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**Chief Executive**

## **CABINET AGENDA**

**Date:      Wednesday 20th June 2018**

**Time:      7.00pm NB Time**

**Venue:     Council Chamber**

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

### **Membership:**

<b>Councillor Smith</b>	<b>Chairman - Leader of the Council</b>
<b>Councillor Stanley</b>	<b>Finance, Policy and Resources</b>
<b>Councillor Mrs Egan</b>	<b>Housing and Council Homes</b>
<b>Councillor Howard MBE</b>	<b>Streets, Waste, Floods and Water Management</b>
<b>Councillor Isaacs</b>	<b>Neighbourhoods &amp; Safer Communities</b>
<b>Councillor MacLean</b>	<b>Health &amp; Wellbeing</b>
<b>Councillor Mumford</b>	<b>Regeneration &amp; Business Liaison</b>
<b>Councillor Sheldon</b>	<b>Commercial Contracts and Commercial Opportunities</b>
<b>Councillor Varker</b>	<b>Environment &amp; Leisure</b>

<b>Cabinet Enquiries:</b>	<b>John Riley Ext 2417/Ann Horgan ext. 2413</b>
<b>Reference:</b>	<b>1/2018/2019</b>
<b>Publication Date:</b>	<b>Tuesday 12th June 2018</b>

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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 March 2018.

**4. Forward Plan**

To review the Forward Plan.

**5. Public Health and Wellbeing**

**5(a) Food & Health and Safety Service Plan 2018- 19**

*(Report of the Cabinet Member for Health and Wellbeing)*

**6. Environment**

**6(a) Littering Offences – Improved Powers**

*(Report of the Cabinet Member for Streets, Waste, Flood and Water Management  
& Cabinet Member for Environment and Leisure)*

**7. Transforming Our Community**

**8. Efficient and Effective Customer Focused Services**

**8(a) Financial Update**

*(Report of the Cabinet Member for Finance, Policy & Resources)*

**8(b) Corporate Performance Scorecard Quarter 4, 2017-2018**

*(Report of the Cabinet Member for Commercial Contracts and Commercial Opportunities)*

**8(c) Commercial Principles**

*(Report of the Cabinet Member for Commercial Contracts and Commercial Opportunities)*

**9. Matters to be referred from /to Policy & Scrutiny Committees**

**10. Matters to be referred from /to the Standing Committees**

There are no matters.

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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 known at the time of publication of the agenda.**

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**INFORMAL  
CABINET SESSION**

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**All Councillors are welcome to take part in this informal question time session with Cabinet at the end of the meeting. The session will be time limited and will conclude not later than 9pm.**



## **CABINET**

**21ST MARCH 2018**

### **PRESENT:**

Councillor Riley Chairman	Leader of the Council
Councillor Stanley	Finance, Policy and Resources
Councillor Dick	Health and Wellbeing
Councillor Mrs Egan	Housing and Council Homes
Councillor Isaacs	Neighbourhoods & Safer Communities
Councillor Howard	Street Scene, Waste, Floods and Water Management
Councillor MacLean	Customer Engagement and Commercialism
Councillor Skipp	Environment & Leisure

**APOLOGIES:** Councillor Smith

### **ALSO PRESENT:**

Councillors: Acott, Bayley, Blackwell, Campagna, Cole, Greig, Hart, Hurrell, Mrs King, May, Mumford, Palmer, Mrs Sach, Taylor, Mrs G. Watson and N.Watson.

### **76. MEMBERS' INTERESTS:**

### **77. MINUTES:**

The Minutes of the Cabinet meeting held on 14.2.2018 were approved and signed by the Chairman as a correct record.

### **78. FORWARD PLAN:**

To comply with regulations under the Localism Act 2011, the Leader of the Council presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter 2018. The Plan was reviewed each month.

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

### **79. LEISURE AND RECREATION UPDATE**

This item was referred for the Cabinet Member to present the report at Ordinary Council.

## **80. CANVEY SEAFRONT – RECOMMENDATIONS FROM THE ENVIRONMENT POLICY AND SCRUTINY COMMITTEE**

Cabinet considered a report on the recommendations of the Environment Policy and Scrutiny Committee in respect of the Motion to Council on 27th September 2017 requesting that officers look into the criteria and feasibility of applying for a Blue Flag Beach Award for Thorney Bay and Concord Beach.

### **Resolved:**

To endorse the recommendations of the Environment Policy and Scrutiny Committee that:

1. The Council should continue the positive engagement with the seafront stakeholder group taking into consideration their input as interested parties on the future development of the Canvey Seafront area; and
2. Future improvements to the seafront should be affordable and sustainable and seek to improve the visitor experience both during the summer period and throughout the year; and
3. Regard should be had to (i) national award criteria such as the Blue Flag and Keep Britain Tidy Seaside Award and (ii) the developing Master Plan and the identified priorities for the area when considering enhancements to the seafront area; and that
4. Serious consideration should be given to banning dogs from the beach area during the summer period.

## **81. UPDATE ON FLOOD ALLEVIATION MEASURES IN THE BOROUGH.**

Cabinet considered a report updating Cabinet in respect of flood alleviation measures proposed and/or taking place in the Borough.

**Resolved:** To note the report

## **82. THE SEAFRONT CANVEY ISLAND**

Cabinet considered a report informing of proposals for the seafront at Canvey Island, recently published as a Master Plan.

**Resolved:**

1. To note the publication of the Master Plan for the seafront at Canvey Island:
2. To note the opportunities afforded for improved amenities and car parking across the wider seafront area:
3. To agree to the preparation of a detailed business case for on a phased basis
  - new amenities, including a refreshment kiosk, toilet facilities and extended car parking at Thorney Bay;
  - an extension to car parking at Labworth Green;
4. To agree to the submission of an expression of interest to the Government's Coastal Communities Fund for funding for improvements to the seafront;
5. To receive further reports on proposals in the Master Plan for other improvements at the seafront, including a boardwalk, extended car parking and revised attractions.

**83. REGENERATION AND ASSET UPDATE**

Cabinet considered a report informing the Cabinet of progress with current active regeneration and asset initiatives.

**Resolved:**

1. To note the progress underway on these initiatives.
2. To thank Hollybrook (its preferred development partner) for its work on the Hadleigh Island Gateway site, and regrets that it has not been possible to proceed with that scheme at this time.
3. To note that progress continues to be made on the business case for the development of community facilities at the Paddocks site
4. To note that progress continues to be made on the participation of the Council in the "Go Trade" project with funding from the "Interreg" programme.

## **84. PLANNING POLICY UPDATE**

Cabinet considered a report providing the Cabinet with an update on the current position with planning policy work, referring to emerging Government policy, sub-regional South Essex matters, and work on Castle Point matters.

### **Resolved:**

1. To note the content of this report;
2. To welcome the Government's decision to award a sum in excess of £800,000 from its Planning Delivery Fund to South Essex Councils to pursue joint planning work;
3. To note the publication by Government of the new draft National Planning Framework (NPPF) and associated documents, and authorises the Chief Executive in consultation with the Leader of the Council to submit a response to the consultations, if and as appropriate;
4. To note that no decision has yet been made by the Secretary of State concerning intervention in local plan matters for Castle Point;
5. To welcome the progress being made by the Association of South Essex Local Authorities (ASELA) on its objectives, and in particular its progress on a joint strategic plan;
6. To note that the existing Local Development Scheme (LDS) approved in July 2017 has now been superseded by the timetable for the joint strategic plan, and a revised LDS will be prepared for the Cabinet to consider and approve in June 2018;
7. To note the position with work regarding the evidence for planning policy work, and agrees to add the South Essex Employment Development Needs Assessment and the Essex Gypsy & Traveller Needs Assessment to the Council's portfolio of planning policy evidence documents.

## **85. FAIRGLEN INTERCHANGE A127/A130 IMPROVEMENT SCHEME**

Cabinet considered a report informing of proposals published by Essex County Council for improvements to the A127/A130 Fairglen Interchange, and the request for comments.

**Resolved:**

1. That the Cabinet notes the publication by Essex County Council of the A127/A130 Fairglens Interchange Improvement Scheme, and the request for comments;
2. To agree to a response to the Essex County Council consultation as set out in paragraph 4.14 of the report:

Because of the importance of the Interchange to the Borough and because of the potential consequences of any roadworks on the strategic road network affecting the Borough, it is considered that the Borough Council should make the following points

- It welcomes the acknowledgement of the existing issues at the Fairglens Interchange
- It understands that funding is only available at this time for the “Short Term Option”, but requests that work on this option is carried forward as quickly as possible
- During the implementation of the “Short Term Option”, appropriate phasing must be followed to ensure that parts of the Interchange may continue to operate as normal if there are no works directly taking place in that location
- During the implementation of the “Short Term Option” every opportunity must be taken to ensure that live traffic lanes on the network are only closed for the shortest possible time and only to facilitate works necessary in that particular area of the scheme
- It requests that further consideration is given to both left (northbound) as well as right (southbound) turns at the new “Southend Link Road” signal controlled junction on the A1245 given the potential benefits that this could provide to traffic seeking to access Rayleigh and Wickford
- It requests that every opportunity be taken to seek funding for the “Long Term Option”, so that all necessary preliminary design work can begin promptly
- It requests that the appropriate highways route safeguarding arrangements are put in place now for the “Long Term Option”, in order to identify and secure the land for the necessary improvements
- It requests that during the design of the “Long Term Option” consideration is given to a suitable means of



access to land to the south-east of the Fairglen Interchange to facilitate development

**86. CORPORATE PERFORMANCE SCORECARD QUARTER 3 2017/18**

The Cabinet considered and scrutinised the cumulative performance figures for the Corporate Performance Scorecard for quarter 3 1<sup>st</sup> October 2017 to 31st December 2017.

**Resolved:**

To note and continue to monitor the reported performance.

**87. CORPORATE PEER CHALLENGE**

Cabinet received the feedback report on the outcome of the Corporate Peer Challenge undertaken by the Local Government Association Peer Challenge Team between the 5th and 8th February 2018.

**Resolved:**

To refer the feedback report and recommendations to Ordinary Council

**88. MATTERS TO BE REFERRED FROM/TO POLICY SCRUTINY COMMITTEES:**

A report from the Environment Policy & Scrutiny Committee was considered under Minute 80 Canvey Seafront – Recommendations from the Environment Policy and Scrutiny Committee.

**89. MATTERS TO BE REFERRED FROM /TO THE STATUTORY COMMITTEES:**

There were no matters.

Chairman



# **Castle Point Borough Council**

## **Forward Plan**

**JUNE 2018**

# **CASTLE POINT BOROUGH COUNCIL**

## **FORWARD PLAN**

**JUNE 2018**

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>
July 2018	<u>Regeneration &amp; Assets Update</u>	Transforming Our Community	Cabinet	Strategic Partnerships Regeneration & Business Liaison	Local Plan & Regeneration Advisor
June 2018	<u>Commercial Principles</u>	Efficient and Effective Customer Focussed Services	Cabinet	Commercial Contracts & Commercial Opportunities	Strategic Director (Resources)
June 2018	<u>Food and Health &amp; Safety Service Plan</u>	Public Health & Wellbeing	Cabinet	Health & Wellbeing	Head of Environment
June 2018	<u>Littering Offences – Improved Powers</u>	Environment	Cabinet	Environment & Leisure Streets, Floods, Waste & Water Management	Head of Environment
June 2018	<u>Corporate Scorecard &amp; Performance Indicators</u>	All	Cabinet	Commercial Contracts & Commercial Opportunities	Head of Housing and Communities
July 2018	<u>Housing Asset Management Plan</u>				
July 2018	<u>The Paddocks – Business Case</u>	Transforming Our Community	Cabinet	Environment & Leisure Finance,	Strategic Director (Resources)

				Policy & Resources	
June /September/ 2018	<u>Financial Update</u>	Efficient and Effective Customer Focussed Services	Cabinet	Finance, Policy & Resources	Strategic Director (Resources)
July /Sept 2018	<u>Treasury Management Report – Updates</u>	Efficient and Effective Customer Focussed Services	Cabinet	Finance, Policy & Resources	Strategic Director (Resources)

**CABINET**

**20th JUNE 2018**

**Subject: Food & Health and Safety Service Plan 2018-19**

**Cabinet Member: Councillor MacLean – Health and Well Being**

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**1. Purpose of Report**

**This report seeks approval of the Council's Food & Health and Safety Service Plan for 2018/19.**

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

**The service plan links with the Council's Public Health and Well Being objective.**

**3. Recommendation**

**That Cabinet approve the Food & Health and Safety Service Plan for 2018/19.**

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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 law enforcement 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 our Health and Safety activities. This report seeks approval of the Food & Health and Safety Service Plan 2018/19 (Appendix 1)

## **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 policy will take immediate effect.

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



## **Environmental Health Services**

# **Food Service Plan & Health and Safety Service Plan 2018-19**



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## **SECTION 1 – FOOD SAFETY**

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

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

Environmental Health Services are 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.

The 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 'Regulatory Delivery.'

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 (2016 -18) are Public Health and Wellbeing, Environment, Transforming our Community and Efficient and Effective Customer Focussed Services. 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**

Head of Environment and the Environmental Health Operational Manager have 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. A technical officer is 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 district.

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 takes into account potential hazards, level of compliance and confidence in management control systems. Officer's 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 news letters and providing advice and assistance to businesses at the time of inspection and on request. The service also promotes food safety at the Castle Point Show, Neighbourhood meetings etc.
- 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. In Castle Point these include the manufacture of meat products and the wholesaling of fishery products. 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.
- 2.3.11 **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 2018 we have identified that the service is responsible for enforcing Food Safety in 490 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 490 food premises have been categorised as follows:

<b>Risk Category</b>	<b>Number of Premises</b>	<b>Intervention Frequency</b>
A	2	at least every 6 months
B	22	at least every 12 months
C	116	at least every 18 months
D	155	at least every 2 years
E	178	alternative enforcement strategy – 3 years
UNRATED	17	Inspection due within 28 days

Premises grouped by 'main activity'

Premises outside of inspection programme	0
The number identified as Manufacturing premises are	5
The number identified as Retail premises are	112
The number identified as Catering premises are	371
Producers, Packers, wholesalers, Distributors	2

As of 1<sup>st</sup> April 2018 approximately 90% of food premises in the borough are “broadly compliant.” A local indicator of the percentage of food premises in Castle Point that score 3 or above using the on the national Food Hygiene Rating Scheme is in force with a 2018/19 target of 90%

**2.4.2** The service is delivered from the Council Offices, Kiln Road, Benfleet. The office opening hours are Monday to Thursday 08:45 – 17:15 and Friday 08:45 – 16:45. 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:-**

The service consists of a mix of experienced and recently qualified officers, some of whom are not yet fully authorised to carry out all type of food safety work. The service remains very busy in all areas of Environmental Health Work. Contractors have been engaged to cover some of the shortfall for routine food inspections, freeing up some officer resource to complete other Environmental Health duties.

## **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. Enforcement decisions will be documented and monitored to demonstrate adherence with the policy. The service has produced a food safety enforcement policy to further clarify how the overarching code/policy applies to food safety enforcement in the Borough.

### **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 due 2018/19**

<b>Criteria</b>	<b>Programmed interventions due 2018/19</b>
A - rated premises	4 (2x2)
B – rated premises	22
C – rated premises	74
D – rated premises	74
E – rated premises	63
Unrated premises	17
<b>Total intervention programme</b>	<b>254</b>

#### **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 **25** will be required in 2018/19.

3.1.4) Based on previous year's figures there are estimated to be **64** new businesses (including change of ownership) that will require an intervention in 2018/19. These additional visits will be classified as non-programmed interventions. In addition we expect **20** 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 approval during 2018/19. The sole premises approved during 2017/18 moved to a neighbouring authority during the financial year.

3.1.6) The Food Law Code of Practice requires 100% of premises due for inspection to be inspected during the year within 28 days of their due date. Priority is given to high risk (Category A, B and C) inspections. Category E premises may be risk rated by alternative inspection strategies. Category D premises may be subject to alternative intervention strategies at every other due intervention.

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. Inspections / interventions are also undertaken by the Environmental Health Team Leader.

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 2018/19**

Category of Service Request	15/16 actual	16/17 actual	17/18 actual	18/19 estimate
Food product complaint	14	20	16	17
Food hygiene complaint	30	53	44	42

### **3.3 Home Authority / 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.



2.3.3) In respect of these premises 2 complaints and referrals are estimated during 2018/19.

2.3.4) Extra resources would be required for meeting and advising those businesses for which we could act as home authority.

2.3.5) 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 located in the nominated authority area. This service would actively consider such approach, but is unlikely to have the resources available to take on a large national organisation, unless additional funding 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 2018/19.**

Category of Service Request	15/16 actual	16/17 actual	17/18 actual	18/19 estimate
Advice requests including registration enquiries	166	126	104	132

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) The Health Protection Agency allocates the Council credits for funding examinations of food carried out at the HPE (Food, Water and Environmental Laboratory) London. The council has been allocated 3500 credits for the 2018/19.

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) **37** food samples or food hygiene samples were taken in 2018/19 and it is intended to take approximately **50** food samples for microbiological examination during 2018/19.

### **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 a downward trend over the past few years. We expect to receive IRO 80-90 notifications during 2018/19 based on these statistics.**

Year	Number of formal notifications of Food related infectious disease.
2012/13	125
2013/14	127
2014/15	108
2015/16	99
2016/17	69
2017/18	60

### **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 Council has a dedicated Food Standards Agency enforcement mailbox. This service delivery area is carried out in accordance with the Food Law Code of Practice (England) Chapter 2:2.

### **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 a microbiologist from the Public Health England.

3.8.3) An Environmental Health Officer regularly attends the 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 Essex and Suffolk Water.

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 the licensing department.

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	15/16 actual	16/17 actual	17/18 actual	18/19 estimate
Planning/building control consultations	67	35	184	95
Licensing applications	97	109	110	105

### **3.9 Food Safety Promotion**

3.9.1) The Environmental Health Services has a representative on the Essex Home Safety Committee and from time to time the promotion of food safety in the home is included on the agenda.

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

3.9.3) 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.

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

3.9.5) Environmental Health Officers attend the annual Castle Point Show to promote the activities of the service.

### **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. During 2018/19 5 premises received a one to one coaching session from an Environmental Health Officer.

3.10.2) Subject to resource it hoped 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 2018/19 is £87300 which includes:

### **4.2 Staffing Allocation**

4.2.1) The resources available to undertake food law enforcement during 2018/19 are 1.4 full time equivalent officers as detailed below:-

<b>Officer</b>	<b>Full time equivalent (FTE)</b>
Environmental Health Team Leader	0.05
Environmental Health Officers	0.75
EH Operational Manager	0.1
EH contractor (inspections only)	0.5
<b>TOTAL</b>	<b>1.4</b>

4.2.2) We aim to complete the work listed in the 2018/19 service plan within the staffing resource that has been allocated to this area of the service. It should be noted that the service will have significant difficulty in completing any work in excess of that listed due to restricted staffing resource. There may also be resource issues with cover during time consuming work such as outbreaks or prosecutions.

### **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 district.

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 Ocella 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 including Consultants and the Environmental Health Team Leader and by:

- Submission of inspection reports including copy letters to EH Team Leader 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.
- At least one monitoring visit to be completed by EH Team Leader with food safety contractors.

5.4) At the end of the service plan period the Authority will compare the years performance targets and performance standards included in this service plan. Any variation and the reasons for the variation will be included in the review and any service development or improvement will be identified as necessary.

## **6.0 Review from 2018/19**

6.1 An annual review of the previous year's service plan is completed at the start of each financial year.

### **6.2 Totals**

Category	Est 17/18	Act 17/18	Deviation
Food hygiene interventions completed	98% (374 total interventions completed)	98% (401 total interventions completed)	As est.
Revisits completed	25	42	+68%
Food product complaints	14	16	+14%
Food hygiene complaints	31	44	+42%
Advice requests	109	104	-5%
Planning / Building consultations	42	46	+10%
Licensing applications	100	100	As est.
SFBB Coaching sessions	5	5	As est.
ID Notifications	80-90	60	-30%
Food samples / hygiene monitoring samples taken	50	37	-26%
Export certificates	0	0	As est.

### **6.3 Promotional activities**

Food promotional activities were undertaken as described in the service plan.

### **6.4 Variation from 2018/19 service plan**

There was variation within individual categories from the estimates provided in the 2017/18 service plan; in particular the number of revisits undertaken and the number of food hygiene complaints received were substantially above estimate. This is balanced out by a decrease in infectious disease notifications and food samples taken, which were both below estimate.

As a result there was no significant effect on the resource required to operate the service during the financial year and it is estimated that the current allocated resource going forward will be sufficient to undertake food safety activities within the service during 2018/19.

## **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;

- Public Health and Wellbeing
- Environment
- Transforming our community
- Efficient and Effective Customer Focussed Services

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 6.) 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 has the ability to 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 LAs 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 / EP, 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 are able to 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 take into account 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 2018/19 financial year is as follows:

Officer type	FTE equivalent
EH Manager	0.05
EH Team Leader	0.05
EHO'S (total)	0.3
TOTAL	0.4

It is estimated that the 2018/19 work plan will be able to be delivered within the above resource. The above figures do not take into account major cases that may have to be dealt with over the course of the year. In these instances, extra resource will be reallocated from other areas of the service.

## **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 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 'Regulatory Delivery' section of the Department for Business, Energy and Industrial Strategy.

## **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 have agreed a set of national priority topic areas that are taken into account 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 2018/19

16.1) The following highlights the Health and Safety Activities planned for the 2018/19 financial year.

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

2018/19 work estimate	<b>40</b> reported accidents / incidents processed.
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- Provision of information or mail-shots specific to particular risks associated with the main work activity

2018/19 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

2018/19 work estimate	<b>25</b> H&S service requests processed
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- Review of Environmental Health Website, producing and updating H&S content

2018/19 work estimate	<b>10</b> hours work
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- Assess officer competency relating to H&S as part of Service competency framework. Produce action plan to rectify any deficiencies.

2018/19 work estimate	<b>25</b> hours work
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- Environmental Health Officers to undertake H&S hazard spotting as a routine part of Food Safety Interventions.

2018/19 work estimate	<b>150</b> premises checked as part of food premises interventions.
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- Proactive full inspections of H&S premises

2018/19 Work estimate	In accordance with HSE requirements, the service will not routinely undertake any proactive full
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	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.

2018/19 work estimate	Participate in <b>2</b> H&S projects. Subject to resource based on HSE and local priorities. (Subject to resource.)
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## 24) Review of 2018/19 work

Amongst the Health and safety related activities / interventions completed by the service during the past year:

- 24.1 Responded and investigated **40** requests for service, covering a wide range of issues relating to Health and Safety such as complaints about unsafe workplaces in the Borough, asbestos notifications and reports of dangerous lifting equipment.
- 24.2 Received / reviewed and/or investigated (taking action wherever appropriate) in response to **28** accidents and incidents reported under the Reporting of Injuries Disease and Dangerous Occurrence Regulations 2013 (RIDDOR).
- 24.3 Undertook Health and Safety interventions as an integral part of licensing visits which took place throughout the year. In particular relating to Tattooing, Skin Piercing and Electrolysis with their potential for serious injury and blood borne infections.
- 24.4 Undertook H&S checks as an integral part of food inspections. Every inspector completes a hazard check within each food premises during each visit, bringing matters of concern to the attention of proprietors. Further action is take wherever this is appropriate. Environmental Health undertook approximately **200** such visits during 2018/19.
- 24.5 Smoking enforcement checks are undertaken within business premises and commercial vehicles during routine intervention visits and following receipt of complaints.



24.6 Officers also commented on the safety aspects of planning permission and building control applications where appropriate including applications for smoking shelters.

**CABINET**

**20th June 2018**

**Subject: Littering Offences - Improved powers**

**Cabinet Members: Councillor Howard – Streets, Waste, Flood and Water Management**

**Councillor Varker – Environment and Leisure**

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**1. Purpose of Report**

This report seeks (1) endorsement of a proposed increase in the fixed penalty fine for littering on all land to which the public have access to within the Borough (which includes the public highway and public open spaces) and (2) advises of the new power to deal with littering from vehicles.

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

This proposal supports the Council's "Environment" objective.

**3. Recommendations**

It is recommended that Cabinet:

- (1) Endorses the increase in the Fixed Penalty Notice fine to £150, the maximum allowable, with no reduction for early payment; and**
  - (2) Notes the new legislation allowing Principal Litter Authorities, i.e. Borough/District Councils to serve fixed penalty notices on owners of vehicles out of which litter is discarded.**
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**4. Background**

Litter is unsightly and can be harmful to people and wildlife as well as attracting pests that can carry diseases harmful to human health. In addition, litter breeds litter as people are often more prepared to leave litter in an area that already has

discarded rubbish in it. Furthermore it is frequently the case that heavily littered areas attract additional crime such as criminal damage.

It is estimated that litter costs Local Authorities in England alone approximately £2.3 million per day; within the Borough of Castle Point it costs council tax payers approximately £500,000 per year to keep our streets clean and free from litter and refuse, a cost that could be greatly reduced if behaviour was altered and the litter was not left behind in the first place.

A public consultation as part of the launch of England's first ever Litter Strategy in April 2017 found that 85% of respondents were in favour of increasing on-the-spot fines.

In response to the consultation responses the Government has increased the level of fine that can be set by individual Principal Litter Authorities.

From 1 April 2018 local authorities can set fixed penalty litter fines from £65 up to a maximum of £150, default £100 (previously the range was £50 to £80, default £75).

Alongside the increase in fines new legislation allows for the owners of vehicles out of which litter is discarded to be served with a fixed penalty notice for littering even if they are not the culprit.

To improve the enforcement of littering from vehicles the Council's Street Scene Team is currently investigating the installation of CCTV into the Street Scene vehicles.

The Council has a number of Officers along with Canvey Island Town Council's Community Warden that are authorised to serve Fixed Penalty Notices for the offence of littering.

Noting the high profile exposure littering receives setting the fixed penalty amount at the maximum amount available, i.e. £150 is recommended. This is double the level of fine that the Council currently imposes for littering offences.

## **5. Corporate Implications**

### **a. Financial implications**

The Council can keep any income it receives through the service of Fixed Penalty Notices. However, the proposal to increase the level of the fixed penalty fine is to deter people from littering rather than to generate income. Income from fines must be spent on litter, dog control, graffiti or fly-posting related issues.

The legislation allows local authorities to set the level of the fixed penalty fine within prescribed limits. The fine can be between £65 and £150, the recommendation is to set the level at £150.

It is envisaged that the cost to administer the change will be met from within existing budgets.

**b. Legal implications**

The Council as a Principal Litter Authority has a statutory duty to keep its land and public highways clean and free from litter and refuse so far as reasonably practicable. It discharges this duty through its grounds maintenance and street cleansing contractor, Pinnacle PSG.

The Environmental Protection Act 1990 gives Principal Litter Authorities i.e. District/Borough Councils the power to serve Fixed Penalty Notices or to prosecute for the offence of leaving litter.

Payment of the fixed penalty fine is required within fourteen days to discharge the offence. Failure to pay the fine could result in the offender being prosecuted.

There is scope within the legislation to offer a discount for early payment and the guidance recommends that this should not be more than ten days. It is not proposed to offer a discount for early payment as it is likely to cause confusion and offer little benefit to the Council.

The Environmental Protection Act 1990 has been amended by the Anti-Social Behaviour, Crime and Policing Act 2014 to deal with litter from vehicles.

It is the Council's policy to prosecute persistent offenders (maximum fine £2,500) and this policy will continue.

**c. Human resources and equality implications**

There are no additional human resource implications.

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

To be implemented with immediate effect once the necessary administrative changes have been sorted out.

**7. Background Papers:**

Fixed Penalty Notices: issuing and enforcement by Councils – Guidance

<https://www.gov.uk/guidance/fixed-penalty-notices-issuing-and-enforcement-by-councils>

**Report Author:** Stuart Jarvis, Contracts Manager

**CABINET**

**20th June 2018**

**Subject: Financial Update**

**Cabinet Member: Councillor Stanley – Finance, Policy and Resources**

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**1. Purpose of Report**

**This report is intended to:**

- **Provide Cabinet with the latest medium term financial forecast in respect of the General Fund.**
- **Update Cabinet on developments of a financial nature, which may impact on the Council's financial plans in respect of either the General Fund or Housing Revenue Account (HRA).**

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

**This report is linked to the Council's priority of Efficient and Effective Customer Focused Services. Sound and strategic financial management is essential in order to ensure that resources are available to support the Council's priorities and maintain or improve services.**

**3. Recommendations**

**1. That Cabinet note the report and approve the amendments to the Capital Programme for 2018/19, detailed within section 7 of this report:**

- **The addition of £70k capital budget in relation to the Hatley Gardens development (General Fund),**
- **The re-phasing of the leisure centre gym equipment replacement programme (General Fund), and**
- **Updates to the Housing Revenue Account annual programme of works for 2018/19.**

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**4. Background & basis of the financial forecast**

- 4.1** The Financial Planning Strategy is incorporated within the Policy Framework and Budget Setting report which is approved by Council in February each year. The strategy requires the submission of a financial forecast, enabling the Cabinet to monitor latest estimates of future spending and resources, and take appropriate action to ensure that the Council's financial targets are met.

- 4.2 There is much uncertainty pending the outcome of the review of the business rates funding mechanism, making medium to longer term financial planning difficult. In the meantime, the Council continues to utilise its resources prudently and maintain reserves at a level sufficient to enable it to adjust smoothly to any detrimental change to funding which may arise.

## 5. Changes to approved budgets

- 5.1 The following budget changes have occurred since the budget was agreed by Council in February 2018.

	£	Description
1.	<b>14k</b>	Receipt late in 2017/18 of unbudgeted and previously un-notified revenue grants from central government - largely offset by additional responsibilities and/or costs.  Grants are included in 2017/18 outturn and will be held in an earmarked reserve and applied as related expenditure is incurred.
2.	<b>80k</b>	Confirmation received from Essex County Council in respect of funding of the Highway Ranger Service for a further year.  Grant will fund the cost of the service – nil impact on General Fund.
3.	<b>429k</b>	The Council has received more funding for Disabled Facilities Grants in 2018/19 than originally anticipated. The additional funding will be held in a capital reserve and applied into the budget as required.  The Council is seeking confirmation that it will not be required to repay unspent funds from 2017/18 before applying the additional sum to the 2018/19 budget.
4.	<b>313k</b>	Roll forward of budgets from 2017/18 into 2018/19 for committed works/services not completed in 2017/18.

- 5.2 The financial forecast at Annexe A also includes changes resulting from the 2017/18 out-turn and statement of accounts, including rolling forward of approved budgets into 2018/19. See also section 9 below.

## 6. Revenue/Capital Budgets “on-watch”

- 6.1 This section of the report would normally highlight revenue or capital budgets, HRA or General Fund, which are identified by the Strategic Director (Resources) as “on-watch”. This term refers to expenditure and income budgets where there is reason to believe that performance may not meet expectations and where the impact on the Council’s overall financial plan is likely to be material.
- 6.2 For the purpose of this report, items will be included if they have a full year financial impact of at least **£50k** and / or are felt to be of particular interest to Cabinet.

- 6.3 There are no items to report at the current time.

## **7. Changes to the Capital Programme**

### **General Fund Capital Programme 2018/19 - Housing**

- 7.1 In September 2017 Cabinet approved in principle a project for the development of a house of Multiple Occupation for homeless people at Hatley Gardens. The total cost of the project will be in the region of **£620k**, subject to tender.
- 7.2 Agreement has now been received from the Ministry of Housing, Communities and Local Government for the transfer of the respective land from the HRA to the General Fund and preparatory works have subsequently commenced. The project is now at the stage where a capital budget of **£70k** is required to engage professional services.
- 7.3 This will be General Fund capital spend which will be charged to the General Fund in future years by Minimum Revenue Provision (MRP) charges. These will in turn be offset by future savings in Homelessness revenue costs with no overall impact on the General Fund.
- 7.4 A further report will seek approval for the rest of the capital budget once the tender process has been completed.

### **General Fund Capital Programme 2018/19 – Leisure**

- 7.5 Waterside Farm Leisure Centre's current fitness suite equipment was purchased in 2013, as part of the refurbishment of the centre carried out at that time.
- 7.6 Existing capital budgets allow for replacement of this equipment every three years to the value of **£75k** each time, with the next set of replacements due in the current financial year.
- 7.7 The Leisure service has reviewed current requirements and submitted a business case for replacing more equipment each time, but doing so less frequently, with no overall variation in total costs incurred over the longer term. This should enable new equipment to be closer aligned to latest fitness trends and preferences and generate more of an impact on current and potential users than smaller scale replacements.
- 7.8 Accordingly it is proposed to increase the current capital budget for 2018/19 to **£125k** and every 6 years thereafter, rather than **£75k** every three years.
- 7.9 The gym equipment programme is funded from the Leisure Planned Preventative Maintenance Reserve. This reserve is built up from equal annual contributions, and therefore variations in timings of capital spend and the funding of that spend do not directly impact on the General Fund.

### **Housing Revenue Account (HRA) – Capital Programme 2018/19**

- 7.10 The HRA capital programme for 2018/19 has been reviewed with South Essex Homes and amended to reflect unspent budget rolled forward from 2017/18 and the latest stock condition information. The revised programme is included at Annexe C. Cabinet are asked to approve the revised programme.

## **8. Key Financial Developments**

Updates to key financial developments are provided within the following paragraphs. Information reported in earlier financial update reports is not reproduced below.

### **Essex Region Business Rates Pool – Outturn 2017/18**

- 8.1 The pooling arrangement delivered a financial gain of **£184k** which effectively reduced the levy payment to **£98k** in 2017/18. The pooled arrangement has continued for 2018/19 with a membership which includes all Essex Authorities and the Fire Authority but excludes Thurrock UA.

### **Council Tax Preceptors Sharing Agreement – Outturn 2017/18**

- 8.2 Cabinet will recall from earlier update reports that Essex District Authorities are party to a “council tax sharing agreement” with Essex precepting Authorities. Under the arrangement, all parties contribute funding to enable the employment of additional staffing resources to support an enhanced council tax collection service than would otherwise be viable for the Districts to fund on their own.
- 8.3 As part of this agreement, the precepting organisations return to the District Council, 16% of the additional council tax which we have collected on their behalf.
- 8.4 For the financial year ending March 2018, the return on this investment to the precepting organisations within the Borough of Castle Point has been **£2.6m** of which **£387k** has been returned to the District Council.
- 8.5 A meeting of Finance portfolio leads and Finance Directors has been called by the County Council to discuss this agreement and other initiatives going forward. Outcomes will be reported to Cabinet via future financial update reports

## **9. Annual Statement of Accounts (SoA) – Outturn for 2017/18**

- 9.1 The closure process for the last financial year is complete and the SoA is currently awaiting audit.
- 9.2 The General Fund, Housing Revenue Account and Housing Capital Programme all closed the financial year in an under spent position. The General Fund Capital Programme reported an overspend in respect of additional works carried out at the same time as the Runnymede Gym Extension project. These were fully funded from the Leisure Planned Preventative Maintenance earmarked reserve.
- 9.3 A summary of the out-turn position has been provided at Annexe B.
- 9.4 The Council’s pre-audited accounts are published on the Council’s website and may be located here: <https://www.castlepoint.gov.uk/accounts>. Members are encouraged to view the SoA online and raise any questions direct to the Strategic Director (Resources) prior to their formal approval by Council at the end of July.
- 9.5 The new statutory deadlines for preparation and publication of the SoA are:
- 31 May - approval by s151 officer of un-audited draft SoA.
  - 31 July - approval of audited final SoA by full Council and publication.

## **10. Financial Risk Factors**

- 10.1 The budget report presented to the Cabinet meeting in February and Council on the same night indicated some risk areas that the Cabinet should be mindful of



until the position and risk relating to each has been clarified. These are shown in the table below.

***Table 8.1 Adequacy of reserves – other local factors of significance***

### **Equal pay review**

A great deal of work has been undertaken on pay harmonisation and single status. However, the Council has not undertaken a full job evaluation exercise as required by the 2004 National Agreement. This carries a potential risk that the Council will need to use general reserves to defend and/or settle any successful claims made against the Council. Since a job evaluation exercise has not been undertaken, there is no information available that can be used to form a view on the estimated future likely costs that the Council could face.

### **Pension Fund Revaluation**

The actuary undertook a valuation of the Pension Fund as at 31 March 2016 which indicated an improved deficit recovery period of 13.2 years, compared to 25 years predicted in March 2010. The implications included within the Council's financial forecast are based on the recommendations of the pension fund, effective from April 2017. The next valuation will be undertaken by the actuary in March 2019, effective for contributions from April 2020.

### **Potential for withdrawal of external or third party revenue income**

The financial forecast currently assumes the continuation of a number of revenue streams from external organisations or third parties. Many of these organisations are striving to reduce their costs and it is possible that one or more of the aforementioned revenue streams may be lost.

### **Adequacy of insurance arrangements for major unforeseen risks**

During 2003/04 it was discovered that no action was taken on written advice received from external consultants in April 2002 to close Waterside Farm Sports Centre in order to analyse and deal with a perceived asbestos problem. There was also a further issue relating to the premature opening of the centre before receipt of clearance certificates in respect of remedial work. No sums have been taken into account in assessing the minimum level of reserves for these potential costs.

### **Potential for the District Council to “step into” the void left by other public organisations**

The combined pressure of reductions in funding and the increasing financial impact of welfare services and reforms on public organisations are significant. These organisations are striving to reduce their costs which may result in the discontinuation or reduction in some services to the public. As a consequence there may be political pressure or public expectation that the District Council will take on these discontinued functions.

Often, the organisation is much larger than the District Council and has undertaken its own review of functions and services, resulting in the displacement of those which it has determined to be lower priority.

The District Council must continue to be mindful of its own financial position and the significant funding gap predicted from 2019/20. Assuming delivery of

additional and unfunded functions, particularly where the District Council has no legal responsibility for delivery will worsen the council's own financial position and be difficult to relinquish at a later date.

#### **Potential for incurrence of costs as a result of “New Burdens”**

As public sector / government organisations respond to their own funding pressures, there is a growing drive to devolve functions and responsibilities formerly undertaken by these organisations to local government. Conversely, centralisation of responsibilities formerly held by local government, to central government, intended to reduce costs at central government level may result in additional costs at a local level (e.g. Land Registry assuming responsibility for aspects of Local Land Charges, requiring local authorities to digitalise information previously held in hard copy form – potentially at their own expense.)

#### **Potential for cost fluctuations in relation to service contracts**

A significant element of the council's annual spend is transacted through contracts with other organisations. Fluctuations in markets (e.g. recycling) and changes in legislation (e.g. new living wage) can have a direct impact on the delivery costs of these contracts, necessitating an increase in the charge made to the Council. These changes are unpredictable.

#### **Potential for incurrence of legal costs**

There is potential for the Council to incur costs in relation to legal challenges including employment tribunals and planning appeals.

#### **Impact of Welfare Reforms on demand for Council Services**

These include the continuing freeze on Local Housing Allowance rates and the implementation of Dependant Child Limitation rules which affect residents on benefit who are in private rented accommodation and those with more than two dependent children, reducing in the amount of Housing Benefit they receive.

Universal Credit full service roll out to all working age claimants is now planned to be complete by March 2022 with Full service expected to be implemented in Castle Point in May 2018.

The Council continues to see steadily increasing numbers presenting as homeless and with 100% occupation of its own housing stock, changes in the private renting sector, and implementation of a lower Housing Benefit Cap (£20k from November 2016), it continues to experience difficulty in finding suitable temporary and permanent accommodation.

It is not possible to predict the full direct or indirect impact of these and other welfare changes on demand for Council Services, particularly Housing and Benefit advice longer term.

#### **VAT – Partial Exemption**

The Council currently takes full advantage of the VAT concession in respect of input tax relating to VAT-exempt activities available to local authorities under the VAT Act 1994. The concession is only available provided this input tax remains below 5% of VAT on all expenditure.

Increased investment in the Council's assets, such as refurbishment of facilities, may result in the VAT partial exemption limit being exceeded. If this is the case,

under normal circumstances, it is estimated that additional VAT would become payable to HM Revenue and Customs. A review of the Council's VAT position is undertaken annually.

## **11. Corporate Implications**

### **a) Legal implications**

This report is presented on behalf of the "section 151 officer" – the officer appointed to have responsibility for the Council's financial administration. It is their duty to ensure that the Council is regularly informed and updated on these matters.

Matters referred to above which require the establishment of agreements between organisations are routinely referred to the Council's Head of Law and Deputy Monitoring Officer.

### **b) Human Resources and equality implications**

There are no Human Resource or equality implications arising directly from this report.

### **c) Timescale for implementation and risk factors**

Risk factors inherent in the forecast are set out above.

**Report Author:** Chris Mills, Strategic Director (Resources)

### **Background Papers:**

- Policy Framework & Budget Setting 2018/19, incorporating the Financial Planning Strategy.

## Annexe A – Medium Term Financial Forecast

Medium term financial forecast		2017/18 (out-turn)	2018/19	2019/20	2020/21	2021/22	Notes
Line	Current policies and service plans	£'000s	£'000s	£'000s	£'000s	£'000s	
1	Total net expenditure / estimated exp. for future years	13,868	10,367	9,940	12,843	10,586	Fluctuations year to year are predominantly caused by phasing of maintenance spend and other expenditure "offset" by earmarked reserves
1b	Changes to budget since February 2018		383	20	20	(95)	
1c	Current total net expenditure / estimated exp. for future years	13,868	10,750	9,960	12,863	10,491	
<b>Funding sources</b>							
2	Council Tax	7,319	7,628	7,934	8,172	8,418	Subject to consultation in Spring 2018
3	Formula Grant - Revenue Support Grant / (tariff adjustment)	287	0	(515)	(528)	(541)	
4	Baseline Funding Level - Redistributed Business Rates	2,148	1,808	2,225	2,281	2,338	
5	Business Rates - Levy on retained income	(283)	(126)	0	0	0	Offset by a contribution from the NNDR equalisation reserve
6	New Homes Bonus	975	691	556	206	0	Legacy payment only
7	Capital grants and other grants and contributions	1,459	1,231	0	0	0	NNDR deficit offset by a contribution from the NNDR equalisation reserve
8	Net Collection Fund(s) surplus / (deficit)	192	5	0	0	0	
9	Transfer (to) / from General reserve	166	(38)	0	0	0	
10	Transfer (to) / from Earmarked reserves	1,605	(449)	(969)	1,903	(1,012)	
11	<b>Total funding sources</b>	<b>13,868</b>	<b>10,750</b>	<b>9,231</b>	<b>12,034</b>	<b>9,203</b>	
12	<b>Budget / Funding Gap</b>	<b>0</b>	<b>0</b>	<b>(729)</b>	<b>(829)</b>	<b>(1,288)</b>	
<b>General Reserve</b>		<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	<b>Minimum recommended balance for General Reserves is £1.9m</b>
13	Balance at start of year	5,839	5,673	5,391	4,462	3,433	
14	Contribution (to) / from General Fund (line 9 & 12)	(166)	38	(729)	(829)	(1,288)	
15	Potential planning appeals & associated legal costs	0	(320)	(200)	(200)	(200)	
16	<b>Balance / (deficit) at end of year</b>	<b>5,673</b>	<b>5,391</b>	<b>4,462</b>	<b>3,433</b>	<b>1,945</b>	
<b>Earmarked Reserves</b>		<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	<p>The precise timing of the use of earmarked reserves is, due to their nature, generally unknown.</p> <p>Earmarked reserves are reviewed annually to ensure sufficiency and where need has diminished funds will be returned to General Reserves</p>
17	Balance at start of year	9,314	7,709	6,514	5,227	2,714	
18	Contribution (to) / from General Fund (line 9)	(1,605)	449	969	(1,903)	1,012	
19	Other expected usage of earmarked reserves - not allocated to the detailed budget	0	(1,644)	(2,256)	(610)	(567)	
20	<b>Balance at end of year</b>	<b>7,709</b>	<b>6,514</b>	<b>5,227</b>	<b>2,714</b>	<b>3,159</b>	
<b>Council Tax</b>							Target increases within Council Tax referendum limits. The tax at band D does not include the amount charged by Canvey Island Town Council.
21	Tax at band D	243.36	250.56	258.03	263.16	268.38	
22	<b>Increase</b>	<b>1.96%</b>	<b>2.96%</b>	<b>2.98%</b>	<b>1.99%</b>	<b>1.98%</b>	

## Annexe B – Pre-audit 2017/18 out-turn

### Summary financial results statement 2017/18

<b>General Fund (GF) revenue expenditure</b>	<b>£</b>	
Actual net expenditure	1,771,084	
Budget carried forward to 2018/19	312,700	
Budget transferred to earmarked reserves	164,200	
Other transfers to / (from) earmarked reserves	<u>(2,081,500)</u>	
<b>Net total</b>	<b>166,484</b>	
Net revised budget	329,968	
<b>Final variance</b>	<b><u>(163,484)</u></b>	Underspend
Variance as a percentage of the gross expenditure and gross income budgets (£130.0m).	-0.13%	

<b>Housing Revenue Account (HRA) expenditure</b>	<b>£</b>	
Actual net expenditure	(1,170,620)	
Budget carried forward to 2018/19	187,700	
Other transfers to / (from) earmarked reserves	<u>778,000</u>	
<b>Net total</b>	<b>(204,920)</b>	
Net revised budget	(189,900)	
<b>Final variance</b>	<b><u>(15,020)</u></b>	Underspend
Variance as a percentage of the gross expenditure and gross income budgets (£15.9m).	-0.09%	

<b>Capital Expenditure Programme - GF</b>	<b>£</b>	
Actual gross expenditure	3,908,846	
Budget carried forward to 2018/19	<u>78,700</u>	
<b>Gross total</b>	<b>3,987,546</b>	
Gross revised budget	3,871,700	
<b>Final variance</b>	<b><u>115,846</u></b>	Overspend
Variance as a percentage of the GF Capital Programme budget	2.99%	

<b>Capital Expenditure Programme - HRA</b>	<b>£</b>	
Actual gross expenditure	2,007,136	
Budget carried forward to 2018/19	<u>324,900</u>	
<b>Gross total</b>	<b>2,332,036</b>	
Gross revised budget	2,387,800	
<b>Final variance</b>	<b><u>(55,765)</u></b>	Underspend
Variance as a percentage of the HRA Capital Programme budget.	-2.34%	

## Annexe C – HRA Capital programme update

### Housing Revenue Account Capital Programme summary

Annual programmes for replacement and repair	2017/18 Actual	2018/19 Original Estimate	2018/19 Updated Estimate
	£000s	£000s	£000s
Disabled adaptations to council properties	137	120	120
Central heating replacement	475	257	324
Kitchen replacement and improvements	359	136	186
Environmental Improvements	0	100	100
Roofing maintenance	160	15	15
Structural repairs	52	0	0
Electrical rewiring	21	122	134
Replacement Doors	23	200	200
Bathroom replacement and improvements	121	65	65
Maintenance and redevelopment of communal areas	226	0	15
UPVC fascias and soffits	134	0	156
Wall Finishes	0	231	231
Affordable Housing	16	10	10
New Build at Lawns Court	280	0	20
Fire and CO2 Detector installation	0	30	35
Unallocated Provision	0	91	91
	<b>2,004</b>	<b>1,377</b>	<b>1,702</b>
<p>Note: The overall increase in 2018/19 from the original to updated estimate is due to budgets being rolled forward from 2017/18.</p>			

**CABINET**

**20<sup>th</sup> June 2018**

**Subject: Corporate Performance Scorecard Quarter 4 2017/18**

**Cabinet Member: Councillor Sheldon – Commercial Contracts and  
Commercial Opportunities**

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**1. Purpose of Report**

- 1.1 To set out the cumulative performance figures for the Corporate Performance Scorecard for quarter 4, 1<sup>st</sup> January 2018 to 31<sup>st</sup> March 2018 and to detail the proposed indicators for performance monitoring for this financial year.**

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

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

**3. Recommendations**

- 3.1 That Cabinet notes the report and continues to monitor performance.**
- 3.2 That Cabinet considers and agrees the proposed indicators for performance monitoring for this financial year as set out in Appendix 2.**
- 

**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 2017/18 were discussed and approved by Cabinet in June 2017.**

**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 fifteen indicators reported, ten are at or above target, a further three are near target and two indicators did not meet the target. Trend in performance shows that there is**

improving performance in five measures, decreasing performance for three indicators and similar performance for a further seven.

Performance is set out against the priorities in the Corporate Plan as follows:

### ***Public Health and Wellbeing***

The percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme met the target for this year.

Performance for households who are threatened with homelessness but had homelessness prevented was just under target at 79%. The service will continue to focus on preventing homelessness as this is a key requirement of the Homeless Reduction Act and a briefing session was held for Councillors regarding the work currently in place on the 28th June.

### ***Environment***

The combined performance for Household waste recycled or composted is estimated at 48.6%, which is just slightly below the target of 49%.

The performance information for street cleanliness did not meet targets and decreased from the previous year from 12.9% of streets deemed unsatisfactory to 14.6%. It has been noted that one of the key reasons for the litter increase is the result of split or incorrectly presented household waste. Further work is being undertaken with Pinnacle to improve and performance will continue to be monitored.

Fly tipping and grass verge cutting Indicators demonstrates generally demonstrates strong performance and that the contractual arrangements are continuing to be effective.

### ***Transforming our Community***

Tenant satisfaction with repairs and maintenance at 96.7% represents a significant performance improvement when compared to the same period last year and just a little short of the target at 97%. The rate for voids completion was 19.7 days, which is a significant improvement when compared to the same period last year and exceeds the target of 21 days. This is a result of more joined up working practices between officers and contractors.

The percentage of planning applications processed within target times has three measures for this indicator. Performance has exceeded target in all three areas and at 100% demonstrates strong and sustained improvement.

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

### ***Efficient and Effective Customer Services***

The percentage of stage 2 complaints responded to within target times continues to be strong at 100%, although this represents a low number of complaints. Further work is currently being undertaken to embed and develop the working



arrangements for the recording of stage 1 complaints and progress will be reported to Audit Committee.

The Council's First Contact team has again been very successful in limiting the number of calls that they have to transfer to the back office to be dealt with under 4% of calls received transferred. This exceeds target and is an improvement on previous performance.

The sickness rate of 8.6 days exceeds the corporate target of 7 days. There have been a number of employees with serious illnesses that have been on sick leave for a prolonged period of time and a flu epidemic in January also affected performance in this indicator.

5.1.2 Further commentary on performance is set out in the table in Appendix 1.

## **5.2 Indicators for Corporate Scorecard 2018/19**

Appendix 2 details the proposed performance indicators for the Corporate Scorecard. These have been developed in consultation with services to reflect the corporate objectives for 2018/19. They are also grouped around the medium term aims for the Council.

The refreshed scorecard includes quarterly and annual performance indicators. It is proposed that annual indicators are removed from scorecard reports until they can be reported at the end of the financial year. The new scorecard also includes an indicator to measure progress in achieving the development of a Local Plan.

It is further proposed that the scorecard is flexible and takes into account any performance issues arising during the year. For example, if performance for a service area is significantly off target, but is currently not on the corporate scorecard, it may be appropriate to include such measures in future scorecard reports to ensure Cabinet are updated of any significant performance issues and any actions being taken to deal with these issues.

## **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

Report Author: Craig Watts ext. 2419 [crwatts@castlepoint.gov.uk](mailto:crwatts@castlepoint.gov.uk)

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



## Appendix 1

# Corporate Scorecard 2017/18 (Public Health & Wellbeing)

Quarter 4: 1<sup>st</sup> January 2018 to 31<sup>st</sup> March 2018









**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 2016/2017	Q4 Value 2017 / 2018	Target	Trend	Status	Comments
EH2 Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme.  Service Manager: Environmental Health Operational Manager	90%	91%	90%	↔		As of 31st March 2018, 409 of 447 rated premises were judged to be 'broadly compliant' with food hygiene regulations under the criteria of the Food Standards Agency Food Hygiene Rating Scheme.
HO Percentage of Households threatened with homelessness and in priority need and for whom homelessness was prevented against the total who sought assistance.  Service Manager: Housing Options Manager	84%	79%	80%	↓		Although a little under target, still a good achievement as this represents homeless prevention for 23 families against 29 approaches.

# Corporate Scorecard 2017/18 (Environment)

Quarter 4: 1<sup>st</sup> January 2018 to 31<sup>st</sup> March 2018

**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 2016/2017	Q4 Value 2017 / 2018	Target	Trend	Status	Comments
OPS4 Percentage of Household Waste Recycled  Service Manager: Operational Services Manager	24.9%	23.69 %	Annual Target 25%			These figures are still early estimates and are not 100% accurate, still awaiting final tonnage figures for February & March
OPS 5 Percentage of Household Waste Composted (including food waste)  Service Manager: Operational Services Manager	23.7%	24.87	Annual Target 24%			These figures are still early estimates and are not 100% accurate, still awaiting final tonnage figures for February & March
SS2 Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology.  Service Manager: Contracts Manager	12.9%	14.6%	Less than 10%			An increase in litter has been observed for a number of months which in the main is a result of split or incorrectly presented household waste. We are working with Pinnacle to see how we can deal with this.





PI Code & Short Name	Q4 Value 2016/2017	Q4 Value 2017 / 2018	Target	Trend	Status	Comments
ENV 4 Flytips removed within one working day  Service Manager: Contracts Manager	100%	100%	100%	↔	✓	Only 185 fly tips were cleared in Quarter 4 as opposed to 229 in the same period 2016/17. All were cleared within 24 hours.
SS4 Number of rectification and default notices served in relation to Highway Grass Verge cutting.  Service Manager: Contracts Manager	0	0	Under 50	↔	✓	Weather conditions has meant no cutting took place.
SS5 Percentage of Rectification Notices served in relation to Highway Grass Verge cutting rectified within 72 hours.  Service Manager: Contracts Manager	0	0	90%	↔	✓	Weather conditions has meant no cutting took place.

## Corporate Scorecard 2017/18 (Transforming our Community)

Quarter 4: 1st January 2018 to 31<sup>st</sup> March 2018

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

PI Code & Short Name	Q4 Value 2016 / 2017	Q4 Value 2017 / 2018	Target	Trend	Status	Comments
HOS1 Overall tenant satisfaction with repairs and maintenance.  Service Manager: Tenancy Services Manager	91.7%	96.7%	97%	↑	⚠	Performance has significantly improved comparing this year to last year and overall just a little short of the target.
HOS6 Average Void Turnaround Time.  Service Manager: Tenancy Services Manager	22 Days	19.7 Days	21 Days	↑	✅	Performance has improved significantly when compared to this time last year. This is due to the joined up partnership approach between officers and contractors.

PI Code & Short Name	Q4 Value 2016 / 2017	Q4 Value 2017 / 2018	Target	Trend	Status	Comments
DC2 to DC4: Percentage of planning applications processed within target time limits for major, minor and other applications  Service Manager: Planning & Development Enforcement Manager	100%  96%  98%	100%  100%  100%	Major 60%  Minor 65%  Other 90%			Performance significantly above target.
Percentage of Building Control applications processed within statutory time limits.	100%	100%	100%			Performance on target.

# Corporate Scorecard 2017/18 (Efficient & Effective Customer Services)

Quarter 4: 1<sup>st</sup> January 2018 to 31<sup>st</sup> March 2018



**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 2016/17 Value	Q4 value 2017 / 2018	Target	Trend	Status	Comments
Percentage of Stage 2 complaints responded to within target time.	100%	100%	100%	↔	✓	The number of complaints at stage 2 remains at a low level.
FC1 Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office  Service Manager: Community Support Manager	93.7%	96.3%	Annual Target 94%	↑	✓	The First Contact service continues to maintain strong performance in this area.
Average number of days Sickness absence per FTE staff for all Council Services (rolling year)  Service Manager: Human Resources Manager	9.17 Days	8.58 Days	7 Days	↔	●	Sickness figures are lower than the same Quarter last year but still above target. There has been an increase in absence days due to cancer related illnesses and a flu epidemic in January 2018.



## **Appendix 2**

### **Proposed Corporate Scorecard Indicators 2018/19**

<b>Indicator</b>	<b>Target / Reference</b>	<b>Frequency of Monitoring</b>
<b>Environment</b>		
Percentage of Household Waste Recycled.	Corporate Performance Indicator database Reference OPS4. Target: 25%	Quarterly
Percentage of Household Waste Composted	Corporate Performance Indicator database Reference OPS5. Target: 24%	Quarterly
Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology	Corporate Performance Indicator database Reference SS2. Target: Less than 10%.	Quarterly
Target 90% of flytips removed within 1 working day	Corporate Performance Indicator database Reference SS3. Target 90%.	Quarterly
Number of rectification notices served in relation to highway grass verge cutting	Corporate Performance Indicator database Reference SS4. Annual Target 200.	Quarterly
Number of rectification notices served in relation to highway grass verge cutting rectified within 72 hours.	Corporate Performance Indicator database Reference SS5. Target 90%.	Quarterly
<b>Housing and Regeneration</b>		
Progress against milestones set out in the adopted Local Development Scheme (LDS) - % of milestones delivered within 3 months of target.	Corporate Performance Indicator database Reference PP2. Target 100%	Quarterly
Percentage of planning applications processed within target time limits for major, minor and other applications.	Corporate Performance Indicator database References DC2 to DC4. Targets:	Quarterly

	Major 60% Minor 70% Other 90%	
Percentage of Building Control Applications processed within statutory time limits.	Corporate Performance Indicator database Reference BC1. Target 100%.	Quarterly
Overall Tenant Satisfaction with repairs and maintenance	Corporate Performance Indicator database Reference HOS1. Target 97%.	Quarterly
Average Void Turnaround time	Corporate Performance Indicator database Reference HOS6. Target 21.5 days.	Quarterly
Percentage overall satisfaction with Landlord Housing Services (General Needs)	Corporate Performance Indicator database Reference HOS2b. Target 86%.	Annual
<b>Health and Community Safety</b>		
Overall Satisfaction with the Leisure Service measured by 'Net Promoter Score'	Corporate Performance Indicator database Reference L1. Target 60	Annual
Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme.	Corporate Performance Indicator database Reference EH2. Target: 90%	Quarterly
% of households threatened with homelessness and in priority need and for whom homelessness was prevented against the total who sought assistance.	Corporate Performance Indicator database Reference HO. Target: 80%	Quarterly
<b>A Commercial and Democratically Accountable Council</b>		
Savings identified and delivered to achieve a balanced budget in current and future years. (Ongoing).	Monitored and reported corporately by Head of Resources.	Annual
Average number of day's sickness absence per FTE employee for all staff.	Corporate Performance Indicator	Quarterly

	database Reference Corp1. Target 7 days.	
Percentage of enquiries resolved at the first point of contact.	Corporate Performance Indicator database Reference FC1. Target 95%.	Quarterly

**CABINET**

**20th June 2018**

**Subject: Commercial Principles**

**Cabinet Member: Councillor Sheldon – Commercial Contracts and Commercial Opportunities**

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**1. Purpose of Report**

**This report is intended to present the Council's commercial principles to Cabinet for formal adoption.**

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

**This report is linked to the Council's priority of Efficient and Effective Customer Focused Services.**

**3. Recommendations**

**That Cabinet note the Commercial Principles and the work in progress around the development of a commercial strategy.**

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**4. Background & Introduction**

**4.1** Reductions in central government funding have fundamentally altered the way in which local services are resourced, placing greater emphasis on locally raised revenue streams such as Council Tax and service specific fees and charges. At the same time, the annual cycle of cumulative grant reductions has become a significant threat to an authority's financial stability and has hindered financial planning in the medium to longer term.

**4.2** In response, local government is moving towards financial self-sufficiency as a way of reducing their dependency on centrally controlled funding. This response has included reducing costs through smarter working and better procurement, cost recovery for discretionary and chargeable services, efficient debt management and reviewing and making better use of assets

**4.3** In short, the methods by which financial self-sufficiency may be achieved fall broadly within the theme of commercialism.

**5. Our Commercial Principles**

**5.1** The term commercialism has different interpretations and some which may not be entirely compatible with the ethos of local authority service provision. It is therefore important in order to avoid misconception that the Council sets out clearly what it means and how it intends to apply it in the context of service delivery.

5.2 The following bullet points represent key principles which were referred to in the paper which accompanied the budget setting report to Council in February. A more detailed definition of each is contained in Appendix A.

- **Reputation & behaviour:** Operate at the highest standard of efficiency and effectiveness and encourage confidence and trust as a service provider.
- **Promote the borough & the Council:** Actively promote our borough and the services the Council provides
- **Deliver services in the most appropriate ways:** Consider new and more effective ways of service delivery
- **Procure goods & services in the best way:** Purchase only goods and services that are essential, and at the best available cost
- **Maximise return on our existing assets:** Use the assets we have to their full potential
- **Maximise income from fees and charges:** Ensure we obtain the maximum income we can for the services we deliver
- **Maximise Council Tax and Business Rates revenue:** Ensure services are paid for fairly

5.3 Whilst the Council already broadly complies with these principles, they are not recognised as “acting commercially” and are not yet consistently embedded throughout the organisation. To address this, a Commercial Strategy supported by a programme of work is currently being developed.

5.4 In the meantime the set of principles and wider definitions set out in appendix A will provide a framework to guide strategic policy as well as operational decisions.

## 6. Corporate Implications

### a) Legal and financial implications

None specifically arising from this report. Implications arising from initiatives will be identified and considered on a case by case basis, and reported back to Cabinet as required.

### b) Human Resources and equality implications

There are no Human Resource or equality implications arising directly from this report.

### c) Timescale for implementation and risk factors

None specifically arising from this report.

**Report Author:** Chris Mills, Strategic Director (Resources)

### Background Papers:

- Policy Framework & Budget Setting 2018/19, incorporating the Financial Planning Strategy.

## Our Commercial Principles

	<b>P1</b>	<b>P2</b>	<b>P3</b>	<b>P4</b>
	<b>Reputation &amp; Behaviour</b>	<b>Promote the Borough &amp; the Council</b>	<b>Deliver services in the most appropriate ways</b>	<b>Procure goods &amp; services in the best way</b>
<b>What this means</b>	<p>Operate at the highest standard of efficiency and effectiveness and encourage confidence and trust as a service provider</p> <p>Ensure that interaction with the Council is a positive experience</p>	<p>Actively promote our Borough and the services the Council provides</p> <p>Be provider of choice</p> <p>Be an enjoyable destination for visitors</p>	<p>Convenient access to services</p> <p>Focus on meeting customer expectations</p> <p>Consider new and more effective ways of service delivery</p>	<p>Purchase only goods and services that are essential</p> <p>Maximise value for money</p> <p>Ensure maximum value from our contracts</p>
<b>What we will do</b>	<p>Be transparent, consistent and honest - upfront about what it is we want to achieve and why</p> <p>Re-invest in public services</p> <p>Demonstrate "User First"</p>	<p>Promote the Borough to residents, businesses and potential visitors</p> <p>Promote our services to existing and potential users</p>	<p>Invest in technology and systems</p> <p>Ensure our processes are sensible</p> <p>Be efficient and transparent</p>	<p>Review everything the Council purchases and maximise the use of resources</p> <p>Full lifecycle approach to contract management</p>
<b>How</b>	<p>Publish and adopt our commercial principles</p>	<p>Use social media, publications, website and other existing mechanisms</p> <p>Engagement with businesses, residents and other interested parties</p>	<p>Review and learn from customer feedback, complaints and compliments.</p> <p>Service reviews, technology investment roadmap</p>	<p>Follow existing procurement policy and contract rules</p>

## Our Commercial Principles

	<b>P5</b>	<b>P6</b>	<b>P7</b>	<b>P8</b>
	<b>Maximise return on our existing assets</b>	<b>Maximise income from fees and charges</b>	<b>Maximise council tax revenue</b>	<b>Maximise business rates revenue</b>
<b>What this means</b>	<p>Use the assets we have in the most effective way</p> <p>Maximise their use and value to the community</p> <p>Make our assets contribute value</p>	<p>Ensure we obtain the maximum income we can for the services we deliver</p>	<p>Ensure services are paid for fairly</p>	<p>Ensure services are paid for fairly</p>
<b>What we will do</b>	<p>Adopt appropriate charges</p> <p>Promote &amp; encourage use</p> <p>Strategic asset review</p> <p>Justify investment choices</p>	<p>Minimise subsidisation of “marginal use” services</p> <p>Full cost recovery for discretionary services</p> <p>User pays</p> <p>Consistent charging policy</p>	<p>Raise bills and apply discounts and exemptions accurately, maximising tax collection and our tax base</p> <p>Encourage growth</p> <p>Effectively pursue debt</p> <p>Encourage regeneration of our Borough</p>	<p>Raise bills and apply discounts and exemptions accurately and maximise tax collection</p> <p>Encourage business growth</p> <p>Effectively pursue debt</p> <p>Encourage regeneration of our Borough</p>
<b>How</b>	<p>Operational and strategic review of assets</p>	<p>Regular review of existing fees and charges in line with charging framework</p> <p>Within the constraints imposed by government policy</p>	<p>Follow existing operational procedures</p> <p>Enable the right development within the Borough</p>	<p>Follow existing operational procedures</p> <p>Support existing and encourage new business within our Borough</p>