

**CABINET MEMBER FOR SAFE AND ATTRACTIVE NEIGHBOURHOODS**  
**21st March, 2011**

Present:- Councillor Akhtar (in the Chair); Councillors Goulty and Kaye (Policy Advisors).

**J105. NO. 20 PLEASLEY ROAD, WHISTON**

In accordance with Minute No. 304 of 21<sup>st</sup> March, 2007 and J138 of 15<sup>th</sup> February, 2010, the Director of Housing and Neighbourhood Services submitted a report on the above property which was in need of substantial investment exceeding the current threshold of £20,000.

The property was suffering from major structural problems and did not comply with the Decent Homes Standard due to the refusal of the previous elderly tenant. The estimated cost of work was £45,000.

The report set out the options that had been considered with regard to the property which included:-

Retain and Invest  
Disposal to a Registered Social Landlord  
Demolition  
Open Market Sale

Consultation had taken place with local Ward Members on the options set out above with the option of disposal being supported.

Resolved:- That the disposal of No. 20 Pleasley Road, Whiston, be approved.

**J106. FEES AND CHARGES 2011-12 HOUSING AND NEIGHBOURHOOD SERVICES**

The Director of Housing and Neighbourhood Services submitted a report detailing the proposed 2011/12 fees and charges for Housing and Neighbourhood Services' activities including Animal Health, Food, Health and Safety, Houses in Multiple Occupation, Pest Control, Pollution Control, Stray Dogs and Weights and Measures.

The proposed level of fee and charges reflected both corporate guidance regarding any required increase and also nationally prescribed fee levels/guidance. The Water fees were set in accordance with the charges set by the Health Protection Agency.

The report and associated appendices set out in detail the schedule of proposed 2011/12 fees and charges in particular:-

- Animal Health - approximate 3% increase
- Food, Health and Safety - proposed 3% increase for all chargeable services provided by the Team. The fees for the water samples were set to cover the fees charged by the Health Protection Agency
- Houses in Multiple Occupation - increase to bring in line with the majority of the sub-regional Councils - initial application £750, subsequent applications £500

- Pest Control - proposed increase of 5%
- Pollution Control - new late payment fee of £50 chargeable on invoices that remained unpaid eight weeks after the issue date
- Stray Dog Fees - proposed 7% increase

The Bereavement Services Partnership had commenced on 1<sup>st</sup> August, 2008. The fees charged by Dignity Funerals Ltd. for the bereavement services it provided were reviewed in April each year. The review was currently in progress involving the benchmarking of the proposed fees against those charged by comparable authorities within the region and a comparison against the national average.

Fees for Weights and Measures and Prescribed Poisons were charged for the testing and stamping (verification) of weights and measures used for trade and the sale by retail of certain strong chemicals prescribed by legislation as poisons. Most local authorities set fees in accordance with annual guidance from LG Regulation (formerly LACORS), the remainder tended to have high local demand for verification and offer reduced rates.

Discussion ensued on the proposed charges for Houses in Multiple Occupation. It was felt that the initial application charge should be £720 to coincide with that charged by Sheffield City Council.

Resolved:- (1) That the initial application charge for an House in Multiple Occupation be £720.

(2) That the proposed fees and charges for 2011/12, as set out in the report and as at (1) above, be agreed with effect from 1<sup>st</sup> April, 2011.

#### **J107. FOOD SERVICE PLAN 2011/12**

The Director of Housing and Neighbourhood Services submitted the Food Service Plan for 2010/11 together with the performance of the Food, Health and Safety Team.

The Plan set out the work programme and priorities for the Food, Health and Safety Team taking into account local objectives and Statutory Codes of Practice. The Plan had undergone considerable revision following a Food Standards Agency audit mid-2010 the introduction of more efficient working methods in late 2010.

A grant had been awarded from the Food Standards Agency to deliver Safer Food Better Business coaching for food business operators across South Yorkshire to help them put in place food safety management systems. The project had been delivered in conjunction with the other 3 South Yorkshire authorities and a private sector consultancy and had been very successful.

Resolved:- (1) That the Food Service Plan 2010/11 be noted.

(2) That the performance of the Food, Health and Safety Team be noted.

**J108. FOOD STANDARDS AGENCY AUDIT**

The Director of Housing and Neighbourhood Services reported that the Authority had been the subject of a focussed audit by the Food Standards Agency on 18<sup>th</sup>/19<sup>th</sup> May, 2010. The Agency carried out the audits to improve consumer protection and confidence in relation to food.

The audit assessed the local arrangements that were in place for officer authorisation and training, inspection of food businesses and internal monitoring. Following the audit, the Agency produced a final report that made a number of recommendations:-

**Recommendation 1**

The Authority should ensure that future Food Service Plans were fully in line with the Service Planning Guidance in the Framework Agreement including a reasoned estimation of the staffing resources required to deliver all aspects of its food law enforcement service compared with the staffing resources available to the Authority.

It was found that the Authority had developed a Food Safety Service Plan for 2010/11 which was broadly in line with the Service Planning Guidance in the Framework Agreement. Information would be included in the 2011/12 Plan.

**Recommendation 2**

The Authority should liaise with its Legal Department to ensure that all its officers were suitably authorised under all relevant Food Safety Legislation. Officers' levels of authorisation should be consistent with their qualifications, training and experience, in accordance with the Food Law Code of Practice and centrally issued guidance.

It acknowledged that the Authority had developed a system of identifying officer competency requirements and issuing legal authorisations. A report updating the recent Legislation had been written and authorisations would be amended in accordance.

**Recommendation 3**

The Authority should ensure that food hygiene inspections of establishments in their area were undertaken at a frequency which was not less than that determined under the inspection risk rating system set out in the Food Law Code of Practice or other centrally issued guidance.

Resources would be directed towards those premises that presented the highest level of risk. Staff had committed to delivering 100% of category A, B and C premises.

**Recommendation 4**

The Authority should further review and develop its inspection aides memoire for all types of food establishments in its area to prompt and require officers to record all relevant inspection findings including detailed assessments of establishments' compliance with Legislation related to HACCP and FSMS.

A new aide memoire had been introduced for butchers' premises using exemplar models. Specific sector questionnaires were being developed incorporating information from the aides memoire for the lower rated category E premises. The information recorded on the aides memoire by officers was being monitored.

**Recommendation 5**

The Authority should ensure that observations made and/or data obtained in the course of an inspection/intervention was recorded in such a way the records were retrievable. Determination of legal compliance or any non-compliance should be recorded.

Currently officers recorded the risk rating electronically with the information observed during inspections kept on hard copy files. This would be reviewed when the new Electronic Document Records Management System was installed.

**Recommendation 6**

The Authority should take appropriate action on any non-compliance found during interventions in accordance with the Authority's Enforcement Policy, the Food Law Code of Practice and any centrally issued guidance. All decisions on enforcement should be made following consideration of the Authority's Enforcement Policy. The reasons for any departure from the criteria set out in the Policy should be documented.

The General Enforcement Policy and the South Yorkshire Food Authorities Enforcement Protocol had been reinforced with staff. Actions had been taken to reduce the delay in the issuing of letters following inspection visits. Internal processes, where appropriate, would be streamlined to further reduce unnecessary delay with regard to enforcement action.

**Recommendation 7**

The Authority should implement its new internal monitoring procedures to include qualitative monitoring of all areas of food law enforcement activity and ensure that appropriate records were retained to verify conformance with the Standard and relevant Codes of Practice and centrally issued guidance. Internal monitoring was being undertaken including verification that appropriate action was taken following an inspection/intervention.

It was noted that the Foods Standards Agency was expected to return in May, 2011, in order to assess progress against the action plan.

Resolved:- (1) That the findings of the Food Standards Agency audit, as detailed in the Final Audit Report attached as Appendix A, and the actions undertaken since the publication of the audit report and action plan, be noted.

(2) That the action plan produced in response to the recommendations with respect to meeting the Standard in the Framework Agreement be approved.

**J109. AREA ASSEMBLIES - DEVOLVED BUDGETS**

The Director of Housing and Neighbourhood Services submitted project proposals for the allocation of some unallocated funds/underspend projects for Rotherham North, Wentworth North, Wentworth South and Wentworth Valley Area Assembly devolved budget for 2010/11.

The proposals would enable the delivery of local initiatives which met community priorities as identified in the Area Plans of the Area Assemblies.

Resolved:- That the project proposals to be funded from Area Assemblies Devolved Budgets be approved.

**J110. SAFER ROTHERHAM PARTNERSHIP ANTI-SOCIAL BEHAVIOUR STRATEGY**

The Director of Housing and Neighbourhood Services reported that since the decision was taken to include the above Priority in the Service Plan, there had been significant movement, as a result of the Coalition Government, in Policy and approach in a number of crime and disorder areas.

There had been a number of key drivers introduced that would have a bearing on how crime and disorder in general and anti-social behaviour in particular was addressed by the Police, local authorities and the wider Community Safety Partnership.

Details of the new Home Secretary's direction for anti-social behaviour reform were set out in the report submitted.

A draft Anti-Social Behaviour Strategy had been completed and had been the subject of early consultation. However, in light of the issues highlighted in the report and the uncertainty, it was proposed that the document was not formally adopted until the findings and forthcoming recommendations of the current review of ASB were known. It could be utilised in its current form as an interim operating guidance document.

Resolved:- That the refreshed Safer Rotherham Partnership Anti-Social Behaviour Strategy be approved as an interim operating document pending further direction from Central Government.

**J111. EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 2 of Part I of Schedule 12A to the Local Government Act 1972 (information relating to the financial or business affairs of any person (information likely to reveal the identify of an individual)).

**J112. NEIGHBOURHOOD INVESTMENT SERVICE - STAFFING STRUCTURE**

Further to Minute No. 86 of 13<sup>th</sup> December, 2010, the Director of Housing and Neighbourhood Services submitted, for information, the progress made in reviewing the structure and functions of the Neighbourhood Investment Service and setting out arrangements for a new operating model.

The review of the Service had been set against the background of the financial challenges faced by the Council in particular the loss of external funding and the significant changes taking place within the housing and regeneration environment both nationally and locally.

The review had concluded on 17<sup>th</sup> February, 2011, following 1 month of consultation with the staff in the scope of the review.

Resolved:- (1) That the staffing implications arising from the proposals contained within the report and the timescale for implementation be noted.

(2) That the structural changes set out in the report be noted.