

COUNCIL MEETING – 11 JULY 2017
REPORT OF THE SERVICES COMMITTEE

4 April 2017

Present: Councillors G Lawman (Chairman), Hallam (Vice-Chairman), Skittrall, Stevenson and Watts.

Also present: Mrs L Elliott, (Interim Managing Director), Miss J Thomas (Interim Director), Mrs V Philipson (Principal Planning Policy and Regeneration Manager), Mrs A Wilcox (Principal Environmental Health Manager) and Miss N Harewood, (Governance Officer).

1. APOLOGIES FOR ABSENCE

There were no apologies.

2. DECLARATIONS OF INTEREST

RESOLVED to note that in accordance with the Localism Act 2011, the council's code of conduct and the council's constitution, there were no declarations made.

3. CONFIRMATION OF THE MINUTES OF THE MEETINGS HELD ON 17 JANUARY 2017 AND THE 14 MARCH 2017

RESOLVED that the minutes of the services committee held on 17 January 2017 and the minutes of the additional services committee held on 14 March 2017 be confirmed and signed.

4. FOOD SAFETY AND HEALTH AND SAFETY ENFORCEMENT SERVICE PLANS

The annexed circulated report of the Interim Director was received to seek approval for the food safety and health and safety enforcement plans for the period 2017-18.

These statutory service plans, required by the Food Standards Agency (FSA) under the framework agreement and by the Health and Safety Executive (HSE), set out food safety and health and safety objectives of the environmental health services for the year.

The council had a statutory duty to maintain prescribed standards of food safety by means of premises inspections undertaken by authorised officers. Hygiene standards, the condition of the structure of the premise and the adequacy of any food safety management systems and staff training would be examined.

The food safety plan is written in accordance with the Framework Agreement on Local Authority Food Law Enforcement. The primary aim of all food intervention is to work with local businesses to achieve improvements in food safety, hygiene, nutrition with the aim of reducing food poisoning within our community.

Priority for the HSE will be to respond to complaints or investigate accidents. A national list of health and safety risks had been produced, which had recently been reviewed. These risks include asbestos, falls from heights, hygiene facilities in animal establishments, beverage gas in hospitality intervention, welfare facilities for delivery drivers and gas safety in commercial catering premises.

In addition to the national priorities, the county health and safety enforcement group had also identified local priority issues from national and local accident statistics and other forms of intelligence such as complaints and officer experiences.

Members discussed the report before them.

Councillor Skittrall queried why there was still a continuing group of poor performers with food hygiene ratings between zero and two. The principal environmental health manager explained that many of those businesses had a high turnover of management, which meant that each time they were investigated the process had to start from the beginning. The number, however, was steadily reducing.

It was emphasised that the environmental health service was not always notified of new owners or changes in trading names. Businesses were only required to have a licence if they met certain criteria, e.g. trading after a certain time or selling alcohol.

The principal environmental health manager was asked to clarify who the 'eat out eat well' scheme applied to. It was explained that currently the scheme only applied to cafes, restaurants, take-away premises and private schools, with which the environmental health service worked closely.

She went on to advise that there was a county website currently under development to provide further information which, once fully operational, would be linked to from the council's website.

Councillor Watts queried if there was a publicised list of those businesses where formal action had been taken against them; It was suggested that under Section 4.2 of the Food Safety Service Plan 2017/2018 that food complaints should be accompanied by details of these. The principal environmental health manager confirmed that these were publicised and that press releases also issued.

Members sought clarity on the main types of complaints. It was explained that the two most common complaints were in relation to foreign bodies in the

food or the cleanliness of the premises themselves. All complaints are investigated and when there are multiple issues with the same business, it is easier to take action.

Members were also advised that businesses were asked to display their food hygiene rating, however, as is already the case in Wales, the FSA are keen to make this law in England. In view of this the chairman suggested that a letter of support for compulsory presentation be sent to the FSA.

R1 RECOMMENDED that approval be given to the adoption of the food safety enforcement service plan 2017-18.

RESOLVED that the health and safety enforcement service plan 2017-2018 be adopted.

5. TREE POLICY CONSULTATION

The annexed circulated report of the Interim Director was received to seek approval to consult on the draft Tree policy.

The tree policy had been prepared in discussion with Wellingborough Norse (WNorse), following a number of queries raised by customers. As a tree owner, the council had a direct responsibility to ensure that trees do not pose a danger to the public or property and are managed appropriately.

The documented tree policies provide guidance and procedural information regarding the management of trees.

The draft tree policy applied to all trees under the ownership/management of the council, regardless of their location, as well as those trees in private ownership which pose a risk to the public. Once adopted, the policy would provide a document to confirm the council's tree management processes, and provide clarity for the community and aid the development management team when considering planning applications.

The members discussed the report before them.

The chairman allowed Miss C Frogley to address the meeting. She explained that she led the Facebook group 'Welly Trees' and that she wished to work with the council to find positive solutions to any tree issues. Miss Frogley raised some points about tree removal, the lack of communication with residents when work was taking place, queried ownership of grass verges, the improvement trees made to the environment and house prices, the need to ensure that trees that were removed were replaced and also asked if a schedule of tree works could be made available for the public.

The interim director advised that the grass verges were owned by Northamptonshire County Council (NCC) and that members of the public would need to seek permission from them to plant any trees. It was also highlighted that anyone who owned a tree would have to take full responsibility

and liability for that tree for the duration of its life. NCC had an approved list of species and a specification of the type of tree and how it should be maintained.

The interim director explained that the removal of a tree was determined on a case by case basis and there was no schedule of works. Wellingborough Norse had been asked to put a clear sign on trees to be removed, in a respectful manner, using materials that did not damage, such as string and tape, stating clear reasons as to why the tree was to be removed.

She also made it clear that the notice should not be misinterpreted as a note for consultation. If the tree was deemed dead or a danger to the public or property, it would be removed.

The interim managing director also advised that budget would not be affected, nor would there be any surplus as the number of trees removed was minimal in comparison to the numbers that are in the borough.

It was explained that healthy trees would not be removed and that there were different ways of dealing with trees that cause potential problems. It was also pointed out that the council's landscape officer and a Wellingborough Norse officer both had expertise in this field and would be able to offer advice and solutions.

The interim director further explained that, where possible, Tree Preservation Orders (TPO) would be made. It was also advised that new developments had landscape conditions included in the planning permission and officers could inspect the site prior to construction and issue TPO's. The policy was currently in draft form and would go out for consultation with any issues, concerns or suggestions reported back to a future services committee.

The chairman asked if a direct complaint line for communication could be set up. The principal planning policy and regeneration manager confirmed that she could set up an email account for any complaints or queries.

RESOLVED that:

- (i) approval be given to a six week consultation taking place on the draft tree policy as soon as practical; and
- (ii) a further report be submitted to a future services committee, in due course, with the final version of the tree policy addressing all issues raised during the consultation.

Chairman

The meeting concluded at 7.55pm.