

MEETING OF THE ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE



SOUTH
KESTEVEN
DISTRICT
COUNCIL

TUESDAY, 11 SEPTEMBER 2018,
10.30 AM

COMMITTEE MEMBERS PRESENT

Councillor Ashley Baxter
Councillor Nick Craft
Councillor Mike Exton (Chairman)
Councillor Breda Griffin
Councillor Brian Sumner
Councillor Rosemary Trollope-Bellew (Vice-Chairman)

CABINET MEMBERS

Councillor Dr Peter Moseley Cabinet Member for Environment

OFFICERS

Head of Environment (Anne-Marie Coulthard)
Head of Street Scene (Keith Rowe)
Legal Executive (Mandy Braithwaite)
Democratic Officer (Lucy Bonshor)

10. MEMBERSHIP

The Committee were notified that Councillor Griffin was substituting for Councillor Wilkins.

11. APOLOGIES

An apology for absence was received from Councillor Russell.

12. DISCLOSURE OF INTERESTS

None disclosed.

13. ACTION NOTES FROM THE MEETING HELD ON 20TH JUNE 2018

Action notes from the meeting held on 20 June 2018 were noted.

14. UPDATES FROM THE PREVIOUS MEETING

Members were concerned why street lighting was not being shown as an agenda item on this agenda and why a working group was being held after the meeting. Members of the Committee had been unanimous in their agreement of the proposed policy and they asked for an explanation as to why it had been “kicked back” by Cabinet. The Cabinet Member for Environment indicated that the Cabinet were happy with the actual policy proposed but referred it back to Committee for them to consider lamps in conservation areas and that the proposed delivery method was not supported by the financial comments contained within the report. The Cabinet wanted a further report which showed how the proposal could actually be delivered, when, how and the costs involved. Further discussion followed about the content of the report and why it was not on the agenda. The Cabinet Member reiterated that it was felt that the report had gaps, the policy itself, the Cabinet had no problem with other than the consideration of lamps in conservation areas. The main reason for the report coming back to the Committee was in relation to the financial implications which did not support the delivery. The content of the report needed to be fine tuned to include the when, how and costs involved together with due consideration being given to conservation areas.

15. TAXI LICENSING AND THE EQUALITY ACT 2010

The Cabinet Member for Environment submitted report CSL131 which concerned provisions that had been amended within the Equality Act 2010 in respect of wheelchair accessibility in hackney carriages and private hire vehicles. The provisions allowed a licensing authority to create a list of “designated vehicles” which were capable of carrying passengers in wheelchairs and required drivers of those vehicles to provide mobility assistance. Currently the Council had six vehicles which would be “designated vehicles” if the Council was to adopt the provisions of the Act. Section 172 of the Act enabled vehicle owners to appeal to the Magistrates Court against the decision of a local authority to include their vehicles on a “designated vehicles” list. The Cabinet Member stressed that the adoption of the provisions of the Act was a discretionary power not a statutory requirement, although guidance issued by the Department for Transport recommended strongly that licensing authorities do maintain such a list. The report was put before the Licensing Committee who had welcomed the proposal. The list was for adapted vehicles that accepted the person and wheelchair together either by a ramp or hydraulic lift. It was aimed at the severely disabled who could not get out of their wheelchairs. A key point was that drivers could not charge more for their services and therefore the customers could not be discriminated against. The recommendation contained within the report was put forward for Committee

approval.

Members discussed the proposal before them and commented on the relatively small number of vehicles. It was stressed that this was market lead and was sufficient for the area. If the demand increased than the market would adapt accordingly. The location of the vehicles was also commented on and it was confirmed that the vehicles were located in Grantham and Stamford. A question was asked about incentives to have an adapted vehicle and it was confirmed that the drivers did receive a 20% discount for the application fee. The designated list would be made available on the Council's website. A question was asked about vehicle testing and it was confirmed that all licensed vehicles went through a six month test. Vehicles which failed to comply were subject to the Council's penalty point system which, if a certain amount of points were issued within a twelve month period they were referred to the Licensing Committee. The Cabinet Member stated that the Licensing Committee were very supportive of the proposal. It was stressed that the designated list was in respect of all types of wheelchairs not mobility scooters. A query was made about the wording of the recommendation and it was agreed that the word whether did not need to be included. Following which it was proposed, seconded and agreed that the Environment Overview and Scrutiny Committee recommend to Cabinet the implementation of the provisions of section 165, 166 and 167 of the Equality Act 2010 and that the draft policy as set out at Appendix E to report CSL131 is adopted and included in the Hackney Carriage and Private Hire Licensing Policy.

Recommendation:

The Environment Overview and Scrutiny Committee recommend to Cabinet the implementation of the provisions of section 165, 166 and 167 of the Equality Act 2010 and that the draft policy as set out at Appendix E to report CSL131 is adopted and included in the Hackney Carriage and Private Hire Licensing Policy.

16. FOOD INSPECTIONS

At the last meeting of the Committee it was suggested that as part of the Committees work programme food hygiene and the rating system should be looked at in more detail. Apologies were given about the issues with the IT and Members were circulated with a copy of the presentation. The Chairman was disappointed that the IT equipment was not working. It was noted that Studio 4 was not conducive to having presentations and a different location should be looked at for future meetings of the Committee whilst the public realm work was being carried out.

> Action Note

Location of future meetings of the Environment Overview and Scrutiny Committee were not to be in Studio 4 whilst the public realm works were

being carried out.

Pauline Wright from the Environmental Health Commercial Team then gave her presentation about the Food Hygiene Rating Scheme (FHRS). Pauline Wright began the presentation by giving Members some background about the work undertaken by the Environmental Health Commercial Team. The team covered issues from food hygiene inspections, FHRS, complaints in connection with food and food businesses such as flies in pizza or packaging in sausages. Health and safety inspections and complaints, responding to accidents and investigations, infectious disease investigations such as cases of salmonella poisoning and the prevention of the spread of the bacteria such as correct food handling. The team also undertook private water supply risk assessments and sampling.

In South Kesteven there were over 1300 registered food businesses comprising of restaurants, pubs and cafes, takeaways, food vans and stalls, canteens and hotels, supermarkets and corner shops, schools, hospitals and care homes together with manufacturers. The major sector of these outlets were the restaurant and catering sector. Businesses ranged from large businesses such as Moy Park to small microbreweries. Some businesses were low risk such as a chemist that sold a few sweets these would not be included.

The food hygiene rating scheme was a partnership scheme between the Local Authority and the Food Standards Agency. It gave the public information allowing them to make a choice where to buy food. The rating was between zero and five. A zero score meant that urgent improvement was necessary and five which meant very good. 99% of business within South Kesteven were broadly compliant with scores between three, four and five. Two businesses had a zero rating and four had a score of one. The Environmental Team worked closely with businesses to encourage compliance. It was beneficial for the public to see the scoring for businesses although they did not have access to the inspection reports. Businesses used the scoring mechanism as a tool, a higher score was better for the business, a low score was detrimental and therefore businesses wanted to know how they could improve their score.

The number of inspections carried out depended upon the potential risk to public health, those with a higher risk would be inspected every six months where as those with a lower risk would be inspected every two years. The interval for inspections with low risk businesses may be longer than two years. Inspections were unannounced and a new hygiene rating was given at each inspection. Each business was scored on national guidance, how hygienically the food was handled and the physical condition of the business and how the business manages ways of keeping food safe. Inspections were unannounced and lots of questions were asked during an inspection which could take between one and half to two hours. Following an inspection the business received the relevant FHRS rating sticker and a report. The business could appeal the rating if they think it is unfair or wrong. There were many options available to the team to deal with enforcement. Advice and guidance were

offered and formal letters were sent to businesses that had several contraventions. Improvement notices were served on businesses with serious or persistent contraventions. If the business was bad enough the team would ask for the business to sign a voluntary closure notice. If businesses continued to fail to comply the Council prosecuted them.

Businesses were not under a statutory obligation to display the rating score whereas in Wales it was mandatory.

Photographs were then shown of bad examples of food hygiene at various businesses throughout the district.

The Cabinet Member for Environment and the Committee thanked Ms Wright for the excellent presentation and congratulated the team on the work that they carried out.

A question was asked about mobile units in relation to inspections. It was confirmed that the Local Authority where the unit was visiting would undertake the inspection and pass the report on to the home location of the business. A further question was asked in relation to child minders and it was stated that these came more under OFSTED rather than the Local Authority and they were seen as low risk. Judgement calls did come into play when officers spoke with businesses but child minders were seen as low risk.

Once again the Chairman thanked Ms Wright for her presentation and the work undertaken by the Team.

17. FOOD TRIAL UPDATE

The Cabinet Member informed the Committee that the food trial was going well with high participation rates. Data was being collected all the time but currently there was not enough significant data to share with the Committee, although he did state that the trial was contributing to less contamination with recycling streams.

It was hoped that the impact of the trial was helping people to adapt their behaviour to throw away less food. There was a cost to the collection and he stressed that money would not be made through having a food waste collection service, this was a misconception. The Council had to be mindful of what its objectives were, there was a balance to be achieved, what was Value for Money. There was still a long way for the trial to go with a full year of data to be analysed. A Member asked when the information would be available and it was confirmed that data would not be circulated until it was appropriate to do so. After the trial discussion would be needed with the disposal authority as any savings would be at the point of disposal not at collection where costs were incurred.

A discussion then followed on recycling and the Cabinet Member for

Environment stated that this had been part of a large debate at the Waste Partnership meeting that he and the Head of Street Service had recently attended. The Head of Street Services spoke about the seven different polymers that plastic came under and how a simplified system was needed. Each area had localised schemes, in some areas certain plastics would be recycled but not in other it was confusing for the customer. Examples were then given about the different types of container but it was stressed that plastics were complicated.

It was suggested that the Committee should receive a proper presentation on recycling which should highlight the challenges involved. It was also suggested that a visit to the Materials Recycling Facility may be of benefit to Members. Discussions were being held about having stickers put on recycling bins highlighting the four main items which DID NOT go in a recycling bin, the top culprit being disposable nappies. Members agreed a presentation at the next meeting would be helpful and also a visit to the Materials Recycling Facility would help Members understand the recycling process better.

> Action Note

That a presentation on recycling be arranged for the next meeting of the Committee which highlighted the challenges faced with the recycling process.

> Action Note

That a visit to the Materials Recycling Facility be arranged.

18. TRADE WASTE

The Cabinet Member for Environment gave a brief update on trade waste. The service was going very well with customer targets met. One Member asked for more information about the tonnage and the number of customers together with revenue targets. The Cabinet Member stated that the target customers had exceeded the figure originally proposed and currently there were 196 customers. He did not know the actual tonnage and he was not in a position to give out financial information in a public meeting due to the commercial sensitivity of the information. He confirmed that he was happy with where the service was currently going.

19. ENVIRONMENT ENFORCEMENT TEAM

The Cabinet Member for Environment gave a brief update to Members. Currently there was one full time enforcement officer with two more due to start towards the end of the month. The setting up of a service posed a number of challenges and getting the appropriate staff had taken longer, it was important that the correct people were appointed. Currently the service was on a

learning curve and the more information gathered would inform how the service worked and the areas which needed more focus.

Questions were asked about where the enforcement officer had been issuing FPF and it was stated that these had been issued mainly in Grantham but also Bourne and Stamford. The officer had been to the Deepings but no tickets had been issued there.

20. CLOSE OF MEETING

Before he closed the meeting the Chairman reminded Members that notification of items for inclusion on the next agenda should be given to him before 23 October 2018.

The meeting closed at 11:58am.