

REGULATORY COMMITTEE

Tuesday 28 June 2016 at 7.00pm

PRESENT: Councillors: Kate Crawford (Chair), Conti, Dhama (Vice Chair), Kaur Dheer, Gavan, Kelly, McCartan, Woodroffe, and Sumner.

1. **Apologies for Absence**
There were none
2. **Urgent Matters**
There were none
3. **Matters to be considered in Private**
There were none
4. **Declarations of Interest**
There were none
5. **Minutes of the Meeting Held on 12th January 2016**
To be agreed at the next meeting 25th October 2016.
6. **Food Safety Service Plan 2016-2017**

Helen Statham, Operations Manager, Regulatory Services, presented a Food and Workplace Safety Service Plan for 2016-2017.

The Operations Manager highlighted the key performance indicators as outlined in the report and explained that the Food Safety Team and the Health & Safety Team had successfully merged over the past year and are working well together.

It was reported that there was a 3% increase in the number of food businesses deemed to be 'broadly compliant' with food law and that the number of food businesses subject to prosecution have increased from 9 to 13. The Operations Manager explained that these figures suggested that the Food Safety Team's approach to regulation and enforcement had been effective. The team routinely carry out unannounced inspections and the frequency of these inspections depends on the risk and typically ranges from once every six months to once every two years. Compliance checks have been carried out to ensure that any major non-compliance identified as a result of the routine interventions or complaints have been rectified. It was explained that there has been a slight reduction in compliance checks and that this could be due to staff shortages in the first half of the year. Following a procurement process, the Council intend to outsource the delivery of 1490 interventions to a reputable external service.

It was reported that the prosecuted businesses are reserved for the most serious and /persistent types of non-compliance and that the total fines arising from prosecutions in the year 2015-2016 were £321,665 with a cost of £29,275 awarded to the Council.

It was explained that a new Pilot scheme has been introduced by Regulatory Services called Pilot Ealing Earned Recognition Scheme (PEERS) which recognised businesses that prove their ability to consistently comply with food law, participate in a Global Food Safety Initiative (GFSI) and to be considered a 'leader' or 'proactive complier' to the relevant Food Standards legislation. This would be very beneficial compliant businesses as they would receive less frequent inspections and would enable the Foods Safety Team to spend more of their resources dealing with the non-compliant businesses.

Councillor Gavan queried whether the outsourcing plan had progressed from the initial discussions last year. It was responded that the team had put a scope together; however a proposal or tender had not been made, and that an invitation to meet and discuss the outsourcing plan would be sent to Councillor Gavan.

Councillor Conti queried objective 4 on page 4 of the Annual Report of Performance against Service Plan report regarding working with partners and businesses to reduce childhood overweight and obesity in the borough and what the priority is on this subject matter for the Food Safety Team. It was responded that due to the other higher priority areas of work, less activity had been conducted in relation to this objective; however the team envisaged progress for this upcoming year.
The Chair requested a report on the increase of fast food and take away businesses in the borough for the next meeting.

The Chair asked what the external temporary storage facilities mentioned in the report were for and what the cost implications were for the Council. It was responded that we have 3 temporary storage facilities which are used for imported fruit and vegetables sampling and analysis.

The Chair asked whether spot checks were undertaken by the Food Safety Team. It was responded that the team does carry out spot checks and if a business was to be found to be non-compliant in regards to food law, the Officer would remain on site and observe the food in question being safely disposed of.

It was explained that we should see a reduction in non-compliant businesses by charging them for re-visits after an initial non-compliant visit.

The Operations Manager reported that there had been a 51% increase in reactive sampling and that this work is important in detecting food fraudulent practices.

Councillor Conti asked what the target was for food sampling. It was responded that there isn't a target as such, however Ealing carry out the highest level of food sampling across London.

The Chair asked for an update on the new IT 'iDox' back office system. It was responded that the service is in the process of moving across to the new system which involves manually inputting data into iDox and the team hope to be using the system from July 2016.

The Chair asked for an update at the next meeting.

Resolved:

That the regulatory Committee:

- 1.1 Note the legal framework within which this authority operates.
- 1.2 Note the extent of implementation of the service plan for 2015-2016 (Appendix 1).
- 1.3 Adopt proposed food safety service plan for 2016-2017 (Appendix 2) including proposed departures from the Food Law Code of Practice, in particular the Pilot Ealing Earned Recognition Scheme.
- 1.4 Note that there are two outstanding recommendations from the 2013 Food Standards Agency audit of the London Borough of Ealing.
- 1.5 Note the additional level of outsourcing of delivery of official controls i.e. inspections and audits of food business establishments.

7. Health and Safety Service Plan 2016-2017

Helen Statham, Operations Manager, Regulatory Services, presented a Health and Safety Service Plan for 2016-2017.

The Operations Manager explained that in July 2015 a care worker within a 24 hour supported accommodation facility for persons with mental health was murdered whilst carrying out her duties. As the local authority the Health and Safety team have had the responsibility to carry out the necessary investigation and work with the Police which have left 1.5 Officers to carry out the rest of the teams duties. It was explained that a great deal has been learnt from this unfortunate incident about safeguarding adults at their places of work.

The Chair asked for an update at the next meeting.

Resolved:

That the Regulatory Committee:

1. Note the legal framework within which the authority operates;
2. Note the extent of implementation of the service plan for 2015-2016
3. Note the proposed health and safety service plan for 2016-2017 including proposed departures from LAC 67, in particular the departure from where there is local intelligence surrounding risk.

8. Planning Services Performance and Process Review Update

Alex Jackson, Development Planning Manager, Planning Services, presented an update on performance and service projects in Planning Services.

The report highlighted a benchmarking summary of Ealing's position against other London authorities for other applications (mainly householder), minor applications and major applications for the latest period (April 2015 to March 2016) collated by DCLG. Ealing Council

It was explained that the Planning department had recently switched their IT system to the new system called 'iDox' which allows customers to track the status of their planning application. It was reported that there had been initial teething issues rolling

out the new IT system with customers not being able to view their documents online, etc, however these issue have now been rectified.

The Chair asked for an update at the next meeting.

It was reported that as a result of the Council's agreed savings and the reduction of staff resources, the following processes and procedures will be subject to review;

- Requests from ward councillors for applications to be determined by Planning Committee
- Committee report format
- Review of Duty Planner service
- Review of conservation Areas and Review of Conservation Area Advisory Panels

The chair will invite David Scourfield to update on the processes that have been reviewed.

A proposal to stop notifying neighbourhoods of planning applications by individual letter and to replace this by display of site notices outside development sites was initially approved by Cabinet in 2014 as a saving for the financial year 2015/16.

Councillor Dhama queried how long it would take to remove old site notices and what methods were being used to ensure this was being done in a timely manner.

The Development Planning Manager explained that the majority of site notices are put up by one administrative officer and has been deemed as cost effective and that an alternative would be for the case officer to put up the notice. Once the site notice has been displayed, a photograph is taken as an audit trail and published on the Council web site. Currently site notices have been removed by Officers within Planning Services and a request is always made to the applicant to remove the notice. It was confirmed that the process to remove site notices will be reviewed.

Councillor Gavan suggested that we should join with another Council service to help to take down the notices e.g: rubbish collection or parking ticket officers. Councillor Gavan also suggested that we should look at other Councils and see how they manage this process and that we could use colour coded paper for the site notices so for example; people know to take down all the yellow notices for the month of June, red for July, etc.

Councillor Conti queried whether we are confident that we are giving residents enough information regarding the removal of planning site notices. It was replied that there are letters sent to the public that are involved in the application and that there is information available on the council website. The number of site notices depends on the scale of the site.

The Chair asked for an update at the next meeting.

Councillor Sumner asked when the Planning Team would update the Committee on Conservation in the Borough. The Chair advised that this topic had been scheduled on the agenda for the next meeting in October and that Councillor Sumner would be invited to the scoping meeting.

It was reported that there have been significant staff changes and restructuring in Planning Services in the past year and that there are currently still vacancies for Planning Officers and Principle Planning Officers.

Councillor Gavan queried what the Planning department were doing to retain and recruit staff to the team. The Development Planning Manager explained that there is a shortage of suitably qualified Planning Officers and that experienced Officers have since retired. In addition to this in the past week another neighbouring council have increased their pay scale for Planning Officers. It was confirmed that the Planning Department are looking to acquire apprentices to join the team to train and develop their skills and will review the pay scale/grade for Planning Officers.

Councillor Gavan suggested that Ealing should be working collectively on a wider scale with other organisations or authorities to recruit and retain Planners, eg: the West London Alliance.

Councillor Woodrooffe queried how PPA's have affected planning applications and what the cost implications were. It was responded that in the last year not all major application had a PPA attached to it, however moving forward the team are expecting a substantial improvement and would push to have PPA's on all major applications.

Resolved

That Regulatory Committee:

1. Note the content of this report, give support and commitment to the Service's performance review and service improvement,
2. Note the changes to arise from process reviews related to agreed savings.

9. Date of Next Meeting

The date of the next Regulatory Committee is 25 October 2016.

COUNCILLOR KATE CRAWFORD (Chair)

The meeting finished at 8.35pm