fly tips over the quarter, a slight reduction in the number of fly tips compared to the same period last year, and all were cleared within one working day.
SS14: Number of default notices served in relation to Highway Grass Verge cutting  Service Manager: Contracts Manager	0	N/A	Under 45	N/A	N/A	Due to the social distancing requirements placed on grass cutting operatives the use of default notices was suspended in 2020/21. Grass cutting has continued where ground conditions allow.

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
SS13: Number of service requests received in relation to Highway Grass Verge cutting  Service Manager: Contracts Manager	6	9	Under 45			<p>There were 9 service requests received, meeting target, a slight increase from 6 over the same period last year.</p> <p>Once grass cutting commenced in March the Council started to receive service requests about this. Mostly, these were in relation to areas being missed or not finished but were all resolved once reported.</p>
OPS2: Satisfaction with maintaining parks and open spaces  Service Manager: Operational Services Manager	6.9 out of 10 (2017)	58%	N/A	N/A	N/A	<p>Satisfaction with maintaining parks and open spaces was 58%, as measured by the responses to the consultation on new corporate plan which took place 1 March to 30 April 2021.</p> <p>In a local survey carried out for various services in the Environment part of the Council, over 66% of respondents scored the cleanliness of the parks and open spaces at least 7 out of 10.</p> <p><i>Note: The last comprehensive satisfaction survey about council services was conducted in 2017, when participants were asked to score services out of 10 points. The score is included but is not comparable data and so no trend is indicated.</i></p>

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
<p>OPS3: Satisfaction with household waste collection, including recycling and composting</p> <p>Service Manager: Operational Services Manager</p>	7.8 out of 10 (2017)	84%	N/A	N/A	N/A	<p>Satisfaction with household waste collection, including recycling and composting was 84%, as measured by the responses to the consultation on new corporate plan which took place 1 March to 30 April 2021. This was the highest satisfaction score amongst all Council services</p> <p>These results are supported by a local survey carried out for various services in the Environment part of the Council, with an average score of just under 9 out of 10 for waste and recycling collection.</p> <p><i>Note: The last comprehensive satisfaction survey about council services was conducted in 2017, when participants were asked to score services out of 10 points. The score is included but is not comparable data and so no trend is indicated.</i></p>
<p>SS1: Satisfaction with Council's efforts to keep public land clear of litter and refuse</p> <p>Service Manager: Contracts Manager</p>	59%	61%	N/A		N/A	<p>Performance reported here is measured by a local annual survey which was carried out at the beginning of 2021 and received 88 responses.</p> <p>61% of respondents indicated that they thought street cleansing in the Borough was either satisfactory or excellent.</p>


### Annual Indicators (reported at Q4)

OPS2: Satisfaction with maintaining parks and open spaces; OPS3: Satisfaction with household waste collection, including recycling and composting; SS1: Satisfaction with Council's efforts to keep public land clear of litter and refuse



## Corporate Scorecard 2020/21 (Housing and Regeneration)

Quarter 4: 1<sup>st</sup> January to 31<sup>st</sup> March 2021



Note: All performance values are cumulative (i.e. from 1<sup>st</sup> April to end of June/September/December/March) unless otherwise stated

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
<p>HOS1: Overall tenant satisfaction with repairs and maintenance</p> <p>Service Manager: Housing Services Manager</p>	99.5% (Year to Date)	N/A	97%	N/A	N/A	Satisfaction surveys were not carried out in Q4 as the incumbent contractor was demobilising and the Council was changing to new contractor.
<p>HOS6: Average Void Turnaround Time</p> <p>Service Manager: Housing Services Manager</p>	21.1 Days	41.4 Days	20 Days	↓		The average void turnaround time missed target at year-end due to Covid-19 lockdowns and a halt on allocating to properties, particularly in sheltered units in response to spikes in infections at various stages over the year.

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
<p>DC7 &amp; DC8: Percentage of planning applications processed within target time limits for major and non-major applications</p> <p>Service Manager: Planning &amp; Development Enforcement Manager</p>	<p>97.8%</p> <p>99.2%</p>	<p>100%</p> <p>99.3%</p>	<p>Major 80%</p> <p>Non-Major 80%</p>	<p>↑</p> <p>↑</p>	<p>✓</p> <p>✓</p>	<p>Performance is now shown on a two-yearly rolling basis. Performance determining Major and Non-Major applications has improved since the same period last year and both are comfortably above target.</p> <p><i>Note: Figures represent performance for 24 months to the end of December 2020 as Government-produced statistics to the end March 2021 are not yet available.</i></p>
<p>BC1: Percentage of Building Control applications processed within statutory time limits</p> <p>Service Manager: Building Control Manager</p>	<p>100%</p>	<p>100%</p>	<p>100%</p>	<p>↔</p>	<p>✓</p>	<p>All applications continue to be processed within time limits.</p>
<p>PP1: Progress of Local Plan against the milestones set out in the Local Development Scheme (LDS)</p> <p>Service Manager: Head of Place and Policy</p>	<p>0%</p>	<p>75%</p>	<p>100%</p>	<p>↑</p>	<p>✓ (on track)</p>	<p>Full Council approved the draft Local Plan for Regulation 19 consultation on 22 October 2019. The Council also approved the Local Development Scheme (LDS).</p> <p>The plan was submitted for examination in public on the 2 October 2020. The Plan is now in the examination phase.</p>

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
						<p>An Inspector, Phillip Lewis has been appointed. He issued two initial sets of questions in late 2020 and early 2021, and his Matters Issues and Questions in February 2021, the responses to which were submitted by 8 April 2021.</p> <p>The examination Hearing Sessions commenced on 11 May 2021 and are due to conclude in the week commencing 21 June 2021.</p>
<p>PP2: Progress of the Joint Strategic Plan against the milestones set out in the Local Development Scheme (LDS)</p> <p>Service Manager: Head of Place and Policy</p>	0%	10%	100%			<p>The JSP is part of a suite of documents that set out how the transformation will be achieved, and investment secured for South Essex.</p> <p>The preparation of the Joint Strategic Plan (JSP) has run concurrent with the development of the wider strategies for South Essex and will be based on those strategies.</p> <p>The publication of the Prospectus for Growth and Recovery published by ASELA in July 2020. That prospectus is helping to inform the draft Plan.</p> <p>The Plan is in preparation, as a strategic 'framework' with a view to draft publication during 2021. A significant amount of evidence has been prepared and published with further work underway. The joint</p>



PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
						commissioning of evidence across South Essex also helps to inform future Local Plans and other strategies.
<p>NEW: Number of new affordable homes in the Borough</p> <p>Service Manager: Head of Place and Policy</p>	<p>0</p> <p>(2019/20)</p>	<p>13</p> <p>(2020/21)</p>	<p>100 per annum</p>			<p>This shows figures for delivery in 2019/20 and 2020/21. The figure for 2020/21 comprises 8 individual homes and 9 rooms in a HMO (the Governments Housing Delivery Test methodology allows for 1.8 rooms to count as a home).</p> <p>Whilst delivery has improved in 2020/21, it remains significantly below the target in the Local Plan (approved for submission in October 2019) and consequently substantial action in terms of the use of S106 Agreements to secure affordable housing, and the building of affordable homes by the Council and Registered Provider partners is required to improve this figure.</p>

### Annual Indicators (reported at Q4)

NEW: Number of new affordable homes in the Borough


# Corporate Scorecard 2020/21 (Health and Community Safety)

Quarter 4: 1<sup>st</sup> January to 31<sup>st</sup> March 2021

Note: All performance values are cumulative (i.e. from 1<sup>st</sup> April to end of June/September/December/March) unless otherwise stated

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
<p>HOT21 &amp; HOT22: Percentage of prevention or relief duties which ended during the quarter with a successful outcome of:</p> <p>a) Homelessness Prevented</p> <p>b) Homelessness Relieved</p> <p>Service Manager: Housing Options Manager</p>	<p>a) 72%</p> <p>b) 45%</p>	<p>a) 68%</p> <p>b) 53%</p> <p>(Q4 cumulative performance – see note)</p>	<p>a) 65%</p> <p>b) 45%</p>	<p>↓</p> <p>↑</p>	<p>✓</p> <p>✓</p>	<p>Over the year, the Prevention duty ended for 107 households of which we secured accommodation for 73 households (68%) which is above target</p> <p>Over the year, the Relief duty ended for 135 households of which we secured accommodation for 72 households (53%) which is above target</p> <p><i>Note: Ordinarily, this performance indicator is reported a quarter in arrears because of the lengthy verification process before statistics are published by Government. The timing of the scorecard this quarter has allowed for performance up to the end of Q4 (to the end of March) to be reported.</i></p>
<p>EH2: Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme.</p> <p>Service Manager: Environmental Health Operational Manager</p>	92%	95%	90%	↑	✓	<p>438 of 463 total rated establishments (95%) are broadly compliant with food safety regulations and have been awarded 3* or above under the Food Hygiene Rating Scheme.</p> <p><i>Note: Due to Covid and the diversion of resources in 2020/21, the Council has prioritised food safety inspections to those establishments identified as high risk.</i></p>

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
						<i>This approach is in line with Food Standards Agency (FSA) guidance. The FSA has developed a "Local Authority Roadmap for Recovery" setting out plans on re-starting the full regulatory inspection regime for the highest risk establishments while providing greater flexibility for lower risk establishments.</i>
<p>L1: Leisure satisfaction – Net Promoter Score</p> <p>a) Waterside Farm b) Runnymede</p> <p>Service Manager: Leisure and Community Services Manager</p>	<p>a) 79 b) 64</p>	<p>a) 78 b) 72</p>	<p>a) 67 b) 67</p>	<p>↓ ↑</p>	<p>✓ ✓</p>	<p>Exceptionally high NPS scores were achieved again in Q4 due to the arrangements put in place to ensure social distancing at the centres.</p> <p>Nationally, leisure facilities score around 40-45 for Net Promoter Score.</p> <p>As a result of these scores, Castle Point Leisure Services was informed in December that it had retained its 2019 crown for <i>Best Member Experience – Local Authority</i> as well as winning a prestigious <i>Platinum Medal</i>, the only club in the UK to achieve this honour and 1 of just 5 from a worldwide pool of over 5,000 leisure facilities.</p>
<p>L3: Leisure Memberships</p> <p>Service Manager: Leisure and Community Services Manager</p>	3,068	1,790	2,000 (Annual target)	↓	●	Despite the closure of both leisure centres earlier in the year, together with the emerging financial hardship some residents are experiencing from Covid-19, the Council retained 1790 by the end of Q4 2020/21. There were also an additional 450 memberships which had been frozen at that time.

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
						<p>However, following the easing of restrictions from the 12<sup>th</sup> April 2021, membership sales and usage have increased dramatically, with both leisure centres seeing strong demand for activities in general.</p> <p>At the time of writing this report – end of May 2021 – membership numbers have now increased to 2250 with frozen members dropping from 450 to 300 members. Leisure Services expects (assuming no further restrictions in the future) that membership sales will continue to increase throughout the 2021/22 financial year.</p>
<p>NEW: Percentage of usable allotment plots owned and managed by Castle Point Borough Council that are vacant</p> <p>Service Manager: Operational Services Manager</p>	NEW	14%	15% (by March 2021	N/A		<p>During Q4 the number of usable vacant plots has increased by 2 from 20 to 22 as these were handed back to the Council due to the plot holders moving out of the borough. All personal items have been removed from these newly vacant plots and letters have gone out to those on the waiting list.</p> <p>Overall, 133 of the 155 usable plots are now being worked and there are just 14% vacant.</p>

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
<p>NEW: Proportion of people participating in physical activity</p> <p>Service Manager: Leisure and Community Services Manager</p>	58.9% (Nov 2019)	61.1% (Nov 2020)	N/A	↔	N/A	<p>The latest results available are for the period November 2019 to November 2020, where 61.1% of adults were “Active” (participating in physical activity for 150+ minutes per week). Although, this was an increase of 2.2% the change is not statistically significant and therefore trend showing as maintained.</p> <p><i>Note: Physical activity levels from Sports England “Active Lives Survey” - these estimates include the activities of walking, cycling, dance, fitness and sporting activities, but exclude gardening which is outside Sport England's remit.</i></p>
<p>NEW: Proportion of people who feel safe after dark</p> <p>Service Manager: Head of Licensing and Safer Communities</p>	42% (2018)	42% (2020)	N/A	↔	N/A	<p>The latest survey was carried out in March and April 2020 and 42% of respondents indicated that they felt “fairly safe” or “very safe” after dark. This is the same as in 2018 when the last survey was carried out.</p> <p>This is statistically lower than the Essex average of 54% and lower than the average of 49% for “urban” areas in Essex.</p> <p>However, it should be noted that as at the end of Q4 2020 (to 31 December 2020), Castle Point has the fourth lowest rate of recorded crime in Essex at just</p>

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
						<p>67 cases per 1,000 population (Rochford 50; Uttlesford 58; and Maldon 58)</p> <p><i>Note: Perceptions of safety from Essex County Council Resident's Survey 2020 (carried out between 1 March and 30 April 2020)</i></p>

### Annual Indicators (reported at Q4)

NEW: Proportion of people participating in physical activity; NEW: Proportion of people who feel safe after dark

# Corporate Scorecard 2020/21 (A Commercial and Democratically Accountable Council)

Quarter 4: 1<sup>st</sup> January to 31<sup>st</sup> March 2021

Note: All performance values are cumulative (i.e. from 1<sup>st</sup> April to end of June/September/December/March) unless otherwise stated

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
<p>FC1: Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office</p> <p>Service Manager: First Contact Manager</p>	95%	96%	95%	↑	✓	<p>The First Contact team continue to deal with queries effectively; 96% of calls received were dealt with at the first point of contact without the need to transfer to the back office.</p>
<p>CORP1: Average number of days sickness absence per FTE staff for all Council Services (rolling year)</p> <p>a) Short term b) Long term</p> <p>Service Manager: Human Resources Manager</p>	<p>a) 4.6 days b) 5.4 days</p>	<p>a) 3.0 days b) 2.5 days</p>	<p>a) 4.6 days b) 3.9 days</p>	<p>↑ ↑</p>	<p>✓ ✓</p>	<p>This measure shows sickness absence levels split by short-term and long-term (4 calendar weeks or more). Both are reported on a rolling year.</p> <p>During the Covid-19 pandemic and continued working at home sickness levels have been low.</p> <p>Short-term sickness absence is 3 days which is better than the target of 4.6 days. There have been a small number of absences related to side effects of the vaccine. Managers report that home workers are able to continue working when suffering from minor health conditions, and this is shown in the reduction in sickness leave being taken.</p>

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
						Long-term sickness absence is 2.5 days also better than target. These absences are mainly reported by operational employees.
OPS16: Number of wheeled bin garden waste subscribers  Service Manager: Operational Services Manager	9,444	11,719	Annual Target 8,970	↑	✓	There were no new subscribers to the wheeled bin garden waste collection service in Q4 (which is typical as customers will only get a maximum of three months of collections).  At the end of the year, there were 11,719 subscribers, up from 9,444 subscribers at the end of 2019/20.
REVISED: Channel shift to online services:  a) Take up of e-billing services for Council Tax and Business Rates b) Use of OPENChannel online forms  Service Manager: Revenues & Benefits Transformation Manager	a) 7,499  b) 571	a) 8,479  b) 1,871	a) 8,000  b) 1000 (Annual target )	↑  ↑	✓  ✓	The number of customers signed up to the e-billing service has increased by almost 1,000 since the same period last year and has exceeded the annual target of 8,000 users.  Up to the end of Q4 2020/21, there were 1,871 Council Tax transactions completed online via OPENChannel (new occupations, vacations, single adult discount applications, payment method changes), a significant increase on the same period last year and well in excess of the target set for the year.



PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
<p>NEW: Average time to process housing benefit claims:</p> <p>a) New claims b) Change of circumstances</p> <p>Service Manager: Benefits Manager</p>	<p>a) 24 b) 5</p>	<p>a) 23 b) 5</p>	<p>a) 21 b) 7</p>	<p>↑ ↑</p>	<p>⚠️ ✅</p>	<p>Performance in processing new housing benefit claims is only just below target and an improvement on last year, despite the following pressures:</p> <ul style="list-style-type: none"> <li>• Increased number of complex new claims</li> <li>• Increased awards of Universal Credit</li> <li>• General increased workloads</li> <li>• Connectivity issues with Benefit System via remote connection</li> <li>• Ongoing demands placed on the team during a period of significant economic &amp; financial unrest and the introduction of support packages cascaded down from central government</li> </ul> <p>Performance times processing change of circumstances has improved since the same period last year and is on target.</p> <p>97% of housing benefit claims are processed within 14 days.</p> <p>Performance in Q4 was also impacted by year-end prep and benefits uprating, followed by the normal last quarter tidy up of claims pre year-end. A large resource was also utilised for external audit this year.</p>

PI Code & Short Name	Q4 Value 2019 / 2020	Q4 Value 2020 / 2021	Target	Trend	Status	Comments
						<p>The Test and Trace self-isolation payment scheme, which was introduced in late September 2020, has had a major impact on the resource of the Compliance Team within the Benefits Department. As at the end of quarter 4 the team had processed some 800 applications.</p> <p>Nevertheless, morale within the benefits team has remained high and the team should be commended for their efforts over a challenging year.</p>

**CABINET**

**16th JUNE 2021**

**Subject: Food & Health and Safety Service Plan 2021/22**

**Cabinet Member: Councillor Cutler - Waste & Environmental Health**

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**1. Purpose of Report**

**This report seeks approval of the Council's Food & Health and Safety Service Plan for 2021/22.**

**2. Links to Council's Priorities and Objectives**

**This item links with the Council's Health and Community Safety priority.**

**3. Recommendations**

**That Cabinet approve the Food & Health and Safety Service Plan for 2021/22.**

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**4. Background**

The Food Standards Agency requires every local authority to produce a Food Service Plan in accordance with the guidelines set out in the Agency's Framework Agreement on Local Authority Food Law Enforcement.

The Plan provides the basis on which the Council's food service delivery will be monitored and audited by the Food Standards Agency and must be produced in line with the common format set out by the Agency.

The Agency states that the Service Plan must be approved by the relevant Member forum to ensure transparency and accountability.

A second section of the service plan covers Health and Safety regulation. Health and Safety Executive (HSE) guidance requires every local authority to publish and make public, a risk-based service plan covering its Health and Safety activities.

This report seeks approval of the 2021/22 Food & Health and Safety Service Plan.

It is important to note the continuing impact of COVID-19 on the resource of the Service within the 21/22 financial year. Environmental Health staff continue to be engaged in additional public protection duties regarding business inspections / social distancing in light of the COVID-19 pandemic. It is hoped that as circumstances improve and restrictions are further eased, this situation will begin to improve over the course of the year.

Like most other local authorities in the UK, Castle Point has been unable to complete the full 2020/21 inspection programme due to diversion of resources linked to COVID related duties and to national lockdowns & other restrictions, which have affected our ability to inspect food premises during certain periods. All planned work activity was in full accordance with national guidance, with the support of the Food Standards Agency.

The Food Standards Agency has subsequently produced a national risk based COVID recovery plan, which covers Food Safety activities during the period up until 2023. This guidance states that Councils are to focus on higher risk premises, allowing an increased timescale to inspect these businesses. The inspection programme detailed in the service plan has been produced in accordance with the national policy.

## **5. Corporate Implications**

### **(a) Financial Implications**

There are no financial implications to this report. It is intended that matters referred to in the attached service plan will be met within existing resource.

### **(b) Legal Implications**

Under Section 6 of the Food Safety Act 1990, the Council has a statutory duty to provide a food law enforcement service. The Food Standards Agency takes a pro-active role in setting and monitoring standards and auditing local authorities' enforcement activities in order to ensure this activity is effective and undertaken on a consistent basis. The attached Service Plan at Appendix 1 meets this requirement.

Section 18 of the Health and Safety at Work etc Act 1974 requires the HSE and Councils to make adequate arrangements for the enforcement of the statutory provisions contained in the Act. The latest version of the National Local Authority Enforcement Code contains guidance on how to ensure compliance with S18, which includes the publication of a risk-based service plan. The attached service plan at Appendix 1 meets this requirement.

**(c) Human Resources and Equality Implications**

There are no human resources or equality implications associated with this report.

**6. Timescale for implementation and Risk Factors**

Subject to Cabinet approval, the plan will take immediate effect.

Appendix 1: Food & Health and Safety Service Plan 2021/22.

**Report Author – Simon Llewellyn, Environmental Health Operational Manager**



## **Environmental Health Services**

# **Food Service Plan & Health and Safety Service Plan 2021/22**

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## **SECTION 1 – FOOD SAFETY**

### **1.0 Service Aims and Objectives**

#### **1.1 Aims and Objectives**

The Environmental Health Service is committed to trying to ensure that food and drink intended for sale for human consumption, which is produced, stored, distributed, handled or consumed within the Borough is safe for the consumer. The Service will use a balance of techniques and approaches including an educative approach to ensure the safety and wellbeing of both employees and members of the Public and will target available resources where they are most effective and at the areas of highest risk.

Environmental Health staff will adopt an approach to enforcement based upon an assessment of the risk to Public Health and will include the investigation of cases of food poisoning and food complaints as well as the inspection of food premises. Staff will abide by the Service enforcement policy and due regard will be had to guidance contained in the statutory codes of practice and to guidance from recognised bodies such as the Office for Product Safety and Standards.

Due regard will also be taken of the Statutory “Regulators Code” produced by the Department for Business, Energy and Industrial Strategy. This code is part of the Governments Better Regulation Agenda to enable a risk-based, proportionate and targeted approach to regulatory inspection and enforcement. Staff will carry out activities in this Service Plan in accordance with the principles of the code.

#### **1.2 Links to Corporate objectives and Plans**

The Council Priorities identified in the Corporate Business Plan (2018 -21) are Environment, Housing and Regeneration, Health and Community Safety & a commercial and democratically accountable council. This service plan reflects positively on the priorities and contributes towards the objectives of the Council.

## **2. Background**

### **2.1 Profile of the Castle Point Borough**

The Borough of Castle Point is situated on the coastline of South East Essex and has an area of approximately 63 square km. Canvey Island is to the South with the mainland of Benfleet to the North composing South Benfleet, Thundersley, Hadleigh and Daws Heath. The Borough is essentially urban in character with major residential areas and sites for Industry.

The Borough has a population of approximately 89,000.

### **2.2 Organisational Structure**

The Environmental Health Operational Manager has overall management responsibility for the Service including food service delivery. The day to day work activities are undertaken by a team of Environmental Health Officers, supervised by a Team Leader. As a generic service, all officers also deal with Environmental Protection, Housing, Health and Safety, miscellaneous registration of activities covered under local bylaws (tattooists, electrolysis, ear piercing) and acting as

consultee's for relevant planning and licensing applications. Technical officers are available to assist Environmental Health Officers with their duties.

The Environmental Health Service makes provision for specialist services to be provided by the Public Analyst and Health Protection England whenever the need arises.

### **2.3 Scope of the Food Service**

In addition to undertaking the statutory enforcement responsibilities imposed by food safety legislation, the service adopts an educative approach to food safety through health promotion, coaching sessions and the provision of advice to business.

The scope of food related services provided by Environmental Health Services are as follows:

- 2.3.1 Establishing and maintaining an up to date **register of all food premises** and mobile food vehicles trading within the borough.
- 2.3.2 **Planned interventions of food premises** – All food premises are currently inspected, or an alternative intervention carried out on a regular basis. The inspection frequency of each food premises is programmed according to the risk rating system prescribed in Food Law Code of Practice (England) which considers potential hazards, level of compliance and confidence in management control systems. Officers advise on good practice and ensure compliance with legal requirements.
- 2.3.3 **A range of 'interventions'** are available to officers as an alternative to a full inspection, where the business was rated as 'broadly compliant' during the previous visit. The interventions are split into 'official controls' (such as inspections, audits, sampling visits, verification) and 'other interventions' (education, advice, coaching, etc.) In general, businesses with a risk rating of A or B (and some 'non-compliant' C's) will still require a full or partial inspection. Officers will gain more flexibility when visiting 'broadly compliant' C rated premises, D or E rated premises officers have the option to use an alternative type of intervention, where this is appropriate.
- 2.3.4 **Revisits** – Where the operator of a food business is required to undertake works in order to comply with the food safety legislation, a revisit (secondary inspection) may be undertaken after the date specified for compliance.
- 2.3.5 **Investigation of Complaints** – The service responds to all justifiable complaints about food premises and food purchased within the Castle Point Borough. Each complaint is investigated to determine appropriate enforcement and to ensure precautions are taken to prevent a recurrence. This often involves contacting manufacturing companies and other local authorities.
- 2.3.6 **Investigation of food borne illnesses** – Notification of cases of food poisoning is received from general practitioners, the local health authority and their laboratory services. Each notification is investigated, and appropriate action taken to prevent spread of infection.
- 2.3.7 **Food Hygiene Promotion and Education** – As part of the services commitment to promoting public health the service undertakes various food safety initiatives. These have included seminars to local businesses, Food

Safety Week, provision of newsletters and providing advice and assistance to businesses at the time of inspection and on request.

- 2.3.8 **Incidents** – On notification from the Food Standards Agency in respect of certain foodstuffs, and where necessary the service takes all appropriate measures to ensure foods are withdrawn from sale within the borough.
- 2.3.9 **Food premises approvals** – Certain food operations require prior approval by the local authority. Premises are inspected prior to issuing approvals and systems regularly monitored thereafter to ensure continued compliance with the legal requirements.
- 2.3.10 **Food sampling** – Sampling is undertaken to monitor food safety standards during inspection and as part of national and local microbiological food sampling programmes.
- 2.3.11 **Food Inspection** -Investigate all food found within the borough that might be contaminated or have been illegally imported and take necessary action.
- 2.3.12 **Food Alerts** – Receive and act (as appropriate) on receipt of food alerts from the FSA.
- 2.3.13 **Food Hygiene Rating Scheme** – Operate the national food hygiene rating scheme (FHRS) on behalf of the FSA in the Borough.
- 2.3.14 **Export certification** – provide export certification for businesses in the borough as appropriate.
- 2.3.15 **Private water supplies** – The service is responsible for the identification, risk assessment and monitoring of private water supplies (boreholes, springs, etc) and private distribution networks within the Borough.
- 2.3.16 **Other Services** – Food safety officers are expected to address occupational safety matters arising during the course of food safety inspections. They also, where necessary, investigate water borne incidents and infectious disease other than food poisoning, comment on applications for premises licences under the Licensing Act 2003 and on planning and building control applications regarding food premises.

## **2.4 Demands on the Food Service**

- 2.4.1 As at 1<sup>st</sup> April 2021 we have identified that the service is responsible for enforcing Food Safety in **557** food premises within the Castle Point Borough. The risk assessment programme for food safety is set out in the Food Law Code of Practice (England) Inspection Rating Scheme. The criteria provides that all food premises should be subject to a degree of surveillance although the code now allows alternative enforcement methods to be used with the lowest risk premises.

The 557 food premises have been categorised as follows:

<b>Risk Category</b>	<b>Number of Premises</b>	<b>Intervention Frequency</b>
A	0	at least every 6 months
B	13	at least every 12 months
C	98	at least every 18 months
D	202	at least every 2 years
E	195	alternative enforcement strategy – 3 years
UNRATED* (*Backlog due to Covid work prioritisation)	48	Inspection due within 28 days

As of 1<sup>st</sup> April 2021, approximately 94% of food premises in the borough are “broadly compliant.” This is a local indicator of the percentage of food premises in Castle Point that score 3 or above using the national Food Hygiene Rating Scheme, when compared against the total number of rated premises. The 2021/22 target is 90%

**2.4.2** The service is delivered remotely and from the Council Offices, Kiln Road, Benfleet, where COVID restrictions allow. Out of hours inspections are carried out where premises are not open for trade during the daytime.

**2.4.3** Arrangements are in place for contacting senior officers regarding matters arising outside of normal working hours e.g. food poisoning outbreaks, food safety incidents and food alerts.

**2.4.4 Factors likely to have an impact on service delivery this year include: -**

#### COVID-19

During 2020/21 the COVID-19 pandemic placed considerable strain onto the Environmental Health Service due to additional responsibilities for enforcement of regulations relating to Coronavirus being prioritised during the year. Officers have proactively inspected a considerable number of business premises, ensuring overall legal compliance, including that businesses that were required to close during the pandemic do so and respond to reactive requests/concerns from members of the public. The service is also responsible for the enforcement of social distancing requirements within businesses and to aid Public Health England and Director of Public Health with ‘Track and Trace’ of suspected COVID cases.

Castle Point along with most other local authorities, reprioritised its work by necessity, a position fully supported by the Food Standards Agency and made in accordance with their published national guidance. During the various national lockdowns, the service was unable to carry out full physical inspections of premises. During this time the Service made use of new technologies to allow us to target higher risk premises, via ‘remote checking’. However, these remote checks were not a replacement for full physical inspections.

The COVID pandemic has meant that the Service was unable to complete the full range of programmed inspections during the year, which has resulted in a backlog going forward into 2021/22. This ongoing national situation has been recognised by the Food Standards Agency, who have produced a ‘COVID Recovery Plan’ across all local authorities, to cover the period from April 21 – Mar 23, which highlights their renewed expectations of the food safety work that is expected to be completed during this period of time.

Going forward over the next two years, our food safety interventions will be based on the Food Standards Agency Recovery Plan, as illustrated in the below chart:



As of 1<sup>st</sup> April 2021, our current priority is to prioritise interventions covering new business and of any urgent reactive / enforcement / surveillance work that is required during this period. All other programmed interventions will be planned and prioritised within phase 2.

## **2.5 Enforcement Policy**

The Service has adopted the Government's "Regulators Code" which contains statutory guidance and means that the Council is committed to open and fair enforcement of the law pertaining to food safety. The service has produced a food safety enforcement policy to further clarify how the code/policy applies to food safety enforcement in the Borough, which is also guided by the overarching corporate CPBC enforcement policy.

## **3.0 Service Delivery**

### **3.1 Food Premises Interventions**

3.1.1) The food service carries out programmed interventions of food premises to assess the hygiene of those premises and the public health protection aspects of the law. The service has a documented procedure for food hygiene interventions which is reviewed regularly and revised as and when legislation/guidance changes.

3.1.2) Following every primary food hygiene intervention officers assess the risk posed by the business with reference to the nature of its operation; the level of compliance with food safety requirements and confidence in its management. The risk rating is used to determine the frequency of inspection.

Intervention programme originally due 2021/22 – using FSA code of practice (for reference)

<b>Criteria</b>	<b>Programmed interventions due 2021/22</b>
A - rated premises (highest risk)	<b>0</b>
B – rated premises	<b>12</b>
C – rated premises	<b>74</b> (of which 2 carried forward from 20/21)
D – rated premises	<b>116</b> (of which 32 carried forward from 20/21)
E – rated premises (lowest risk)	<b>100</b> (of which 37 carried forward from 20/21)
Unrated premises	<b>48</b> (all carried forward from 20/21)
<b>Total intervention programme</b>	<b>350</b> (of which 2xC rated, 32xD rated, 37xE rated and 48 Unrated premises = <b>119</b> have been carried forward from 2020/21.)

Revised intervention programme 2021/22 – March 2023 produced in accordance with the Food Standards Agency COVID recovery plan:

<b>Criteria</b>	<b>Current programmed interventions due 2021/22 – Mar 23.</b>
A - rated premises (highest risk)	<b>0</b>
B – rated premises	<b>12</b> - (over period to June 2022)
C (non-compliant) – rated premises	<b>9</b> - (over period to September 2022)
C (compliant) – rated premises	<b>89</b> - (over period to March 2023)
D – (non-compliant) – rated premises	<b>6</b> - (over period to December 2022)
D (complaint) – rated premises	No expectation of routine intervention prior to April 23
E – rated premises (lowest risk)	No expectation of routine intervention prior to April 23.
Unrated premises	<b>48</b>
<b>Total intervention programme. 21/22 – Mar 23.</b>	<b>164</b>

The above programme is subject to change, should the Food Standards Agency publish revised guidance at any stage. The Service intends to make full use of the flexibilities offered by the recovery programme, in particular during FY 21/22 using a risk-based approach to allocate resources, for instance by making full use of the additional timescales detailed in the above chart.

#### Non-programmed interventions

3.1.3) Revisits will be undertaken where significant breaches of hygiene regulations are identified during inspection. Based on the percentage of inspections previously generating revisits, it is estimated that at least **20** will be required in 2021/22

3.1.4) During the 2020/21 an unprecedented **110** food registrations were received. However, based on previous year's figures there are estimated to be **60** new businesses (including change of ownership) that will require an intervention in 2021/22. These additional visits will be classified as non-programmed interventions. In addition, we expect **15** additional inspections to be undertaken as a result of the 'request for

rescore' option under FHRS, where businesses that have completed works required by an inspector can request a further inspection to re-score their business.

3.1.5) It is estimated that **0** premises will require formal approval during 2021/22.

<b>3.1.6) Est total non-programmed, revisits, rescore inspections 2021/22</b>	<b>95</b>
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3.1.7) Inspections / interventions are undertaken by Environmental Health Officers (EHO's) who also carry out other food safety functions such as investigating food complaints, complaints regarding food business operations, enquiries and requests for advice, food sampling and investigation of poor sampling results. As a generic service, EHO's also cover the full range of Environmental Health disciplines.

3.1.8) All officers have access to the following technical support:

- RIAMS (internet based) suite of EH / Food safety procedures.
- Food Standards Agency (FSA) website, publications and seminars.
- Internet Access.
- Various printed literature and technical documents.

3.1.9) No additional targeted inspection activity will be carried out unless a request is made by the Food Standards Agency as this could require extra resource.

### **3.2 Complaints about Food and Food Businesses.**

3.2.1) Policy and Procedures for responding to and dealing with complaints, enquiries and other requests for service are documented. These are reviewed regularly and revised as and when legislation/guidance changes.

3.2.2) All justified complaints that are investigated are done so in accordance with the services enforcement policy and procedures. Emphasis is placed on those complaints that have the potential to cause most harm to Public Health.

3.2.3) If further investigation is required, the food complaint is sent to the Public Analyst for formal analysis or to the food examiner for microbiological examination. Designated public analysts under S27 of the Food Safety Act are Kent Scientific Services and Hampshire Scientific Services.

**Based on trends over the last three years it is estimated that the following number of complaints will be received during 2021/22**

Category of Service Request	18/19 actual	19/20 actual	20/21	21/22 (est)
Food product complaint	13	6	11	10
Food hygiene complaint	37	64	63	55

### **3.3 Primary Authority**

3.3.1) Castle Point Borough Council has no formal Primary Authority agreements in place for any food business in this area at the present time.

3.3.2) There are an estimated **6** food businesses that originate within this Borough and we are willing to respond to requests from other Local Authorities which have received food complaints originating from businesses in our area and who seek our opinion.

3.3.3) In respect of these premises **2** complaints and referrals are estimated during 2021/22.

3.3.4) Extra resources would be required for meeting and advising those businesses for which we could act as Primary Authority.

3.3.5) The Primary Authority Scheme allows a business, or the Local Better Regulation Office, to nominate a local authority to become a central point of contact on regulatory matters linked to that business. It is not a requirement for the company to be in the nominated authority area. This service would actively consider such an approach but is unlikely to have the resources available to take on a large national organisation, unless funding for additional staff was available from a central source.

### **3.4 Advice to business**

3.4.1) The provision of advice is given to existing or proposed food businesses on request to help them comply with the law and to encourage best practice. This also reflects and contributes towards a major 'Hampton Principle' of providing authoritative, accessible advice easily and cheaply. This is achieved through a range of activities including:

- Advice given during inspections and other visits to premises.
- Provision of advisory leaflets
- Responding to service requests and enquiries
- Through participation in the "Safer Food Better Business" scheme.
- Through information placed on the Council's website.

3.4.2) Officers aim to give advice in accordance with recognised guidance and Codes of Practice and we ensure that on-site visits are made, where necessary, prior to opening of new businesses that we are aware of.

3.4.3) Procedures for responding to and dealing with complaints, enquiries and other service requests are documented. These will be reviewed regularly and revised as and when legislation/guidance changes.

**Based on trends over the last three years it is estimated that the following number of enquiries/requests will be received during 2021/22.**

Category of Service Request	18/19 actual	19/20 actual	20/21 actual	21/22 (est)
Advice requests	90	84	55	76

3.4.4) Extra resources would be required if the service were to have significant input into business partnerships or forums.



### **3.5 Food Sampling**

3.5.1) A procedure for the microbiological sampling of foodstuffs is documented and will be reviewed regularly and revised as and when legislation/guidance changes.

3.5.2) Most of the food sampling carried out by the service is undertaken for monitoring and surveillance purposes, on an informal basis, but occasionally formal food sampling is required.

3.5.3) Public Health England (formerly the Health Protection Agency) produce a regional co-ordinated food sampling programme. Additional sampling will be organised in-house based on local intelligence and previous results.

3.5.4) Other food sampling is undertaken where necessary, as part of food poisoning and complaint investigations or as part of food premises inspections to monitor hygiene standards and confirm adequacy of food processing systems.

3.5.5) Public Health England (PHE) allocates the Council credits for funding examinations of food carried out at the PHE (Food, Water and Environmental Laboratory) London.

3.5.6) The service has appointed Kent Scientific Services and Hampshire Scientific Services as the council's official public analysts, in accordance with section 27 of the Food Safety Act 1990. The public analyst is used by the service when food contaminants cannot be readily identified and require closer examination to discover their true nature.

3.5.7) In addition the department has an allocated budget for sampling purposes.

3.5.8) 6 food samples or food hygiene samples were taken in 2020/21 and it is intended to take approximately 25 food samples for microbiological examination during 2021/22, subject to COVID resource issues.

### **3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease.**

3.6.1) The service assesses all notifications it receives of cases of food poisoning and suspected food poisoning occurring within the Borough and takes appropriate control measures where necessary. When an outbreak is suspected the investigations are carried out either jointly or in close contact with the Consultant in Communicable Disease Control from Public Health England. Outbreak Control will be in accordance with the Control of Communicable Disease Joint Plans of Essex Local Health Protection Team and Essex Local Authorities and following guidance in CDR review.

3.6.2) Procedures for the investigation of food poisoning notifications are documented and are reviewed regularly and revised as and when legislation/guidance changes.

**The table below shows the trend over the past few years. We expect to receive in the region of 80-90 notifications during 2021/22 based on these statistics.**

Previous Year	Number of formal notifications of Food related infectious disease.
2017/18	60

2018/19	81
2019/20	107
2020/21	75

### **3.7 Food Alerts and Food Safety Incidents.**

3.7.1) A food alert is a communication from the Food Standards Agency to the local food authority concerning a food hazard or other food incident. The food alert may or may not require the Food Authority to take action.

3.7.2) Procedures for responding to and initiating food hazard warnings are documented. These will be reviewed annually and revised as and when legislation /guidance changes.

3.7.3) The service receives Food Alerts via e-mail and the via the FSA Smarter Communication platform. This service delivery area is carried out in accordance with the Food Law Code of Practice (England.)

### **3.8 Liaison with other organisations**

3.8.1) Castle Point Borough Council is represented at regular meetings of the Essex Food Liaison Group by an Environmental Health Officer. To encourage consistency of enforcement within the 14 Essex Authorities the group formulates strategies and procedures, liaises with other professional bodies, liaises with the food trade and trade organisations over specific matters arising, liaises with advisory groups e.g., Food Standards Agency over specific enforcement issues and arranges relevant officer training.

3.8.2) This group includes representatives from food authorities, Trading Standards, The Health Authority and Public Health England.

3.8.3) An Environmental Health Officer regularly attends the Essex Health Protection Liaison meeting. These meetings were set up to develop guidelines on infection control measures, act as advisory groups, making recommendations on all aspects of communicable disease (including food poisoning) and to formulate outbreak control plans and where necessary exercises.

3.8.4) This group includes representatives from food authorities, the Health Authority, and a number of water companies.

3.8.5) The service liaises with other services within the Castle Point Borough Council including Street Scene, Partnerships, Community Safety, Building Control, planning and Licensing.

3.8.6) The service is regularly consulted on planning and building regulation applications regarding new and existing Food premises and in respect of Licensing applications for which we act as a responsible authority. These are used to identify new food business and changes to existing operations.

Category of Service Request	18/19 actual	19/20 actual	20/21 actual	21/22
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Planning/building control consultations	95	67	74	79
Licensing applications	104	101	7	71

### **3.9 Food Safety Promotion**

3.9.1) All notified food poisoning cases are sent or given various advisory leaflets.

3.9.2) Where appropriate, we plan to send mail shots to food businesses containing food hygiene and safety information. Press releases will also be considered in appropriate circumstances.

3.9.3) Substantial information regarding food and infectious disease has been placed on the Environmental Health section of the Council's website.

### **3.10 Safer Food Better Business Coaching sessions**

3.10.1) On request and subject to resource, the service offers one to one coaching sessions on "Safer Food Better Business" with caterers within the Borough.

3.10.2) Subject to resource it hopes to again offer this service to businesses who require assistance during the period covered by this service plan.

### **3.11 Food hygiene rating scheme**

3.11.1) We will continue to promote the Food Standards Agency Food Hygiene Rating Scheme to both members of the public and businesses and will continue to operate it as an integral part of our food hygiene intervention programme. We believe that the 0 – 5\* scoring system acts as an additional motivator to food business to improve and subsequently maintain high standards of food hygiene.

## **4. Resources**

### **4.1 Financial Allocation**

4.1.1) The (nominal) estimated budget allocation for the Food Safety Service for 2021/22 is £106,200. This includes departmental reallocations (i.e. cost of office space, IT equipment and Council support services) in addition to front-line staffing costs.

### **4.2 Staffing Allocation**

4.2.1) The resources available to undertake food law enforcement during 2021/22 are 1.3 full time equivalent officers as detailed below: -

<b>Officer</b>	<b>Full time equivalent (FTE)</b>
EH Operational Manager	0.1
Environmental Health Officers	0.8
Additional contract inspections	0.4
<b>TOTAL</b>	<b>1.3</b>

4.2.2) We aim to complete the work listed in the 2021/22 service plan within the staffing resource that has been allocated to this area of the service.

4.2.3) Although under the FSA COVID recovery plan, the number of interventions has been reduced from that originally set out in the code of practice, there remains a significant backlog of work in other areas of Environmental Health that staff resource will be diverted to if necessary and as appropriate.

### **4.3 Staff Development Plan**

4.3.1) Officers authorised to undertake inspections and other enforcement duties must be suitably qualified, experienced and competent as set out in Chapter 1:2 of the Food Law Code of Practice.

4.3.2) As part of the personal performance and development appraisal scheme all food safety officers undergo annual appraisal interviews which include review of their training requirements and personal development objectives. Regular team meetings are organised to discuss matters and issues of consistency.

4.3.3) The staff covering this service will continue to be encouraged, motivated and trained to develop their potential and use their talents for the benefit of the people of the borough.

4.3.4) All officers that are members of the CIEH are required to undergo at least 20 hours of continuing Professional Development (CPD) each year of which 10 hours must be food related if the officer is authorised for food safety work.

4.3.5) Officers whose knowledge in relation to food matters has lapsed or has become out of date must undergo structured revision training before resuming food law enforcement duties. Records of ongoing training are kept by the Environmental Health Department.

4.3.6) To fulfil training needs, officers attend seminars and courses arranged by the Essex Food Liaison Group, Central Government advisory bodies, other local authorities and external training organisations.

## **5. Quality Assessment**

5.1) The quality of service provided by the unit is assessed by:

- Monitoring performance against service and officer targets.
- Monitoring actual working practices against procedures and protocols for:
- Inspection of food businesses
- Investigation of complaints and food poisoning notifications
- Enforcement

- Undertaking customer satisfaction surveys of local businesses receiving inspection.

5.2) Performance monitoring will be undertaken by generating monthly reports from the UNIFORM database on:

- inspections, for comparison against the annual programme and
- Complaints and other service requests to monitor progress.

5.3) Working practices will be monitored routinely through close contact between the food safety officers and the Environmental Health Team Leader / Operational Manager and by monitoring:

- Submission of inspection reports including copy letters for scrutiny of at least 5%
- Scrutiny of at least 5% complaint/ service request/sampling and food poisoning notification files.
- Referral of contentious issues and formal enforcement to EH Team Leader/ Environmental Health Operational Manager for confirmation of action being taken.
- At least one annual joint food hygiene inspection between Environmental Health Officers authorised to carry out food hygiene work.

## **SECTION 2 – HEALTH AND SAFETY**

### **7. Introduction**

7.1) The format of this Plan meets the requirements laid down by the Health and Safety Executive and is designed to ensure that local people and residents can clearly see what we do, how our services are delivered and what resources we have available to do this. It also allows the Health and Safety Executive to assess the services that we offer, so that they can ensure that our services meet the standard required under Section 18 of the Health and Safety at Work etc Act 1974.

7.2) The Council is committed to improving health and safety outcomes across the Borough and will commit the necessary resources and capacity to deliver its priorities and plan of interventions for the current year.

7.3) The primary function of the Service is to provide education and advice to businesses in Castle Point to help them comply with the requirements of the legislation.

7.4) Inspections and investigations are undertaken at premises that are classified as either high risk, or where concerns have been raised about working practices or the safety of premises.

7.5) Where businesses fail to comply with the advice given and fail to provide a safe working environment for employees and the public, the Service will use its enforcement policy and the Regulators Code to take appropriate enforcement action.

7.6) Health and Safety is sometimes seen as a burden on business. In fact the opposite is true. Poor health and safety standards will result in accidents and poorer health

which results in extensive time off work, and this impacts directly on the business and ultimately on the economy of Castle Point. It also potentially gives an unfair economic advantage to those who might ignore the law.

7.7) Where appropriate, we will co-operate with other organisations including the Inland Revenue; Fire Service; Police Service; Trading Standards; UK Border Agency and Non-Domestic Rates, to maximise intelligence gathering. This will assist in targeting action against poor performing businesses. We will also investigate the possibility of reviewing and updating data, by using data held by other sections within the Council to minimise the burden between the Council and local businesses.

7.8) In keeping with government reforms over health and safety, the Service will continue to plan and target health and safety interventions having regard to the range of interventions available, the risk profile of the business/sector, national information (accident statistics, national priorities, Lead Authority/Primary Authority inspection plans) and local intelligence and knowledge.

7.9) Proactive inspections will be reserved for the highest risk premises and other forms of interventions, including targeted visits and awareness raising interventions, will be used for other businesses. Reactive work such as accident and complaint investigations will continue to be undertaken and prioritised according to the level of risk identified. Only accidents which meet the HSE accident investigation criteria or are linked to the county work plan as a high priority area will be investigated, unless local intelligence suggests that an appropriate investigation intervention will be beneficial.

## **8) H&S Service Aims and Objectives**

8.1) The overall **aim** of the Service is to work with others to protect people's wellbeing, and health and safety by ensuring risks in the changing workplace are managed properly.

8.2) Our key delivery **priorities** are:

- To manage the risk in high risk, poor performing and/or rogue trader businesses. (Targeted approach to risk in line with Better Regulation agenda.)
- To proactively inspect businesses identified as being at the highest level of risk
- Investigating major injury incidents and fatalities. (National guidelines are used to assess and target poor management in line with Better Regulation agenda.)
- To ensure enforcement decisions are consistent with our Enforcement Policy, the HSE's Enforcement Policy Statement and the Enforcement Management Model. This ensures proportionate, consistent, transparent and accountable enforcement - part of the Better Regulation agenda.
- Train and develop our staff to ensure competence. This encourages staff retention/recruitment and ensures credibility with local business.

8.3) The key **objectives** of the service this year are to:-

- Reduce the number of accidents and illnesses associated with the workplace in the district and within Castle Point Borough Council

- Increase awareness of health and safety in the organisation and the wider Borough
- Work in partnership with others to deliver the HSE strategic programme wherever possible.

## **9) H&S - Links to Corporate Objectives**

9.1) Castle Point Borough Council priorities are;

- Environment
- Housing and Regeneration
- Health and Community Safety
- A commercial and democratically accountable council.

This service plan reflects positively on the priorities and contributes towards the objectives of the Council.

## **10) Scope of the Health and Safety Service**

The Service provides two broad areas of work, which can be classified as either pro-active or reactive.

### ***10.1) Pro-active***

- Inspections (programmed interventions) at premises subject to local authority enforcement
- Education of proprietors and employees through guidance, information and training
- Undertaking issue specific targeted interventions
- Liaising with other Council departments and external organisations including Planning, Building Control, Licensing, corporate health and safety, Trading Standards, HSE, Essex Health and Safety Liaison Group, Care Quality Commission and OFSTED
- Assessing ASB5 notifications (Asbestos removal works)
- Devising material to help businesses comply with the law and good practice
- Website maintenance and design

### ***10.2) Reactive***

- Investigating reported accidents, diseases and dangerous occurrences
- Responding to complaints and requests for service

- Planning/ building control applications

## **11) Quality Assessment**

11.1) Castle Point Borough Council recognises the need to measure the effectiveness of its health and safety enforcement duties. Auditing, peer review and monitoring are seen as parts of this process to ensure that its procedures result in high quality, consistent interventions. The interpretation and action taken by Officers following an intervention should also be consistent within the authority.

## **12) Setting priorities**

12.1) The regulatory activities of the service are planned in line with the principles of the National Local Authority Enforcement Code and HSE circular LAC 67-2 (rev 9.) Interventions are focussed on outcomes and play an important role in ensuring the effective and proportionate management of risk, supporting businesses, protecting their communities and contributing towards the wider public health agenda.

## **13) Targeting interventions**

13.1) The service uses a range of techniques to increase its impact on H&S and to influence behaviours and improve the management of risk. The service has and will continue to maintain a deterrent by ensuring that it can take suitable action against those businesses who fail to meet their H&S obligations.

## **14) Primary authority inspection plans**

14.1) If issues are identified with a business forming part of a primary authority as a result of local intelligence, contact will be made with the relevant local / enforcing authority to share any relevant information on the organisation. The service will ensure that inspection plans are referred to prior to taking any proactive intervention work with organisations forming part of a PA agreement.

## **15) Data capture and reporting performance**

15.1) The service will continue to ensure that it maintains a database to monitor, capture and share health and safety intervention data enforcement and prosecution activity. This information is shared with the HSE on an annual basis and also forms information held in public registers.

## **16) Qualifications and Training**

16.1) The Authority will ensure that it only appoints appropriately qualified and experienced personnel to health and safety enforcement duties. The level of authorisation given will be appropriate to the training and experience of each individual officer.

16.2) The training needs of officers are identified during the appraisal process known as Personal Performance and Development Plan (PPDP.) An individual training programme is developed once this process is complete. It is the policy of the Council to ensure that officers receive adequate training to fulfil their development needs. This will be provided through a combination of commercial courses, those provided by the HSE, Essex Health and Safety Liaison Group and internal training.



16.3) The Authority will have regard to competencies when assessing the competency of its Officers. Where an Officer cannot be shown to achieve the standard in some areas, the Authority will ensure that that Officer is supervised by an Officer who does possess these competencies.

## **17) Procedural Documents and Statutory Codes.**

17.1) Environmental Health Services operates a system of procedural documents for key areas of health and safety enforcement and makes reference to national codes produced by the Health and Safety Executive and other government bodies.

17.2) In May 2013 the **National Local Authority Enforcement Code** was introduced. This code replaced previous guidance. The Code sets out the risk-based approach to targeting health and safety interventions to be followed by LA regulators.

17.3) The Code provides a principle-based framework that recognises the respective roles of business and the regulator in the management of risk, concentrating on four objectives:

- Clarifying the roles and responsibilities of business, regulator and professional bodies
- Outlining the risk-based approach to regulation that LA's should adopt
- Setting out the need for training and competence of LA health and safety regulators
- Explaining the arrangements for collection/publication of LA data and peer review to give assurance on meeting the requirements of the Code.

17.4) The **Regulators' Code** came into statutory effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006, replacing the Regulators' Compliance Code. It provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate. Local authority enforcement officers must have regard to it when developing policies and procedures that guide their regulatory activities.

17.5) Environmental Health Service maintains a local **Enforcement Policy** which is written in compliance with, and has regard to, relevant national codes and the Castle Point Borough Council corporate enforcement policy.

17.6) Government reforms over health and safety, will be kept under review and incorporated into practice as required. The Service is committed to improving health and safety standards in accordance with this strategy.

## **18) Resource allocation**

18.1) Environmental Health Services operate a generic system of work, where each officer undertakes the full range of Environmental Health activities, the main groupings being Public Health and Nuisance, Pollution / Environmental Protection, Food Safety, Health and Safety, Private Sector Rented Housing and Licensing.

18.2) An Officer has been allocated to each grouping who is expected to take the lead for the subject area. Other qualified officers in the service are also authorised and can use the expertise of the lead officer to assist with more difficult cases.

18.3) Resource allocated to Health and Safety Work has been reduced over the past few years to consider the requirements of the HSE, who no longer allow routine proactive inspections to take place for the majority of workplaces in the Borough.

18.4) Estimated allocation of officer resource required for the 2021/22 financial year is as follows:

Officer type	FTE equivalent
EH Operational Manager	0.05
EH Team Leader	0.05
Environmental Health Officers	0.3
TOTAL	0.4

18.5) The service is currently undertaking additional H&S duties due to the global COVID-19 pandemic. Environmental Health Officers are ensuring businesses that must close, remain closed and that social / safe distancing is maintained by businesses operating in the Borough.

## **19) Service Delivery**

19.1) The service is delivered both in and out of normal office hours to ensure premises are inspected whilst they are operational and out of hours visits will be undertaken where this is required.

19.2) The Environmental Health Service has a general enforcement policy approved by the council. All enforcement action will be taken in line with this policy. In addition, there are comprehensive procedures available to ensure consistency of service.

## **20) Legal requirements upon the Service**

20.1) Section 18 of the Health and Safety at Work etc Act 1974 requires a Local Authority to 'make adequate arrangements for enforcement' of the Act. Guidance relevant to S18 is now incorporated into the National Local Authority Enforcement Code.

## **21) Better Regulation / Regulatory Delivery**

21.1) The Government has made a commitment to cut red tape to lift the regulatory burdens on businesses. Efficient and effective local regulation will play a key role in ensuring that the reduction of regulation really does translate into a reduction in the burden on businesses at a local level. The government department responsible for this function is the Office for Product Safety and Standards.

## **22) H&S Interventions**

22.1) Interventions are targeted on activities that give rise to higher risks or where the hazards are least well controlled, with the aim of maximising their impact on improving health and safety outcomes. Interventions are also designed to stop those that seek economic advantage from non-compliance (e.g. rogue traders.)

22.2) The Health and Safety Executive in association with Local Authorities has agreed a set of national priority topic areas that are considered when targeting interventions at appropriate activities.

22.3) Local priorities have also been identified which represent areas of local concern. These topic areas are chosen to ensure that high risk activities are prioritised for attention by the service.

22.4) When deciding on which complaints to prioritise, which accidents to investigate and which interventions to complete during the year, full account will be taken of relative risk in all cases.

### 23) Presumptive work programme 2021/22

23.1) The following highlights the Health and Safety Activities planned for the 2021/22 financial year.

- Accident investigations to be undertaken, where necessary in accordance with HSE guidelines and Environmental Health Services Enforcement Policy.

2021/22 work estimate	<b>20</b> reported accidents / incidents processed.
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- Provision of information or mail-shots specific to risks associated with the main work activity

2021/22 work estimate	Specific information provision to <b>50</b> higher risk businesses.
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- Investigations of complaints made to the service regarding the Health and Safety Standards of workplaces in the Borough

2021/22 work estimate	<b>25</b> H&S service requests processed
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- Environmental Health Officers to undertake H&S hazard spotting as a routine part of Food Safety Interventions.

2021/22 work estimate	<b>50</b> premises checked as part of food premises interventions.
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- Proactive full inspections of H&S premises

2021/22 Work estimate	In accordance with HSE requirements, the service will not routinely undertake any proactive full H&S premises inspections of businesses in the Borough, unless the risk history, local /national intelligence or priorities highlight that an inspection would be the most suitable form of intervention.
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- Cooperation with partners, such as Essex Health and Safety Liaison Group Members to undertake project-based interventions based on national, regional and/or local priorities.

2021/22 work estimate – <b>Subject to COVID-19 related work, which will take priority.</b>	The Essex H&S group & CPBC does not currently intend to complete any joint projects, until such time that work involving the COVID-19 pandemic is significantly reduced. After such time, discussions will take place within the forum.
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**CABINET**

**16th JUNE 2021**

**Subject: Update easing of Covid Regulations Pavement Licences & Outdoor Hospitality**

**Cabinet Member: Councillor Isaacs – People - Community**

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**1. Purpose of Report**

**To update the Cabinet on the extension Pavement Licences and other measures to support outdoor hospitality**

**2. Links to Council's Priorities and Objectives**

**This report is linked to the Council's Priorities Aim of**

- **Transforming our Community;**
- **Public Health and Wellbeing.**

**3. Recommendation**

- **That the Cabinet approves the amendment to the Pavement Licence Policy.**
- 

**4. Background**

- 4.1** On 25 June 2020 the Government announced a relaxation to planning and licensing laws to help the hospitality industry recover from the coronavirus lockdown by removing short term obstacles that could get in their way.

The Business and Planning Bill made it easier for premises serving food and drink such as bars, restaurants and pubs, as lockdown restrictions were lifted but social distancing guidelines remained in place to seat and serve customers outdoors through temporary changes to planning procedures and alcohol licensing.

The measures included in the Bill modified provisions in the Licensing Act 2003 to provide automatic extensions to the terms of on-sales alcohol licences to

allow for off-sales. It was a temporary measure to boost the economy, with provisions lasting until the end of September 2021.

The Bill also introduced a temporary fast-track process for these businesses to obtain permission, in the form of a “pavement licence”, from the Council for the placement of furniture such as tables and chairs on the pavement outside their premise which enabled them to maximise their capacity whilst adhering to social distancing guidelines.

The new temporary measures reduced the consultation period for applications for pavement licences from 28 calendar days to 5 working days and automatically deemed consent after 10 working days if the council did not issue a decision.

It set a lower application fee for a pavement licence of up to £100 ensuring businesses can obtain licences in a timely and cost-effective manner aiding to their financial recovery.

- 4.2 The Council adopted a new Pavement Policy in July 2020 to enable this process and has received applications from four businesses, all of which were granted within the timescales.

## **5. Updates**

- 5.1 In March 2021 Communities Secretary Rt Hon Robert Jenrick MP announced he intended to extend pavement licences for a further 12 months to help the hospitality industry recover once lockdown restrictions were lifted – subject to parliamentary approval.

In a letter to all local authorities he confirmed the extension, as well as a series of measures introduced last year by the Government to help hospitality businesses recover will remain in place as restrictions start to ease. These include:

- Restaurants, pubs and cafes given automatic freedoms to provide takeaway services for another year
- Greater flexibility for land to be used for temporary events, such as markets and motorsports
- Planning freedoms to allow outdoor markets, marquees, pop-up car-boot sales or summer fairs without the need of a planning application

- 5.2 Subject to Parliamentary approval, the Pavement Policy adopted by the Council in July 2020 will be amended to reflect the extended expiry date.

Pavement licences issued by the Council were initially given an expiry date of 30 September in line with the temporary fast track process. These will now be extended to 31 March 2022 without the need for an additional application. New applications received will also be granted a licence until this date.

Premises can continue to offer takeaway food and drink without the need to formally vary their licence until 31 March 2022.

## **6. Corporate Implications**

### **(a) Financial Implications**

Managed within existing service budgets

### **(b) Legal Implications**

The Pavement Policy adopted by The Council in July 2020 remains fit for purpose with an amendment to reflect the extended expiry date.

### **(c) Human Resources and Equality Implications**

#### **Human Resources**

Managed within existing resources.

#### **Equality Implications**

Clear routes of access considering the needs of people with disabilities will continue to be maintained.

### **(d) IT and Asset Management Implications**

None to be addressed by this report.

## **7. Timescale for implementation and Risk Factors**

Publication of the amended Policy on the Council's website once parliamentary approval confirmed.

## **8. Background Papers**

Business and Planning Bill 2020  
Letter from Rt Hon Robert Jenrick MP  
Amended Pavement Licence Policy

### **Report Author:**

Mrs Melanie Harris – Head of Licensing and Safer Communities.

**CABINET**

**16th June 2021**

**Subject: Authority to Represent the Council**

**Cabinet Member: Councillor Johnson – Resources**

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**1. Purpose of Report**

The purpose of this report is to approve the authorisation to allow a member of the Council's Law Team employed by the Council to represent the Borough Council in proceedings before the Magistrates' Court and County Court.

**2. Links to Council's Priorities and Objectives**

This report is linked to the Council's priority a Commercial and Democratically Accountable Council.

**3. Recommendations**

That the following member of the Law team be authorised to appear before the Magistrates' Court and County Courts to represent the Borough Council in legal proceedings pursuant to Section 223 Local Govt Act 1972 and Section 60(2) County Courts Act 1984: -

- **George Dixon – Trainee Solicitor**
- 

**4. Background**

Solicitors who are employed by the Council have automatic rights of audience to appear before the Courts to represent the Council and un-admitted legal staff who are undergoing training to obtain legal qualifications may also appear and represent the Council provided, they are specifically authorised to do so by the Council.

**5. Proposals**

It would be beneficial for the Council to allow its trainee solicitor to appear to represent the Council in legal proceedings before the Courts and the



appropriate authorisation would also allow for the proper training and development of this staff member.

It is proposed that the Trainee Solicitor detailed below be authorised to appear to represent the Council in legal proceedings before the Courts pursuant to Section 223 Local Govt Act 1972 and Section 60(2) County Courts Act 1984.

- George Dixon – Trainee Solicitor

## **6. Corporate Implications**

### **(a) Financial Implications**

In some circumstances where no other solicitor or legal officer employed by the Council is available it may be necessary to incur extra costs by instructing Counsel or a solicitor agent to represent the Council at Court.

### **(b) Legal Implications**

Without authorisation from the Council this employee is unable to appear before the Courts to represent the Council in legal proceedings.

### **(c) Human Resources and Equality Implications**

It would assist the management of the Council's legal services for this trainee to be authorised to represent the Council at Court.

### **(d) IT and Asset Management Implications**

There are none to be addressed by this report.

## **7. Timescale for implementation and Risk Factors**

The proposal will be implemented as soon as it is approved by the Cabinet.

## **8. Background Papers**

None.

### **Report Author:**

Jason Bishop – Solicitor to the Council

**CABINET**

**16th June 2021**

**Subject: Adoption by Full Council of the Working Definition of Antisemitism**  
**Cabinet Member Councillor Isaacs People - Community**

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**1. Purpose of Report**

Following the pledge by the Communities Secretary the Right Honourable Robert Jenrick MP Cabinet is invited to recommend to Council to adopt a non-legally binding working definition of antisemitism.

**2. Links to Council's Priorities and Objectives**

This report links with the Council's Health and Community Safety objective.

**3. Recommendation**

It is recommended that the Council adopts the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism as set out below.

**"Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestation of antisemitism are directed towards Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."**

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**4. Background**

4.1 The IHRA is an intergovernmental organisation mandated to focus solely on Holocaust related issues.

4.2 The Plenary of the IHRA has developed the non-legally binding working definition of antisemitism as shown above.

- 4.3 To date Governments in 19 countries, including the United Kingdom, have adopted or endorsed the definition.
- 4.4 In a speech to the Board of Deputies of British Jews in September 2019 Communities Secretary Robert Jenrick MP said he wants all Councils to adopt the working definition of antisemitism as a matter of urgency.
- 4.5 In the Borough of Castle Point there is a large and growing community of orthodox Jewish people.

## **5. Proposal**

- 5.1 The proposed IHRA definition of antisemitism is put forward for formal adoption by the Castle Point Borough Council as shown below:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestation of antisemitism are directed towards Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

It provides 11 examples of antisemitism including statements that make mendacious, dehumanising, demonising, debasing or stereotypical allegations against Jews as such or the power of Jews as a collective.

## **6. Corporate Implications**

### **(a) Financial Implications**

None

### **(b) Legal Implications**

None

### **(c) Human Resources and Equality Implications**

The definition will be integrated into the Council’s existing equality policies.

### **(d) IT and Asset Management Implications**

None

## **7. Timescale for implementation and Risk Factors**

The working definition is to be adopted by the Council with immediate effect following the pledge made by the Communities Secretary.

## **8. Background Papers**

IHRA Fact Sheet: Working Definition of Antisemitism

### **Report Author:**

Mrs Melanie Harris MA BSc(Hons) MIOL

Head of Licensing and Safer Communities and Designated Officer for Safeguarding Children and Vulnerable Adults

11 September 2019

## Fact Sheet: Working Definition of Antisemitism

**On 26 May 2016 in Bucharest, the Plenary of the International Holocaust Remembrance Alliance (IHRA) adopted a non-legally binding [working definition of antisemitism](#) under the Romanian Chairmanship.**

1. Antisemitism has led the international community to take a number of steps in recent years: in 2004 the OSCE issued the Berlin Declaration and appointed a Personal Representative on Combatting Antisemitism; in Dec 2015 the European Commission appointed the first Coordinator on Combatting Antisemitism.
2. The IHRA is the only intergovernmental organization mandated to focus solely on Holocaust-related issues, and accordingly has the responsibility to deal with the issue of antisemitism as it is directly embedded in the organization's founding document, the [Stockholm Declaration](#).
3. The IHRA Plenary consists of 33 [Member Countries](#) - 25 of which are EU member countries.
4. The IHRA is the first intergovernmental body to adopt this working definition.
5. The recommendation that the IHRA adopt the working definition came from the experts of IHRA's Committee on Antisemitism and Holocaust Denial.
6. The working definition of antisemitism aims to guide the IHRA in its work and to illustrate how antisemitism can manifest itself.
7. The adopted working definition of antisemitism is based on a definition first published by the European Monitoring Centre on Racism and Xenophobia (EUMC) in 2005, now the Fundamental Rights Agency.
8. The working definition of antisemitism has also been used, for example, by the European Parliament Working Group on Antisemitism, the UK's College of Policing and in police training in Estonia.
9. The Inter-parliamentary Coalition for Combating Antisemitism call for adoption of the working definition in their [London](#) and [Ottawa](#) protocols.
9. To date, the working definition has been adopted or endorsed by the following governments and bodies: the [United Kingdom](#) (12 December 2016), Israel (22 January 2017), [Austria](#) (25 April 2017) [Scotland](#) (27 April 2017), [Romania](#) (25 May 2017), [Germany](#) (20 September 2017), Bulgaria (18 October 2017), Belgium (14 December 2018), [Sweden](#) (January 2018), [Lithuania](#) (24 January 2018), the Republic of North Macedonia (6 March 2018), the Netherlands (27 November 2018), [Slovakia](#) (28 November 2018), [Republic of Moldova](#) (18 January 2019), Czech Republic (25 January 2019), Greek Ministry of Education (11 February 2019), [Hungary](#) (18 February 2019), [France](#) (20 February 2019), Canada (27 June 2019).
10. [According to the US State Department](#) "As a member of IHRA, the United States now uses this working definition and has encouraged other governments and international organizations to use it as well". The working definition has also been adopted for domestic use by the US Department of Education.
11. [The Government of Canada states](#) it "strongly supports the working definition of antisemitism."



10. On 1 June, 2017, the European Parliament voted to [adopt a resolution](#) calling on member states and their institutions to adopt and apply the working definition of antisemitism.

11. In September, 2018, the UN Secretary-General António Guterres [acknowledged](#) “the efforts of the 31 member countries of the International Holocaust Remembrance Alliance to agree on a common definition of antisemitism.”