



Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex SS7 1TF.
Tel. No: 01268 882200
Fax No: 01268 882455



David Marchant LLB (Hons) BSc (Hons) CEng FICE FCMI
Chief Executive

CABINET AGENDA

Date: **Wednesday 19th June 2019**

Time: **7.00pm NB Time**

Venue: **Council Chamber**

This meeting will be webcast live on the internet.

Membership:

Councillor Smith	Chairman - Leader of the Council
Councillor Stanley	Finance, Policy and Resources
Councillor Mrs Egan	Housing and Council Homes
Councillor Hart	Streets, Waste, Floods and Water Management
Councillor Isaacs	Neighbourhoods & Safer Communities
Councillor Johnson	Youth & Tourism
Councillor MacLean	Health & Wellbeing
Councillor Mumford	Regeneration & Business Liaison
Councillor Sheldon	Commercial Contracts and Commercial Opportunity
Councillor Varker	Environment & Leisure

Cabinet Enquiries: **Ann Horgan ext. 2413**
Reference: **1/2019/2020**
Publication Date: **Tuesday 11th June 2019**

AGENDA
PART I
(Business to be taken in public)

1. Apologies

2. Members' Interests

3. Minutes

To approve the Minutes of the meeting held on 17th April 2019.

4. Forward Plan

To review the Forward Plan.

5. Health and Community Safety

5(a) Food and Health and Safety Service Plan

(Report of the Cabinet Member for Health & Wellbeing)

5(b) Disabled Facilities Grant – Request for Funding

(Report of the Cabinet Member for Health & Wellbeing)

6. Environment

7. Housing and Regeneration

7(a) Canvey Island Seafront Regeneration

(Report of the Cabinet Members for Regeneration & Business Liaison; Youth and Tourism)

8. A Commercial and Democratically Accountable Council

8(a) Financial Update

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

8(b) Corporate Performance Scorecard Quarter 4, 2018-2019 and Proposed Scorecard Indicators 2019/20

(Report of the Cabinet Member for Commercial Contracts and Commercial Opportunity)

8(c) Authority to Represent the Council

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

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

A meeting of the Scrutiny Committee took place on 5.6.2019 to consider the Call In of the Cabinet decision made on 20.3.2019 in respect of Minute 80 Feedback on Public Consultation Regarding a New Paddocks Community Hall referred. The decision is attached.

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

There are no matters.

PART II

(Business to be taken in private)

(Item to be considered with the press and public excluded from the meeting)

There are no matters

**INFORMAL
CABINET SESSION**

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

17TH APRIL 2019

PRESENT:

Councillor Smith	Chairman – Leader of the Council
Councillor Stanley	Finance, Policy and Resources
Councillor Howard MBE	Streets, Waste, Floods and Water Management
Councillor Isaacs.	Neighbourhoods & Safer Communities
Councillor MacLean	Health & Wellbeing
Councillor Mumford	Regeneration and Business Liaison
Councillor Sheldon	Commercial Contracts and Commercial Opportunities
Councillor Varker	Environment & Leisure

APOLOGIES: Councillor Mrs Egan

ALSO PRESENT:

Councillors: Blackwell, Mrs Blissett, Campagna, Cole, Greig, Mrs Haunts, Hart, Johnson, Palmer, Riley and Skipp.

87. MEMBERS' INTERESTS:

Councillor Sheldon during the meeting under Agenda Item 7(b) (Minute No 95) – Castle Point Regeneration Partnership – Revised Arrangements declared an interest as an Essex County Councillor and Deputy Essex County Council Cabinet member.

88. MINUTES:

The Minutes of the Cabinet meeting held on 20th March 2019 were approved and signed by the Chairman as a correct record subject to a correction to show the personal statement made by Councillor Anderson at the meeting set out below.

With the agreement of the Chairman Councillor Anderson made statement concerning his behaviour at the last meeting of the Cabinet in February when he accepted that certain words he used and which were overheard by some of those present were inappropriate and offensive and were certainly not words that he would normally use and which should not be heard in this Council Chamber. Councillor Anderson had reconsidered his actions and withdrew those words and expressed regret for using them and for any offence which was caused. He requested that a permanent record of this personal statement be included in the Minutes.

89. FORWARD PLAN:

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

Councillor Howard Cabinet Member for Streets, Waste, Floods and Water Management took the opportunity to brief colleagues on the take up of the Garden Waste Collection Service. It was also confirmed that the public toilets would be installed at Thorney Bay in time for the Easter weekend.

Resolved – To note and approve the Forward Plan.

90. OCCUPATIONAL THERAPIST IN HOUSING SCHEME / PROPOSAL FOR COUNTYWIDE HANDYPERSON SERVICE.

Cabinet considered a report dealing with: The recent appointment of a dedicated Occupational Therapist, shared between four South Essex Councils as part of a 12 month pilot scheme to help to facilitate the swift return home of hospital patients and those in residential care in partnership with Essex County Council; a proposal for a Countywide Handyman Service aimed at providing practical support for the pilot Occupational Therapist scheme; and seeking approval to amend the Council's Disabled Facility Grant policy, to allow additional flexibility in the allocation of discretionary grants in order to ensure that cases can be processed with the maximum efficiency.

Resolved:

1. To note the pilot Occupational Therapist scheme that is underway and seeks a further report from the Head of Environment on its conclusion or proposed extension;
2. To note the Countywide approach to the provision of a handyman service to support the pilot Occupational Therapist Scheme; and
3. To approve an amendment to the Council's 2018 Disabled Facility Grants policy, to allow for discretionary and other grants relating to the pilot schemes to be approved, without the requirement for means testing, or for a charge to be recorded against a property with the Land Registry.

91. RESOURCES AND WASTE STRATEGY FOR ENGLAND

Cabinet considered a report dealing with the new Resources and Waste Strategy (the strategy) published by the Government on 18th December 2018 and of the four public consultations which have been launched in respect of key measures contained within the strategy.

Resolved: To note the content of this report

92. HOUSEHOLD WASTE DUTY OF CARE – USE OF FIXED PENALTY NOTICES

Cabinet was requested to determine an appropriate level at which to set the fine for a Fixed Penalty Notice (FPN) which was now available and could be imposed on a person who had failed to comply with their household duty of care under section 34(2A) of the Environmental Protection Act 1990.

Resolved:

1. To note the content of this report and the Council's ability to issue a FPN for breach of the household duty of care; and that
2. The level of the FPN fine is set at £200 with no discount for early payment.

93. REFERENCE FROM ENVIRONMENT POLICY & SCRUTINY COMMITTEE RE PETITION USE OF PRIVATE SECURITY COMPANIES TO ENFORCE LITTER, DOG FOULING ETC. FIXED PENALTIES

Cabinet was requested consider the findings and recommendations of the Environment, Policy and Scrutiny Committee which has considered a request (via petition) for the Council to engage a private self-financing company to enforce laws on littering, dog fouling and fly tipping.

Resolved:

1. To notes the findings and recommendations of the Environment, Policy and Scrutiny Committee; and
2. To endorse the appointment of additional in- house staff to enforce a broad range of enviro crime legislation as set out in this report and request the Head of Paid Service to give this matter due consideration.

94. CANVEY ISLAND SEA FRONT REGENERATION – COASTAL COMMUNITIES FUNDING AWARD FOR THORNEY BAY

Cabinet considered a report updating Cabinet on the recent award of funding from the Coastal Communities Fund by the Ministry of Housing, Communities & Local Government.

Resolved:

1. To note the contents of this report.

2. To authorise the Chief Executive to enter into a funding agreement with the Ministry of Housing, Communities and Local Government.
3. That regular reports are made to Cabinet and the Canvey Island Coastal Communities Team (CCT) on progress of the project.

95. CASTLE POINT REGENERATION PARTNERSHIP – REVISED ARRANGEMENTS

Cabinet considered a report seeking approval of proposals for the renewal of the Castle Point Regeneration Partnership.

Resolved:

1. To approve the renewal of the Castle Point Regeneration Partnership.
2. To authorise the Chief Executive to prepare a programme for consideration by the Partnership as a basis for investment and collaboration in the Borough

96. MATTERS TO BE REFERRED FROM/TO POLICY SCRUTINY COMMITTEES:

Reference back from Environment PSC was considered under Minute 93 Item 6 (c) re Petition use of Private Security Companies to Enforce Litter, Dog Fouling etc. Fixed Penalties.

The decision made by Cabinet on the Paddocks at the last meeting (Minute 80 Feedback on Public consultation Regarding a New Paddocks Community Hall referred) had been called in for consideration by the Scrutiny Committee. The meeting was take place after the Elections.

97. MATTERS TO BE REFERRED FROM /TO THE STATUTORY COMMITTEES:

There were no matters.

Chairman



Castle Point Borough Council

Forward Plan

JUNE 2019

CASTLE POINT BOROUGH COUNCIL

FORWARD PLAN

JUNE 2019

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.

Date	<u>Item</u>	Council Priority	Decision by Council/ Cabinet	Lead Member(s)	Lead Officer(s)
June 2019	<u>Food and Health & Safety Service Plan</u> - for approval	Health and Community Safety	Cabinet	Health & Wellbeing	Head of Environment
June/July 2019	<u>Canvey Seafront</u> – approvals to progress regeneration scheme	Housing and Regeneration	Cabinet	Regeneration and Business Liaison/Youth & Tourism	Head of Place and Policy
June /September/ 2019	<u>Financial Update</u> - for review and approval	A Commercial and Democratically Accountable Council	Cabinet	Finance, Policy & Resources	Strategic Director (Resources)
June/September 2019	<u>Corporate Scorecard & Performance Indicators</u> - for review and approval	All	Cabinet	Commercial Contracts & Commercial Opportunities	Head of Housing and Communities
July/September 2019	<u>Planning Policy Update – Supplementary Planning document for Essex coast Recreation Disturbance and Mitigation Strategy</u> - For approval	Housing and Regeneration	Cabinet	Regeneration and Business Liaison	Head of Place and Policy

July 2019	<u>Planning Improvement Peer Challenge –</u> Consideration of report and approval of Action Plan	Commercial and Democratically Accountable Council and Housing and Regeneration	Cabinet	Leader of the Council / Regeneration and Business Liaison	Chief Executive/ Transformation Manager (Planning)
July 2019	<u>Local Development Scheme Review –</u> for review & approval	Housing and Regeneration	Cabinet	Regeneration and Business Liaison	Head of Place and Policy
July /Sept 2019	<u>Treasury Management and Investment Strategy Report –</u> for review & approval	A Commercial and Democratically Accountable Council	Cabinet	Finance, Policy & Resources	Strategic Director (Resources)
July 2019	<u>Revision of Off Street Parking Order /Changes to Charge Period –</u> Consultation feedback for review	A Commercial and Democratically Accountable Council /Environment	Cabinet	Environment & Leisure	Head of Environment
July 2019	<u>Maintenance of Streetlights on Unadopted roads</u>	Commercial and Democratically Accountable Council and Environment	Cabinet	Leader of the Council	Head of Environment

July 2019	<u>Church Close Retender Outcome</u>	Housing and Regeneration	Cabinet	Housing and Council Homes	Head of Housing and Communities
September/ October 2019	<u>Enforcement Strategy Development Control</u>	Housing and Regeneration	Cabinet	Regeneration and Business Liaison	Transformation Manager (Planning)
October 2019	<u>PSPO: Dogs on leads Canvey Beaches Statutory Consultation Feedback</u>	Health and Community Safety/ Environment	Cabinet	Environment & Leisure	Head of Environment
January 2020	<u>Clinical Waste – First Year – for review</u>	Environment	Cabinet	Streets, Waste, Floods and Water Management	Head of Environment

CABINET

19th JUNE 2019

Subject: Food & Health and Safety Service Plan 2019/20

Cabinet Member: Councillor MacLean– Health and Well Being

1. Purpose of Report

This report seeks approval of the Council's Food & Health and Safety Service Plan for 2019/20

2. Links to Council's Priorities and Objectives

The service plan links with the Council's Health and Community Safety priority.

3. Recommendations

That the Cabinet:

Approve the Food & Health and Safety Service Plan for 2019/20.

4. Background

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

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

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

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

This report seeks approval of the Food & Health and Safety Service Plan 2019/20 (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 2019-20

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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 the Office for Product Safety and Standards.

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

1.2 Links to Corporate objectives and Plans

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

2. Background

2.1 Profile of the Castle Point Borough

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

The Borough has a population of approximately 89,000.

2.2 Organisational Structure

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. Technical officers are available to assist Environmental Health Officers with their duties.

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

2.3 Scope of the Food Service

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

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

2.3.1 Establishing and maintaining an up to date **register of all food premises** and mobile food vehicles trading within the 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. Officers advise on good practice and ensure compliance with legal requirements.

2.3.3 **A range of 'interventions'** are available to officers as an alternative to a full inspection, where the business was rated as 'broadly compliant' during the previous visit. The interventions are split into 'official controls' (such as inspections, audits, sampling visits, verification) and 'other interventions' (education, advice, coaching, etc.) In general, businesses with a risk rating of A or B (and some 'non-compliant' C's) will still require a full or partial inspection. Officers will gain more flexibility when visiting 'broadly compliant' C rated premises, D or E rated premises officers have the option to use an alternative type of intervention, where this is appropriate.

2.3.4 **Revisits** – Where the operator of a food business is required to undertake works in order to comply with the food safety legislation, a revisit (secondary inspection) may be undertaken after the date specified for compliance.

2.3.5 **Investigation of Complaints** – The service responds to all justifiable complaints about food premises and food purchased within the Castle Point Borough. Each complaint is investigated to determine appropriate enforcement and to ensure precautions are taken to prevent a recurrence. This often involves contacting manufacturing companies and other local authorities.

2.3.6 **Investigation of food borne illnesses** – Notification of cases of food poisoning is received from general practitioners, the local health authority and their laboratory services. Each notification is investigated and appropriate action taken to prevent spread of infection.

- 2.3.7 **Food Hygiene Promotion and Education** – As part of the services commitment to promoting public health the service undertakes various food safety initiatives. These have included seminars to local businesses, Food Safety Week, provision of newsletters and providing advice and assistance to businesses at the time of inspection and on request.
- 2.3.8 **Incidents** – On notification from the Food Standards Agency in respect of certain foodstuffs, and where necessary the service takes all appropriate measures to ensure foods are withdrawn from sale within the borough.
- 2.3.9 **Food premises approvals** – Certain food operations require prior approval by the local authority. Premises are inspected prior to issuing approvals and systems regularly monitored thereafter to ensure continued compliance with the legal requirements.
- 2.3.10 **Food sampling** – Sampling is undertaken to monitor food safety standards during inspection and as part of national and local microbiological food sampling programmes.
- 2.3.11 **Food Inspection** -Investigate all food found within the borough that might be contaminated or have been illegally imported and take necessary action.
- 2.3.12 **Food Alerts** – Receive and act (as appropriate) on receipt of food alerts from the FSA.
- 2.3.13 **Food Hygiene Rating Scheme** – Operate the national food hygiene rating scheme (FHRS) on behalf of the FSA in the Borough.
- 2.3.14 **Export certification** – provide export certification for businesses in the borough as appropriate.
- 2.3.15 **Private water supplies** – The service is responsible for the identification, risk assessment and monitoring of private water supplies (boreholes, springs, etc) and private distribution networks within the Borough.
- 2.3.11 **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 1st April 2019 we have identified that the service is responsible for enforcing Food Safety in **500** 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 500 food premises have been categorised as follows:

Risk Category	Number of Premises	Intervention Frequency
A	0	at least every 6 months
B	14	at least every 12 months
C	117	at least every 18 months
D	179	at least every 2 years
E	178	alternative enforcement strategy – 3 years
UNRATED	12	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	118
The number identified as Catering premises are	375
Producers, Packers, wholesalers, Distributors	2

As of 1st April 2019 approximately 93% of food premises in the borough are "broadly compliant." This is a local indicator of the percentage of food premises in Castle Point that score 3 or above using the national Food Hygiene Rating Scheme, when compared against the total number of rated premises. The 2019/20 target is 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 2019/20

Criteria	Programmed interventions due 2019/20
A - rated premises	0
B – rated premises	14
C – rated premises	75
D – rated premises	80
E – rated premises	55
Unrated premises	12
Total intervention programme	236

Non-programmed interventions

3.1.3) Revisits will be undertaken where significant breaches of hygiene regulations are identified during inspection. Based on the percentage of inspections previously generating revisits, it is estimated that at least **20** will be required in 2019/20

3.1.4) Based on previous year's figures there are estimated to be **55** new businesses (including change of ownership) that will require an intervention in 2019/20. These additional visits will be classified as non-programmed interventions. In addition we expect **29** 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 2019/20. The sole premises last approved during 2017/18 moved to a neighbouring authority during that 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.

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 2019/20

Category of Service Request	16/17 actual	17/18 actual	18/19 actual	19/20 estimate
Food product complaint	20	16	13	16
Food hygiene complaint	53	44	37	45

3.3 Primary Authority

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

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

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

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

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

3.4 Advice to business

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

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

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

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

Based on trends over the last three years it is estimated that the following number of enquiries/requests will be received during 2019/20.

Category of Service Request	16/17 actual	17/18 actual	18/19 actual	19/20 estimate
Advice requests including registration enquiries	126	104	90	107

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.

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) **74** 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 2019/20.

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 in the region of 80-90 notifications during 2019/20 based on these statistics.

Year	Number of formal notifications of Food related infectious disease.
2013/14	127
2014/15	108
2015/16	99
2016/17	69
2017/18	60
2018/19	81

3.7 Food Alerts and Food Safety Incidents.

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

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

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

3.8 Liaison with other organisations

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

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

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

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

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

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

Category of Service Request	16/17 actual	17/18 actual	18/19 actual	19/20 estimate
Planning/building control consultations	35	184	95	105
Licensing applications	109	110	104	108

3.9 Food Safety Promotion

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

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

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

3.10 Safer Food Better Business Coaching sessions

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

3.10.2) Subject to resource it 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 2019/20 is £106,200. This includes departmental reallocations (i.e. cost of office space, IT equipment and Council support services) in addition to front-line staffing costs.

4.2 Staffing Allocation

4.2.1) The resources available to undertake food law enforcement during 2019/20 are 1.4 full time equivalent officers as detailed below:-

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

4.2.2) We aim to complete the work listed in the 2019/20 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 UNIFORM database on:

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

5.3) Working practices will be monitored routinely through close contact between the food safety officers including Consultants and the Environmental Health Team Leader and by:

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

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 years' service plan is completed at the start of each financial year.

6.2 Totals

Category	Est 2018-19	Actual 2018-19
Food hygiene interventions completed	N/A	401
Revisits completed	25	25
Food product complaints	17	13
Food hygiene complaints	42	37
Advice requests	132	90
Planning / Building consultations	95	95
Licensing applications	105	104
ID Notifications	80-90	81
Food samples / hygiene monitoring samples taken	50	74
Export certificates	0	0

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 limited variation within individual categories from the estimates provided in the 2018/19 service plan; in particular the number of advice requests were below estimate, offset by the increased number of food samples taken.

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 2019/20.

SECTION 2 – HEALTH AND SAFETY

7. Introduction

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

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

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

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

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

7.6) Health and Safety is sometimes seen as a burden on business. In fact the opposite is true. Poor health and safety standards will result in accidents and poorer health which results in extensive time off work, and this impacts directly on the business and ultimately on the economy of Castle Point. It also potentially gives an unfair economic advantage to those who might ignore the law.

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

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

Authority/Primary Authority inspection plans) and local intelligence and knowledge.

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

8) H&S Service Aims and Objectives

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

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

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

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

- Reduce the number of accidents and illnesses associated with the workplace in the district and within Castle Point Borough Council
- Increase awareness of health and safety in the organisation and the wider Borough
- Work in partnership with others to deliver the HSE strategic programme wherever possible.

9) H&S - Links to Corporate Objectives

9.1) Castle Point Borough Council priorities are;

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

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

10) Scope of the Health and Safety Service

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

10.1) Pro-active

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

10.2) Reactive

- Investigating reported accidents, diseases and dangerous occurrences
- Responding to complaints and requests for service
- Planning/ building control applications

11) Quality Assessment

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

12) Setting priorities

12.1) The regulatory activities of the service are planned in line with the principles of the National Local Authority Enforcement Code and HSE circular LAC 67-2 (rev 8.) 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 / Environmental Protection, Food Safety, Health and Safety, Private Sector Rented Housing and Licensing.

18.2) An Officer has been allocated to each grouping who is expected to take the lead for the subject area. Other qualified officers in the service are also authorised and 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 2019/20 financial year is as follows:

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

It is estimated that the 2019/20 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 Office for Product Safety and Standards.

22) H&S Interventions

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

22.2) The Health and Safety Executive in association with Local Authorities 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 2019/20

16.1) The following highlights the Health and Safety Activities planned for the 2019/20 financial year.

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

2019/20 work estimate	20 reported accidents / incidents processed.
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- Provision of information or mail-shots specific to particular risks associated with the main work activity

2019/20 work estimate	Specific information provision to 50 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

2019/20 work estimate	25 H&S service requests processed
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- Environmental Health Officers to undertake H&S hazard spotting as a routine part of Food Safety Interventions.

2019/20 work estimate	100 premises checked as part of food premises interventions.
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- Proactive full inspections of H&S premises

2019/20 Work estimate	In accordance with HSE requirements, the service will not routinely undertake any proactive full H&S premises inspections of businesses in the Borough, unless the risk history, local /national intelligence or priorities highlight that an inspection would be the most suitable form of intervention.
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- Cooperation with partners, such as Essex Health and Safety Liaison Group Members to undertake project based interventions based on national, regional and/or local priorities.

2019/20 work estimate	<p>Participate in 3 H&S projects based on HSE and local priorities. (Subject to resource.)</p> <p>This year's projects are:</p> <ul style="list-style-type: none"> • Inflatable play equipment (IPE) – Raise awareness of revised safety guidance to operators and hirers of IPE. There have been a number of recent deaths regarding IPE being ineffectively tethered and blown away by high winds, with users subsequently thrown from the equipment at significant height. • Deaths involving commercial waste bins A number of persons are known to have died after accessing commercial bins and subsequently being collected along with the waste and crushed in the refuse vehicle. Awareness to be raised with the business community. • Manual handling in care homes. Staff at care homes are at significant risk of musculoskeletal injury due to the many lifting tasks that are encountered as part of their day to day role, unless adequate controls are put into place. Awareness to be raised within the sector of the issue in general and what is expected in terms of H&S standards.
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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 **33** 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 **18** accidents and incidents reported under the Reporting of Injuries Disease and Dangerous Occurrence Regulations 2013 (RIDDOR), relating to commercial premises regulated by Environmental Health.
- 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 visual hazard check within each food premises during each visit, bringing significant matters of concern to the attention of proprietors. Further action is taken wherever this is appropriate. Environmental Health undertook approximately **150** such visits during 2018/19.
- 24.5 Officers also commented on the safety aspects of planning permission and building control applications where appropriate including applications for smoking shelters.

CABINET

19th June 2019

Subject: Disabled Facilities Grant: Request for Discretionary Funding

Cabinet Member: Councillor MacLean – Health and Well Being

1. Purpose of Report

This report:

- 1. Provides Cabinet with a summary of the Disabled Facilities Grant (DFG) process and the specific case for applicant Mr P a resident in the Borough ; and**
- 2. Seeks the agreement of Cabinet to approve a discretionary grant of up to £30,000 in accordance with the Council's DFG Policy & Guidance.**

2. Links to Council's Priorities and Objectives

This request links directly to the Council's Community Safety Priority.

3. Recommendations

It is recommended that Cabinet:

- i. Notes the information provided in this report which explains the need for a discretionary grant in order to enable the DFG applicant to live independently;**
 - ii. Notes how the requirements of the DFG Policy & Guidance (Sept 2018) are complied with; and**
 - iii. Approves a discretionary grant of up to £30,000 in order to enable the recommended DFG works to proceed.**
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4. Background – Disabled Facilities Grants

Disabled Facilities Grants (DFGs) are available from the Council for disabled people who need to make changes to their home. For example:

- improving access to rooms and facilities (e.g. providing a downstairs toilet or bathroom, stair lifts, through floor lifts)
- widening doors
- installing ramps
- installing a specialist toilet.

DFGs can only be granted for works that are:

- necessary and appropriate to meet the disabled persons needs
- reasonable and can be done (depending on the age and condition of the property)

The person applying for a DFG must either own the property or be a tenant and must intend to live in the property for 5 years.

The maximum mandatory DFG the Council can offer is £30,000.00 and applicants may need to undertake a financial means test to ensure they are eligible for the grant.

To provide a quick summary of how DFGs are processed in Castle Point:

- a. Applicants are assessed by an Occupational Therapist (OT) from Essex County Council's Adult Social Care department. If adaptations are required, the OT will send in a recommendation to Castle Point and the applicant will be means tested to ensure they are eligible for a DFG.
- b. If eligible and once funding is available, the applicant will be advised and will be asked to confirm whether they are happy to use Castle Point's Home Improvement Agency – Basildon Borough Council.
- c. Basildon Borough Council process the application, this involves:
 - Completing another means test
 - Arranging for plans to be drawn up by a surveyor (if necessary)
 - Arranging for quotes from 3 contractors
 - Helping the applicant to complete all necessary paperwork
 - Verifying who owns the property
- d. Once the application is complete, it comes back to Castle Point for approval. After approval, the works can commence and payment is made upon completion of satisfactory works.

5. Discretionary Funding

As per the Council's DFG Policy & Guidance, discretionary grants can be awarded when the mandatory grant of £30,000.00 is insufficient to cover the costs of the works recommended by the OT.

The Council does not have to provide discretionary assistance, but it can consider applications on a case-by-case basis.

The Head of Environment in consultation with the Strategic Director (Resources) is authorised to agree a discretionary grant of up to £10,000.00. However, anything in excess of £10,000.00 and up to a maximum of £30,000.00 must be determined by Cabinet.

The purpose of this report is to request a discretionary grant be awarded up to the maximum of **£30,000.00**.

6. DFG Case: Mr P – Castle Point Resident

In June 2018, the Environmental Health Service received a DFG recommendation for Mr P- a local resident. The recommendation was for:

- Removal of the bath and the provision of a level access shower
- Bathroom ceiling to be made good and any associated works
- The provision of a gravity waste toilet in the main bedroom and the associated works.

Mr P is 52 years old and lives with his Wife, Mrs P and their two children: aged 13yrs and 11yrs. In December 2017, Mr P collapsed and was taken to hospital where he was found to have a brain stem bleed. After numerous health complications following this bleed, Mr P has been left with severe right sided weakness and is only able to move using a wheelchair or a walking stick indoors.

The living conditions in the property are poor and continue to deteriorate. To the rear of the property is a flat roof which is in a state of disrepair and a leak is causing damage to the ground floor. This has caused significant damage to the bathroom and a section of the ceiling has fallen through meaning it is very difficult for the family, especially Mr P, to use.

In addition, the property does not have an upstairs toilet. Mr & Mrs P's bedroom is located upstairs and so Mr P has to use a commode or a urinal bottle at night as he is unable to use the stairs without help to access the bathroom downstairs.

The damage to the current bathroom is quite significant and so repair works must be undertaken in order for the level access shower to be installed. This includes repairing/replacing the flat roof, repairing/replacing and defective ceiling/floor joists, replacing damaged floorboards and installing a new ceiling. Furthermore, to create space for an upstairs toilet, a dormer will be required on the first floor.

The cost of undertaking all necessary repairs to make the property safe for the disabled applicant as well as adapting the property to meet his long term needs is significantly higher than the mandatory grant of £30,000.00.

The most reasonable quote provided for these works is £43,602.00. The 12.5% Home Improvement Agency fee (Basildon Borough Council) would then be set at £5,450.25. This gives a total of £49,052.25.

If the Council were to provide the mandatory grant of £30,000.00, a further £19,052.25 is still required to meet the total costs.

However, concerns have been raised about the condition of the property. The contractors who will be undertaking the works have advised that extra costs may be required if further disrepair issues are found as the works progress. As explained above, the property is in a poor condition and so it is likely that further funds will be required as the works progress for additional repairs. For this reason, it is felt that the maximum 'top up' discretionary grant should be requested: **£30,000.00**.

7 Financial implications

As per the Council's DFG Policy & Guidance, when approving a discretionary 'top up' grant, the Council will have expected the applicant to have exhausted all other reasonable options to raise the extra funds.

Mr & Mrs P have been made aware of this extra amount of money required and have looked into the options available to them for trying to raise this. Mr P was previously the main income provider for the family, but he is now unable to work due to his severely impaired mobility. This has created financial difficulties for the family and Mrs P has provided details on the struggles they have faced.

Prior to Mr P's collapse, Mr & Mrs P's financial problems started after the death of their daughter. They struggled to keep on top of their mortgage and loan payments and so a possession order was placed on their property. They have agreed extra payments with their mortgage creditors in order to reduce their arrears and so the option of taking out equity release or re-mortgaging the property to raise funds is not viable.

In addition, Mrs P is her husband's full time carer and also looks after their 2 children so is unable to work full time. Taking out a loan is not an option as the family will not be able to keep up with any regular payments.

The Environmental Health Service has also been in contact with Essex County Council's Adult Social Care to see if they can assist with raising this money. They have confirmed that they have no funding that can help at this time.

Therefore, the only option for enabling this case to proceed is to provide a 'top up' discretionary grant.

The DFG budget for 2019/20 is **£685k**. At the time of preparing this report this budget currently covers all cases already approved and pending on the waiting list. DFG funding comes from the Government's Better Care Fund and Castle Point Borough Council has recently been notified of its allocation for 2019-20, which is **£732k**. This is above the amount assumed for 2019/20, and as a result

the Council will hold circa **£445k** in capital reserves for future usage, including for further discretionary grants should they be needed.

A discretionary grant of up to £30,000 could be provided without having a detrimental impact on other applicants for DFG funding. The maximum permissible amount may not be required, but approving this amount now will negate the need for further Cabinet reports if further works are required once the works commence.

In accordance with the Council's DFG Policy, a charge of £10,000 for the mandatory DFG provided for this case would automatically be placed on the property upon completion of the works. This amount would be recovered if the property is sold within 10 years.

An additional charge would also be placed on the property for the total amount of discretionary funds awarded. This charge would not have an expiry term and so would be recovered once the property is sold.

8 Legal Implications

There are no legal implications associated with this report

9 Human Resources

There are no human resources implications associated with this report.

10 Equality Implications

If endorsed the recommendations in this report will have a positive impact on the life of the disabled applicant, Mr P and his family.

11 Timescale for implementation and Risk Factors

Once this 'top up' discretionary grant is agreed, the DFG can be approved and the works can start as soon as the contractor has availability.

12 Background Papers

Castle Point Borough Council Disabled Facilities Grants Policy (2018)

Report Author: Laura Hemsworth, Environmental Health Officer

CABINET

19th June 2019

Subject: Canvey Island Seafront Regeneration – Thorney Bay Scheme

Cabinet Member: Councillor Mumford – Regeneration & Business liaison

1. Purpose of Report

This report is to seek Cabinet approval for the next steps associated with the regeneration scheme at Thorney Bay following the award of funding from the Coastal Communities Fund by the Ministry of Housing, Communities & Local Government.

2. Links to Council's Priorities and Objectives

The regeneration of Canvey Seafront supports the following Council Priorities from the Corporate Plan:

- Health and Community Safety priority through the improvement of our leisure and recreational offer.
- Environment by enabling the further development of parks, beaches and foreshore, open spaces, playgrounds and community facilities.

3. Recommendations

1. That Cabinet note the contents of this report.
2. That Cabinet authorise the inclusion of the project in the Capital Programme across 2019/20 and 2020/21 at a value of £1,722,033. This will be funded by £1,522,033 Coastal Communities Grant and £200,000 from the Council's Reserves.
3. That Cabinet authorise a contribution from General Reserves to the value of £200,000 for the purpose of this project.
4. That Cabinet authorise progression of the development and submission of a full planning application in respect of the scheme.

4. Background

- 4.1 In March 2019, the Council was notified by the Ministry of Housing, Communities and Local Government that it had been successful in securing £1,522,033 funding from Round 5 of the Coastal Communities Fund for a £1,722,033 regeneration scheme at Thorney Bay. The proposed scheme includes the following elements:
- An enlargement of the public car park at Thorney Bay;
 - Construction of a new pavilion that will include public toilets, a retail kiosk, storage space to support the local volunteers, and a viewing terrace;
 - Improvements to the access pathways between the car park, the new pavilion and the seafront
 - Improvements to the footpath along the northern side of the seawall from Thorney Bay to Labworth Central. This will include improved surfacing as well as the addition of lighting;
 - Additional amenity improvements such as the provision of an outdoor water tap and rinsing shower and wayfinding/public information signage;
- 4.2 At its Cabinet meeting of the 17th April 2019, Cabinet authorised the Chief Executive to enter into a funding agreement with the Ministry of Housing, Communities and Local Government. The Cabinet also requested regular reports be made to Cabinet and the Canvey Island Coastal Communities Team (CCT) regarding progress of the project.

5. Proposals

- 5.1 The Council has received notice from the Ministry of Housing, Communities & Local Government that the funding will be provided under Section 31 of the Local Government Act 2003.
- 5.2 A detailed design review of the scheme is currently underway to progress the scheme designs from those submitted with the funding application. The revised designs will consider detailed design matters in order to prepare and submit a full planning application. The Council's appointed architects will prepare the planning application. The proposals will be presented to local Members and the Coastal Community Team prior to submission.
- 5.3 In its funding application, CPBC committed to contributing match funding of £200,000 to the scheme together with £63,000 additional in-kind staff time for project oversight. Some revenue is expected to be derived from the pavilion and additional car parking.
- 5.4 It is proposed that the project be added to the Capital Programme.

6. Corporate Implications

(a) Financial Implications

The Council is set to receive £1,522,033 from the Ministry of Housing, Communities and Local Government towards the scheme. Notwithstanding any changes to the scope arising from the design review, the Council is required to contribute match funding of £200,000 to the overall costs of the scheme (estimated at £1.72m). The Council is also expected to contribute in-kind staff time for project oversight to a value of £63,000. The scheme is expected to create additional revenue for the Council arising from increased car parking provision and rental income from the retail kiosk in the new pavilion. The funding includes all fees, sub as for the preparation of the planning application.

It is proposed that the £200,000 be allocated from General Reserves into an earmarked reserve in 2019/20. From there funds can then be drawn and transferred across to fund the capital spend in either 2019/20 or 2020/21 as required.

The overall project spend will be profiled over 2019/20 and 2020/21 financial years, as follows:

- Expected spend 2019/20: £140,400
- Expected spend 2020/21: £1,581,635.

(b) Legal Implications

The Council expects to receive funds from the Ministry of Housing, Communities & Local Government under Section 31 of the Local Government Act 2003.

As the scheme includes the creation of a retail kiosk and storage space for community groups in the pavilion, the Council will enter into lease agreements with tenants for the use of these spaces.

The proximity of the proposed pavilion to the seawall requires approval of the Environment Agency (EA). The EA has been engaged with the scheme design process to date, however it is expected that the building will be required to be sacrificial in the event of a major flood.

(c) Human Resources and Equality Implications

None

(d) IT and Asset Management Implications

The scheme involves works on public land owned by CPBC. Construction of the pavilion will result in a new facility for the Council to manage. Other works to the pathways will improve existing assets. The addition of lighting along the seawall pathway will require maintenance.

7. Timescale for implementation and Risk Factors

The project is due for completion by March 2021.

The main risks relate to construction risks and financial risks. A full risk register is being developed and maintained as part of the project delivery.

8. Background Papers

None

Report Author:

John Royle

Senior Regeneration Officer

CABINET

19th June 2019

Subject: Financial Update

Cabinet Member: Councillor Stanley – Finance, Policy and Resources

1. Purpose of Report

This report is intended to:

- **Provide Cabinet with the latest Medium Term Financial Forecast (MTFF) 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, Housing Revenue Account (HRA) or Capital Programme.**

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

That Cabinet note the report.

4. Background & basis of the financial forecast

- 4.1** The Financial Planning Strategy is incorporated within the Policy Framework and Budget report which is approved by Council in February each year. The strategy requires the submission of a MTFF, 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 2019.

	£	Description
1.	84k	Receipt late in 2018/19 of unbudgeted and previously un-notified revenue grants from central government - largely offset by additional responsibilities and/or costs. These grants are included in 2018/19 outturn and will be held in an earmarked reserve and applied as related expenditure is incurred.
2.	80k	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.	483k	The Council has received more funding for Disabled Facilities Grants in 2019/20 than originally anticipated. The additional funding will be held in a capital reserve and applied into the budget as required.
4.	744k	Roll forward of budgets from 2018/19 into 2019/20 for committed works/services not completed in 2018/19. These include £21k of unspent Planning department salary's budget which has been redeployed to the budget for costs associated with the Local Plan.

- 5.2 The financial forecast at Annexe A also includes changes resulting from the 2018/19 out-turn and statement of accounts, including rolling forward of approved budgets into 2019/20. See also section 9 below.

6. Revenue/Capital Budgets “on-watch”

- 6.1 This section of the report highlights 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 although there is still uncertainty regarding the co-mingled waste contract and future costs. A re-tendering process is currently in preparation.

7. Changes to the Capital Programme

- 7.4 The General Fund Capital Programme for 2019/20 and the MTFP have been updated to reflect the increased cost and associated revenue implications of the housing development project at Hatley Gardens. These changes were approved at the Cabinet meeting on 20th March 2019. In addition, the Capital Programme

has also been updated for other capital budgets rolled forward into 2019/20 for projects in progress, but not completed by the end of 2018/19.

- 7.5 The Council has been successful in a bid to Central Government for Coastal Communities Fund (CCF) funding towards the regeneration of Canvey Seafront. The Council has been awarded circa **£1.5m**, however this will require match funding from the Council of **£200k** towards a total estimated capital project cost of circa **£1.7m**. This will be incurred across 2019/20 and 2020/21, and will be subject to approval in a separate report to Cabinet.

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 2018/19

- 8.1 The pooling arrangement delivered a financial gain of **£156k** which effectively reduced the levy payment to **£68k** in 2018/19. The pooled arrangement has continued for 2019/20 with a membership which includes all Essex Authorities and the Fire Authority but excludes Thurrock UA.

Council Tax Preceptors Sharing Agreement – Outturn 2018/19

- 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. This percentage will reduce to 14% from 2019/20.
- 8.4 For the financial year ending March 2019, the return on this investment to the precepting organisations within the Borough of Castle Point has been **£2.8m** of which **£380k** has been returned to the District Council.
- 8.5 Essex Authorities are continuing to work together to identify further ways to increase the Council tax base and Business Rates yield across Essex and ensure that the share back agreement with the precepting authorities continues.

9. Annual Statement of Accounts (SoA) – Outturn for 2018/19

- 9.1 The closure process for the last financial year is complete and the SoA is currently awaiting audit.
- 9.2 The General Fund and Housing Revenue Account (HRA) closed the financial year in an under-spent position. The year-end position on the Capital Programme after unspent budgets approved to be carried forward was an overspend of **£34k** on General Fund capital expenditure. This overspend will be covered by the application of additional Central Government grant funding. HRA capital expenditure was overspent by **£2k**.
- 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 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.

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 2019/20, incorporating the Financial Planning Strategy.

Annexe A – Medium Term Financial Forecast

Medium term financial forecast						
		2018/19 (out-turn)	2019/20	2020/21	2021/22	Notes
Line	Current policies and service plans	£'000s	£'000s	£'000s	£'000s	
1	Total net expenditure / estimated exp. for future years	9,923	10,406	13,026	10,496	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	0	963	18	6	
1c	Current total net expenditure / estimated exp. for future years	9,923	11,369	13,044	10,502	
	Funding sources					
2	Council Tax	7,628	7,944	8,183	8,428	
3	Baseline Funding Level - Redistributed Business Rates	2,026	1,717	2,283	2,340	
4	Business Rates - Levy on retained income	(233)	(251)	0	0	Offset by a contribution from the NNDR equalisation reserve
5	New Homes Bonus	691	569	218	13	Legacy payment and affordable homes bonus
6	Capital grants and other grants and contributions	1,539	1,436	0	0	
7	Net Collection Fund(s) surplus / (deficit)	5	(68)	0	0	NNDR deficit offset by a contribution from the NNDR equalisation reserve
8	Transfer (to) / from General reserve	633	(4)	0	0	
9	Transfer (to) / from Earmarked reserves	(2,367)	26	1,432	(1,390)	
10	Total funding sources	9,923	11,369	12,116	9,391	
11	Budget / Funding Gap	0	0	(928)	(1,112)	
	General Reserve	£'000s	£'000s	£'000s	£'000s	
						Minimum recommended balance for General Reserves is £1.9m
12	Balance at start of year	5,673	5,040	3,524	1,397	
13	Contribution (to) / from General Fund (line 8 & 11)	(633)	4	(928)	(1,112)	
14	Potential planning appeals & associated legal costs	0	(1,520)	(1,200)	(400)	
15	Balance / (deficit) at end of year	5,040	3,524	1,397	(115)	
	Earmarked Reserves	£'000s	£'000s	£'000s	£'000s	
16	Balance at start of year	7,710	10,077	7,730	5,659	The precise timing of the use of earmarked reserves is, due to their nature, generally unknown
17	Contribution (to) / from General Fund (line 9)	2,367	(26)	(1,432)	1,390	
18	Total other expected usage of earmarked reserves - not allocated to the detailed budget	0	(2,321)	(639)	(989)	Earmarked reserves are reviewed annually to ensure sufficiency and where need has diminished funds will be returned to General Reserves
19	Balance at end of year	10,077	7,730	5,659	6,060	
	Council Tax					
20	Tax at band D	250.56	258.03	263.16	268.38	Target increases within Council Tax referendum limits. The tax at band D does not include the amount charged by Canvey Island Town Council.
21	Increase	2.96%	2.98%	1.99%	1.98%	

Summary financial results statement 2018/19

General Fund (GF) revenue expenditure	£	
Actual net expenditure	(1,733,675)	
Budget carried forward to 2019/20 (Annexe A section 2)	744,400	
Budget transferred to earmarked reserves (Annexe A section 2)	343,000	
Other transfers to / (from) earmarked reserves	1,280,000	
Net total	633,725	
Net revised budget	952,114	
Final variance	(318,389)	Underspend
Variance as a percentage of the gross expenditure and gross income budgets (£114.0m).	-0.28%	
See annexe A section 3 for an explanation of the General Fund variances.		

Housing Revenue Account (HRA) expenditure	£	
Actual net expenditure	(772,765)	
Budget carried forward to 2019/20 (Annexe A section 2)	0	
Other transfers to / (from) earmarked reserves	778,000	
Net total	5,235	
Net revised budget	25,700	
Final variance	(20,465)	Underspend
Variance as a percentage of the gross expenditure and gross income budgets (£14.5m).	-0.14%	
See annexe A section 4 for an explanation of the HRA variances.		

Capital Expenditure Programme - GF	£	
Actual gross expenditure	947,757	
Budget carried forward to 2019/20 (Annexe A section 2)	387,200	
Gross total	1,334,957	
Gross revised budget	1,300,600	
Final variance	34,357	Overspend
Variance as a percentage of the GF Capital Programme budget	2.64%	
See annexe A section 5 for an explanation of the General Fund capital variances.		

Capital Expenditure Programme - HRA	£	
Actual gross expenditure	1,325,161	
Budget carried forward to 2019/20 (Annexe A section 2)	565,200	
Gross total	1,890,361	
Gross revised budget	1,888,600	
Final variance	1,761	Overspend
Variance as a percentage of the HRA Capital Programme budget.	0.09%	
See annexe A section 5 for an explanation of the HRA capital variances.		

CABINET

19th June 2019

**Subject: Corporate Performance Scorecard Quarter 4 2018/19 and
Proposed Scorecard Indicators 2019/20**

**Cabinet Member: Councillor Sheldon, Cabinet Member for Commercial
Contracts and Commercial Opportunity**

1. Purpose of Report

- 1.1 To set out the cumulative performance figures for the Corporate Performance Scorecard for quarter 4 (1st January 2019 to 31st March 2019) 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 2018/19 were discussed and approved by Cabinet in June 2018.**

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 nineteen indicators reported, twelve are at or above target, a further three are near target and three indicators did not meet the target. One indicator on homelessness did not have a**

target set as the definition changed mid-year further to the introduction of new legislation. Trend in performance shows that there is improving performance in three indicators, decreasing performance for five indicators and performance levels maintained for a further seven indicators. The remaining four indicators are new for 2018/19 so no trend is available.

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

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 for street cleanliness met target and was an improvement on performance from the previous year; 9.6% of streets were deemed unsatisfactory compared with 14.6% in 2017/18.

Fly tipping and grass verge cutting indicators demonstrate strong performance and that the contractual arrangements are continuing to be effective.

Housing and Regeneration

Council tenant satisfaction with repairs and maintenance continues to be strong with 97.1% overall satisfaction.

There has been a deterioration in void turnaround times which stood at 27.3 days at the end of the year against a target of 20.5 days. Full analysis of the reasons for performance not hitting target has been undertaken and a voids working group established to ensure the identified improvement actions are implemented.

Performance in determining planning applications and building control applications within timescales continues to be strong with performance maintained at 100% over the quarter.

The Local Plan was considered by Council on 28 November 2018 and the Council decided not to proceed to the Regulation 19 Consultation by the end of January 2019 as set out in the Local Development Scheme (LDS). Therefore, that target has not been met. Consideration is being given to how the Plan can be progressed and discussions are taking place with the Ministry of Housing, Communities and Local Government.

Health and Community Safety

The percentage of homeless applications accepted where homelessness was either prevented or relieved was 65% in the final quarter of the year. The definition of this indicator changed during the year to reflect requirements following the introduction of the Homelessness Reduction Act 2017.

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.

Satisfaction with Leisure Services is measured by a Net Promoter Score which can range from -100 (where everybody is a detractor and would not recommend the service) to +100 (where everybody is a promoter and would recommend the service). Waterside Farm scored exceptionally high at 70 with Runnymede scoring 53; in this latter case, issues with car parking and facility temperature were identified as areas for improvement. Both scores are comfortably above the East of England benchmark score for leisure centres of 43.

A Commercial and Democratically Accountable Council

The Council's First Contact team has again been very successful in resolving customer queries without the need to transfer calls to the back office; just 5% of the 66,730 calls received over the year had to be transferred.

The sickness rate of 8.6 days exceeds the corporate target of 8 days. However it is important to note that 60% of the total days lost to sickness were attributed to 36 employees with serious illness, including cancer, or who needed surgery.

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

5.2 Indicators for Corporate Scorecard 2019/20

5.2.1 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 2019/20. They are also grouped around the medium term priorities for the Council.

5.2.2 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. Cabinet should note the following:

- The proposed scorecard includes indicators to measure progress in achieving the development of the Local Plan and a Joint Strategic Plan across South Essex Authorities;
- The method of calculating the Planning indicators (DC2, DC3 and DC4) is proposed to change to a two-year rolling average to mirror the method used for returns to Government – this gives a longer-term view of performance and is now more appropriate given the stabilisation and high level of performance during 2018/19; and
- A number of satisfaction indicators have been included.

5.2.3 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: Ben Brook ext.2220 bbrook@castlepoint.gov.uk

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

Appendix 1: Corporate Scorecard 2018/19 (Environment)

Quarter 4: 1st January 2019 to 31st March 2019

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 2017/2018	Q4 Value 2018 / 2019	Target	Trend	Status	Comments
OPS4 Percentage of Household Waste Recycled Service Manager: Operational Services Manager	24.8%	24.7%	Annual Target 25%			These figures are very early estimates, with many tonnages still to be finalised. Figures slightly below target, but may meet target when final figures are in.
OPS 5 Percentage of Household Waste Composted (including food waste) Service Manager: Operational Services Manager	23.8%	23.9%	Annual Target 24%			These figures are very early estimates, with many tonnages still to be finalised. Figures slightly below target, but may meet target when final figures are in.
SS2 Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology. Service Manager: Contracts Manager	14.6%	9.6%	Less than 10%			Despite an increase in litter in the early part of January, Pinnacle have maintained litter levels below 10% across the 4th Quarter. March's figure was 5.75% which is the lowest level of litter we have had for some considerable time.



PI Code & Short Name	Q4 Value 2017/2018	Q4 Value 2018 / 2019	Target	Trend	Status	Comments
ENV 4 Percentage of fly tips removed within one working day Service Manager: Contracts Manager	100%	99%	90%	↓	✓	There was an increase in fly tipping in January, following the Christmas and New Year period. Only 1 fly tip in the quarter was not removed within one working day which resulted in a financial penalty being served on Pinnacle.
SS4 Number of rectification and default notices served in relation to Highway Grass Verge cutting. Service Manager: Contracts Manager	0	0	Under 50	↔	✓	Grass cutting started in March and no rectifications or defaults were served.
SS5 Percentage of Rectification Notices served in relation to Highway Grass Verge cutting rectified within 72 hours. Service Manager: Contracts Manager	0	0	90%	↔	✓	Grass cutting started in March and no rectifications or defaults were served.

Corporate Scorecard 2018/19 (Housing & Regeneration)

Quarter 4: 1st January 2019 to 31st March 2019

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 2017 / 2018	Q4 Value 2018 / 2019	Target	Trend	Status	Comments
HOS1 Overall tenant satisfaction with repairs and maintenance Service Manager: Housing Services Manager	96.7%	97.1%	97.0%	↑	✓	Year to date performance met the target and compares favourably to the same period in 2017/18.
HOS6 Average Void Turnaround Time. Service Manager: Housing Services Manager	19.7 Days	27.3 Days	20.5 Days	↓	●	Full analysis of the reasons for performance not hitting target has been undertaken for 2018/19 and a voids working group established to ensure the actions identified are implemented. This should enable performance to improve in 2019/20.
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%	100%	Major 60%	↔	✓	The service continues with strong performance in the processing of planning applications on time with all applications processed on time over the last quarter.
	100%	100%	Minor 65%	↔	✓	
	100%	100%	Other 80%	↔	✓	

PI Code & Short Name	Q4 Value 2017 / 2018	Q4 Value 2018 / 2019	Target	Trend	Status	Comments
<p>Progress against the milestones set out in the Local Development Scheme (LDS). Percentage of Milestones delivered within 3 months.</p> <p>Service Manager: Head of Place and Policy</p>	N/A	0%	80%	N/A		<p>The Local Plan was considered by Council on 28 November 2018 and the Council decided not to proceed to the Regulation 19 Consultation by the end of January 2019 as set out in the Local Development Scheme (LDS). Therefore, that target has not been met. Consideration is being given to how the Plan can be progressed and discussions are taking place with the Ministry of Housing, Communities and Local Government.</p> <p>The LDS also sets out the timetable for the preparation of the South Essex Joint Strategic Plan (JSP). This included a commencement date for the publication of the Regulation 18 Issues and Options Consultation. The timetable has been amended for the JSP, and that target was not met. The new timetable will be set out in the next iteration of the LDS once agreed by Association of South Essex Local Authorities (ASELA).</p>
<p>Percentage of Building Control applications processed within statutory time limits</p> <p>Service Manager: Building Control Manager</p>	100%	100%	100%	↔		<p>All applications processed within time limits over the last quarter.</p>

Corporate Scorecard 2018/19 (Health & Community Safety)

PI Code & Short Name	Q4 Value 2017 / 2018	Q4 Value 2018 / 2019	Target	Trend	Status	Comments
Percentage of homeless applications accepted where homelessness is either prevented or relieved Service Manager: Housing Options Manager	N/A	65%	TBC	N/A	N/A	During the quarter 40% of "Prevention" duties were officially claimed as well as 25% of "Relief" duties within the same period. [Note: Definition of indicator has changed during the year further to introduction of the Homelessness Reduction Act 2017]
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	91%	90%	90%	↓	✓	90% of premises scored under the Food Hygiene Rating scheme achieved a rating of 3* or above, and were found to be broadly compliant with food safety regulations within the Castle Point Borough.
Leisure satisfaction – Net Promoter Score a) Waterside Farm b) Runnymede Service Manager: Leisure and Community Services Manager	N/A	a)70 b)53	55	N/A	a) ✓ b) ⚠	The average Net Promoter Score for leisure centres in the East of England is 43 with both Waterside Farm and Runnymede comfortably about this. The lower score for Runnymede reflects feedback from customers about car parking and facility temperature. Both issues are being addressed.

Corporate Scorecard 2018/19 (A Commercial and Democratically Accountable Council)

Quarter 4: 1st January 2019 to 31st March 2019

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 2017/18 Value	Q4 value 2018 / 2019	Target	Trend	Status	Comments
<p>FC1 Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office</p> <p>Service Manager: Revenues & Benefits Transformation Manager</p>	96.7%	95.0%	Annual Target 95%	↓	✓	The First Contact service continues to maintain strong performance in this area. Of the 66,730 calls handled, just 3,337 were transferred to the back office.
<p>Average number of days Sickness absence per FTE staff for all Council Services (rolling year)</p> <p>Service Manager: Human Resources Manager</p>	8.6 Days	8.6 Days	8.0 Days	↔	●	Performance is slightly above target. During this year 60% of the total working days lost were attributed to 36 employees with serious illness, including cancer, or who needed surgery.

Appendix 2 - Proposed Corporate Scorecard Indicators 2019/20

Corporate Plan 2018-21

Scorecard Measures 2019/20



Environment	Housing & Regeneration	Health & Community Safety	A Commercial & Democratically Accountable Council
OPS4: Percentage of household waste recycled Q	HOS1: Overall tenant satisfaction with repairs and maintenance Q	HLES: Percentage of homeless applications accepted where homelessness is either prevented or relieved Q	FC1: Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office Q
OPS5: Percentage of household waste composted Q	HOS6: Average Void Turnaround Time Q	EH2: Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme Q	Average number of days sickness absence per FTE staff for all Council Services (rolling year) Q
SS2: Percentage of streets inspected which are deemed to be unsatisfactory using code of practice for litter and refuse methodology Q	DC2 to DC4: Percentage of planning applications processed within target time limits for major, minor and other applications Q	L1: Leisure satisfaction – Net Promoter Score a) Waterside Farm b) Runnymede Q	NEW: Number of wheeled bin garden waste subscribers Q
SS3: Percentage of fly tips removed within one working day Q	BC1: Percentage of Building Control applications processed within statutory time limits Q	NEW L3: Leisure Memberships Q	NEW: Take up of e-billing services for Council Tax and Business Rates Q
SS4: Number of Default Notices served in relation to Highway grass verge cutting Q	NEW: Progress of Local Plan against the milestones set out in the Local Development Scheme Q		
NEW: Number of Service Requests received in relation to Grass Cutting Q	NEW: Progress of the Joint Strategic Plan against the milestones set out in the Local Development Scheme Q		
NEW OPS2: Customer satisfaction with parks & open spaces A			
NEW OPS3: Customer satisfaction with refuse and recycling collections A			
NEW SS1: Public Satisfaction with Council's efforts to keep public land clear of litter and refuse A			

Q Quarterly indicator

A Annual indicator

CABINET

19th June 2019

Subject: Authority to Represent the Council

Cabinet Member: Councillor Stanley – Finance, Policy and Resources

1. Purpose of Report

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

2. Links to Council's Priorities and Objectives

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

3. Recommendations

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

Ms Amie Harris – Trainee Solicitor (seconded to the Council for six months)

Ms Jemma Matlin – Trainee Legal Executive/Paralegal

4. Background

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

5. Proposals

It would be beneficial for the Council to allow its trainee solicitor and Trainee Legal Executive/ Paralegal to appear to represent the Council in legal

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

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

6. Corporate Implications

(a) Financial Implications

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

(b) Legal Implications

Without authorisation from the Council these employees employed are unable to appear before the Courts to represent the Council in legal proceedings.

(c) Human Resources and Equality Implications

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

(d) IT and Asset Management Implications

There are none to be addressed by this report.

7. Timescale for implementation and Risk Factors

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

8. Background Papers

None.

Report Author:

Fiona Wilson – Head of Law

CABINET

19th June 2019

Subject: Matters referred from Scrutiny Committee - Call In of the Cabinet decision made on 20.3.2019 in respect of Feedback on Public Consultation Regarding a New Paddocks Community Hall

1. Purpose of Report

To report formally the decision of the Scrutiny Committee held on 5.6.2019 to consider the on the Call In of the Cabinet decision made on 20.3.2019 in respect of Minute 80 Feedback on Public Consultation Regarding a New Paddocks Community Hall

2. Links to Council's Priorities and Objectives

The provision of a new community hall on the Paddocks site, Canvey Island links with all the Council's priorities.

3. Recommendations

To consider and determine the Cabinet's response to the recommendation from the Scrutiny Committee.

Mindful that the information will be of assistance in determining the future proposals for the Paddocks –

To refer back the Cabinet decision (Agenda Item 6a Minute 80 – Feedback on Public Consultation regarding the New Paddocks Community Hall refers) for a revised report to be presented containing full details of the outcome of the meetings undertaken by the Cabinet Members.

And that the Cabinet fully engage with the Scrutiny Committee in going forward with the proposals for the future of the Paddocks and that any future reports on the Paddocks are presented to the Committee for pre scrutiny before consideration by Cabinet.

4. Background

- 4.1 At the meeting of the Cabinet on 20th March 2019, the Cabinet considered a report on the Feedback on Public Consultation regarding the New Paddocks Community Hall.

Set out below is the Minute:

Agenda Item 6a Minute 80 – Feedback on Public Consultation regarding the New Paddocks Community Hall

Cabinet considered a report dealing with the feedback on the public consultation exercise recently undertaken by a member working group to help inform the design of the new Paddocks Community Hall, and how the project should be progressed in light of this feedback.

Resolved:

1. To note the consultation feedback;
 2. To confirm Cabinet's commitment to retaining the splash park and war memorial on the Paddocks complex;
 3. To Cabinet's confirm intention to retain and operate the existing Paddocks Hall until such time as the new facility has been built and is available for hire;
 4. That a planning appraisal setting out potential opportunities and constraints for the Paddocks site is undertaken to help inform the future layout of the site and the siting of the new community facility;
 5. That Specialist advice is sought in order to better understand potential future demand for larger scale entertainment events;
 6. That the Strategic Director (Resources) in consultation with the Cabinet Member for Finance, Policy and Resources is given delegated authority to drawn down from reserves the funding required to cover the cost of the specialist advisors;
 7. That a design brief is produced for a modern, multi-functional, flexible community facility capable of accommodating both small groups, i.e. less than 20 people through to functions catering for up to 500 seated guests;
 8. That an architect is appointed to develop conceptual building designs having regard to the design brief; and that
 9. That regular progress reports are presented to Cabinet
- 4.2 The Chairman of the Scrutiny Committee submitted a request to the Chief Executive on 27th March 2019 seeking to Call In the Cabinet decision on the for the following reasons:

- that the decision was not taken in accordance with the Council's decision making principles in that the consultation is flawed and
- proper regard had not been had for all relevant and material considerations.

As a result of this request the Cabinet decision could not be progressed at all pending consideration of this Call In.

Arrangements for consideration of this Call in were deferred until after the Elections.

4.3 The Scrutiny Committee met on 5.6.2019 and considered the Call In.

5. Proposals

5.1 Cabinet is asked to consider and determine the Cabinet's response the recommendation from the Scrutiny Committee:

To refer back the Cabinet decision (Agenda Item 6a Minute 80 – Feedback on Public Consultation regarding the New Paddocks Community Hall refers) for a revised report to be presented containing full details of the outcome of the meetings undertaken by the Cabinet Members and
That the Cabinet fully engage with the Scrutiny Committee in going forward with the proposals for the future of the Paddocks and that any future reports on the Paddocks are presented to the Committee for pre scrutiny before consideration by Cabinet.

5.2 The options available to the Cabinet are to

1. To take no action on the recommendation and reaffirm the decision made on 20th March 2019 or
2. Accept the recommendation in which case a revised report can be presented to a future meeting incorporating the details of the outcome of the meetings held by the Cabinet Members.

6. Corporate Implications

(a) Financial Implications

None to be addressed by this report.

(b) Legal Implications

None to be addressed by this report

(c) Human Resources and Equality Implications

None to be addressed by this report.

(d) IT and Asset Management Implications

None to be addressed by this report.

7. Timescale for implementation and Risk Factors

Adoption of the recommendation will prevent exercise of Call In of future Cabinet decisions and delay in progressing the project.

8. Background Papers

Agenda Item 3 Scrutiny Committee 5.6.2019