

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

Meeting, Wednesday, 16th September, 2009
at 2.00 p.m. (Committee Room No. 4)

NOTE: Group Meetings at 1.15 p.m.

A G E N D A

PART ONE

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.

3. Admission of Public and Press

To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.

4. Disclosure of Interests.

A Member with a personal interest in a matter to be considered at this meeting must either before the matter is discussed or when the interest becomes apparent disclose

1. ***The existence of that interest to the meeting.***
2. ***The nature of the interest.***
3. ***Decide whether they have a prejudicial interest.***

A note on declaring interests at meetings, which incorporates certain other aspects of the Code of Conduct and a pro-forma for completion where interests are disclosed accompanies the agenda and reports for this meeting.

5. To confirm the Minutes of the meeting held on 29th July, 2009 (copy attached).
6. Apologies for Absence/Attendance of Substitute Members.

FOR DECISION

- (D) 7. Recommendations of the Housing Management Forum, 27th August, 2009.
- (D) 8. Budget Timetable and Assumptions.
- (R) 9. Health and Safety Policy and Management Arrangements.
- (D) 10. Food Safety Service Plan and Food Sampling Programme for 2009/2010.
- (D) 11. Occupational Health and Safety Section Service Plan for 2009/2010.
- (D) 12. Barrow Island ARLFC – Ground Lease.
- (R) 13. Reviewing the Member Development Strategy.

PART TWO

- (R) 14. Technical Support Unit.

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 1 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

**NOTE (D) - Delegated
(R) - For Referral to Council**

Membership of Committee

Councillors Guselli (Chairman)
Williams (Vice-Chairman)
Barlow
J. Hamezeian
Marcus
Millar
Pemberton
Pidduck
Richardson
Stephenson
Waiting.

For queries regarding this agenda, please contact:

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Published: 8th September, 2009

EXECUTIVE COMMITTEE

Meeting: 29th July, 2009
at 2.00 p.m.

PRESENT:- Councillors Guselli (Chairman), Williams (Vice-Chairman), McEwan, Marcus, Millar, Pemberton, Pidduck, Richardson, Solloway and Waiting.

31 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006 – Urgent Item

RESOLVED:- That by reason of the special circumstances outlined below the Chairman is of the opinion that the following item of business not specified on the agenda should be considered at the meeting as a matter of urgency in accordance with Section 100(B)(4)(b) of the Local Government Act 1972.

<u>Item</u>	<u>Reason</u>
Link Road Phase II Main Roadworks Contracts (Minute No. 44)	To enable the Second Phase of the works to commence without unnecessary delay.

32 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act, 1972 the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 (Minute Nos. 42 and 44) of Part One of Schedule 12A of the said Act.

33 – Disclosure of Interests

Councillor Guselli declared a personal interest in Urgent Item – Link Road Phase II Main Roadworks Contract (Minute No. 43). He was a Member of Cumbria County Council. He also declared a personal and prejudicial interest in Agenda Item 12 – Government Response to the Rugg Review of the Private Sector – Consultation (Minute No. 40). He was a Private Sector Landlord. He left the meeting during consideration of the item.

Councillor Marcus declared a personal interest in Urgent Item – Link Road Phase II Main Roadworks Contract (Minute No. 44). He was a Member of Cumbria County Council.

Councillor Waiting declared a personal and prejudicial interest in Urgent Item – Link Road Phase II Main Roadworks Contract (Minute No. 44). He husband works for BAE and was involved in negotiations regarding the Link Road. She left the meeting during consideration of the item.

Councillor Williams declared a personal and prejudicial interest in Agenda Item 12 – Government Response to the Rugg Review of the Private Sector – Consultation (Minute No. 40). He was a Private Sector Landlord. He left the meeting during consideration of the item.

34 – Minutes

The Minutes of the meeting held on 9th July, 2009 were agreed as a correct record, subject to it being noted that £16,667 would be drawn down from Supporting People, Cumbria County Council and not £13,667 (Minute No. 21).

35 – Apologies for Absence/Attendance of Substitute Members

Apologies for absence were received from Councillors Barlow, J. Hamezeian and Stephenson.

Councillors McEwan and Solloway attend the meeting as substitutes for J. Hamezeian and Stephenson respectively.

36 – Early Retirement Panel

RESOLVED:- To note the Minutes of the Early Retirement Panel held on 17th July, 2009.

37 – Appointment on Outside Bodies, Panels, Working Parties etc.

The Director of Corporate Services informed the Committee that Councillor Heath had indicated that she no longer wanted to be the Council's representative on the Health and Wellbeing Scrutiny Committee as she was unable to fit it in with being on Cumbria County Council.

It was also reported that Councillor Dawes and Wood had been appointed as substitutes to the Health Scrutiny Cross Party Working Group, however, they were not required as substitutes on that Group but were now required as substitutes on Cumbria Health and Wellbeing Scrutiny Committee.

He also reminded the Committee that at Council on 21st July, 2009 it had agreed the allocation of seats on Outside Bodies, the number of seats and allocations in respect of Forums, Panels and Working Groups etc. in accordance with proportionality.

In accordance with proportionality the Conservative Group would lose two seats and the Independent Group would gain two seats. The Conservative Group would lose a seat on the Health and Safety Joint Sub-Committee and Wildlife and Countryside Advisory Committee.

The next meeting of the Wildlife and Countryside Advisory Committee was scheduled to take place on Friday 4th September, 2009 before the next meeting of the Committee.

Also the Conservative Group had requested that Councillor Flitcroft replaced Councillor Marcus on the Member Training Working Group.

RESOLVED:- (i) To agree to appoint Councillor Dawes as the Council's representative on the Cumbria Health and Wellbeing Scrutiny Committee;

(ii) To agree to appoint Councillor Wood and one Conservative Member as substitute members of the Health and Wellbeing Scrutiny Committee;

(iii) To agree to appoint Councillor Bell to the Health and Safety Joint Sub-Committee and Councillor Solloway (Independent Members) to the Wildlife and Countryside Advisory Committee as replacements for Councillor Bell (former Conservative Member) and Councillor Unwin respectively; and

(iv) To agree that Councillor Flitcroft replaced Councillor Marcus on the Member Training Working Group.

38 – Annual Treasury Report 2008-09

The Borough Treasurer reported that the Council's Treasury Strategy and Policy required the annual reporting of treasury activities for the previous financial year. He informed the Committee that the Council had complied with all the agreed limits and indicators for the year ended 31st March, 2009.

The Committee considered the full details of all treasury activities for the year.

RESOLVED:- (i) To approve the actual 2008-09 Prudential Indicators within the report; and

(ii) To note the Treasury Management Stewardship Report for 2008-09.

39 – Council Finances Report – Quarter 1 2009-10

The Committee considered a detailed report of the Borough Treasurer regarding financial information for the first quarter of the financial year. It contained summary information and key data for the General Fund, Treasury Management, Capital Expenditure and Financing, Housing Revenue Account, Collection Fund, Bad Debt

Provisions and Write Offs, Reserves, Balances and Provisions and Benefits Performance.

RESOLVED:- To note the information contained in the Council Finances Report – Quarter 1 2009-2010.

In the absence of the Chairman and Vice-Chairman due to prejudicial interest, nominations were requested for the appointment of Chairman for the next item only.

It was agreed that Councillor Richardson be appointed Chairman for the under-mentioned item only (Minute No.40).

COUNCILLOR RICHARDSON IN THE CHAIR (for this item only)

40 – Government Response to the Rugg Review of the Private Rented Sector – Consultation

The Director of Regeneration and Community Services submitted a detailed report to the Committee on the Government Response to the Rugg Review of the Private Sector Rented Sector – Consultation.

He informed the Committee that the Government had produced a response on the earlier Rugg Review of the private rented sector, and was consulting on that response. The report invited the Committee to endorse a formal response to the consultation contained in Section 4 of the report.

RESOLVED:- (i) To note the report; and

(ii) To endorse the proposed response to the consultation contained in Section 4 of the report.

41 – Refuse Collection and Recycling Services – Performance Report – Quarter 1 2009/10

The Director of Regeneration and Community Services reminded the Committee that significant changes had been made to the refuse collection and recycling services during April and May 2009 in order to provide the opportunity for residents to increase the rate at which domestic waste was recycled. Following the conclusion of the changes it was reported that the percentage of waste recycled in the first quarter of 2009/10 was 37.3% made up of 29.5% in April, 40% in May and 43.9% in June.

Total tonnage of recycled materials had increased by 33% compared to the same period last year and the tonnage of residual waste had reduced by 30%.

The weight of dry recycling had increased month on month since the introduction of the new services and over 1000 tonnes of recyclates had been collected in June

compared to the 6700 tonnes of recyclates collected during the whole of 2008/09. The weight of card and plastic had increased from 61 tonnes in the first quarter of 2008/09 to 342 tonnes in the first quarter of the year.

Green waste was up by 12% on 2008/09 and because this was seasonal would likely see a reduction in total recycling in quarters 3 and 4.

The weights of recyclates collected in the first quarter and a comparison with the same period in 2008/09 was considered by the Committee.

To assess resident's response to the new plastic/card recycling service a participation survey had been undertaken over a two week period in June. The number of red bags presented for collection were counted and compared with the total number of households receiving the service. In the first week 68% of households had presented a red bag and in the second week 72%. In some areas 100% of properties had presented red bags and in others it was as low as 20%. It was proposed that the Council's Recycling Officer and Cumbria County Council Recycling Rangers would now focus on the low participation areas to support people with their recycling.

RESOLVED:- To note the report and agree that further reports for Quarters 2-4 be presented to the Regeneration and Community Services Overview and Scrutiny Committee.

42 – 104 Abbey Road Phase I – External Repairs

The Director of Regeneration and Community Services report sought approval to award the Contract for the external repairs of 104 Abbey Road Phase I to Askins and Little. The project would take place in advance of the main works to the inside of the building.

RESOLVED:- To appoint Askins and Little Ltd to carry out the External Repairs to 104 Abbey Road.

REFERRED ITEMS

THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION

43 – War Pensions – Benefits Disregard Determination

The Borough Treasurer submitted a report seeking approval for maintaining the award of full disregard, both local and government, for war pensions for the financial year 2009/10.

War pensions included war disablement pension, war widow/er pension, and special war widows supplementary 1973.

All were disregarded in full if the claimant or partner was over 60, without any local disregard.

He informed the Committee that the number of claims processed in 2008-09 was 35, at a cost of £29,238 of which 75% qualified for government subsidy. The net cost to the Council was £7,310. The table below indicated the split amongst the various types of claimants:-

	Gross Cost (£)	Net Cost to Council (£)
Council tenants	6,700	1,675
Private tenants	11,823	2,956
Council Tax claimants	10,715	2,679
Total	29,238	7,310

RECOMMENDED:- To recommend the Council to agree to the continuance of awarding the full disregard for War Pensions for the financial year 2009-2010.

44 – Link Road Phase II Main Roadworks Contract

The Director of Regeneration and Community Services informed the Committee that in order to commence the second phase of the Link Road before January 2010, the Council would need to act as Employer for the contract. Award of the contract to Askam Construction Ltd, being the lowest tenderer was recommended.

£3,000,000 of North West Development Agency (NWDA) funding had been secured by the Council to progress Phase II and complete the Link Road project, which had been included in the County Council's Transport Capital Programme with a further contribution of £500,000 to the overall cost of Phase II in 2009/10.

NWDA had pointed out that with the Council acting as Applicant for the funding; ideally the Council should act as the Employer for the construction contract. The County Council had confirmed they were content for the Council to undertake the works on behalf of the Highway Authority through a signed agreement between the two authorities. Future regeneration works within the existing Highway could also be delivered in that way, working in partnership with Cumbria County Council. No costs/fees would, therefore, be payable to Cumbria County Council under the proposed agreement.

The other option to deliver the scheme was for Cumbria County Council to act as employer. However, Officers had confirmed that would require Cabinet approval and delay the project start until January 2010 as Tesco had indicated, as part of the discussion on land dedications, that they wanted the initial phase of the works (main drainage and roundabout construction) to be completed by the middle of November to minimise disruption in the period up to Christmas. Such a delayed start would also cause difficulty in achieving the spend profile required for the NWDA Funding.

Land dedication agreements, necessary to deliver the project, were being progressed towards completion with two of the four landowners Tesco Stores Ltd and BAE Systems. Purchase of the land in the ownership of TB Brady had been completed in March 2009, and the land owned by Associated British Ports would also be purchased this summer to ensure that the road could be constructed in 2009.

Tenders for the Link Road Phase II had been received and opened by Cumbria County Council on Friday 12th June 2009 were considered by the Committee.

The main works were programmed to last approximately twenty six weeks.

He informed the Committee that the appointment process was unusual in that up to this point the contract had been dealt with under County Council Procedures, but the appointment of the contractor and implementation of the Contract would proceed under the Council Contract Standing Orders. The elements dealt with by Cumbria County Council to date covered Contract Standing Orders 7 (Standing Approved List), 8 (Number of Tenderers or Invitees), 9 (Form of Invitation to Tender and Submission of Tenders), 11 (Opening of Tenders) and 12 (Alterations to Tenders). The unusual nature of the appointment should be reflected (for audit purposes) in the suspension of the relevant Contract Standing Orders.

As the contract value was in excess of £1M, the appointment required approval of Council. As the next scheduled meeting of Council was not until 13th October, and in view of the timescales for commencing the works, the Chairman of Council had agreed to convene a special meeting of Council to consider the recommendations on appointment of a contractor. That would be held on 7th August 2009.

RECOMMENDED:- To recommend the Council:-

- (i) To agree to suspend the relevant Contract Standing Orders;
- (ii) To appoint Askam Construction Ltd as the main roadworks contractor for Link Road Phase II; and
- (iii) To agree to delegate signature of the agreement with Cumbria County Council for Barrow Borough Council to undertake the works to the Director of Regeneration and Community Services and the Chairman of the Executive Committee.

The meeting closed at 3.05 p.m.

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

16th September, 2009

(D)/(R) AGENDA ITEM NO. 7

RECOMMENDATIONS

OF THE

HOUSING MANAGEMENT FORUM

27th August, 2009

***Subject to the protocol agreed by Council**

The recommendations of the meeting of the Housing Management Forum held on 27th August, 2009 are attached.

COPIES OF THE DETAILED REPORTS ON THESE ITEMS HAVE BEEN CIRCULATED PREVIOUSLY TO ALL MEMBERS OF THE COUNCIL.

The Council has agreed that the following protocol should operate:-

- The Executive Committee shall automatically agree any such recommendation or refer it back for further consideration.
- If on re-submission the Executive Committee is still unwilling to approve the recommendation, it is automatically referred to full Council for decision.

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 27th August, 2009	(i)
Reporting Officer: Chief Executive	
<p>Title: Appointment of Representatives to Working Groups etc.</p> <p>Summary and Conclusions:</p> <p>Following the resignation of Councillor Bell from the Conservative Group, the report requested that a Member of the Conservative Group withdraw their membership from the Homelink Service Review Group, in accordance with proportionality rules as agreed by Council on 21st July, 2009.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> (i) That Councillor Dawes withdraws her membership from the Homelink Service Review Group; and (ii) As the Homelink Service Review Group has only met on an ad hoc basis, usually to deal with a single issue, and with the tenant and member representatives being the same as the Tenant's Compact Working Party, it would be more expedient for any matters which would have been previously dealt with at the Homelink Service Review Group to be considered by the Tenant Compact Working Party. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 27th August, 2009	(ii)
Reporting Officer: Housing Manager	
<p>Title: Homelink Services</p> <p>Summary and Conclusions:</p> <p>The purpose of the Housing Manager's report was to advise Members of the outcome of the recent equipment upgrade programme. Having completed the review, there had been a reduction in the number of clients receiving the Homelink service. This had, in turn, had a detrimental impact on the income and resulted in the deficit for running the service. This deficit posed a significant risk to the Housing Revenue Account and the Housing Manager suggested a review of the Homeless services required to mitigate this risk.</p> <p>Recommendation:</p> <p>That the Homelink Working Party (or the Tenant Compact Working Party, if recommendation (i) above is agreed) reviews further the contents of the Housing Manager's report and to develop proposals to mitigate the risks identified to the Housing Revenue Account.</p>	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 27th August, 2009	(iii)
Reporting Officer: Housing Manager	
Title: Tenants' Forum Constitution	
Summary and Conclusions:	
The purpose of the Housing Manager's report was to review the current constitution of the Tenants' Forum as agreed at the Housing Management Forum on 25 th June, 2009.	
Recommendations:	
That the current Tenants' Forum Constitution be noted and agreed.	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 27th August, 2009	(iv)
Reporting Officer: Housing Manager	
Title: Mobile Caretaker Unit	
Summary and Conclusions:	
The purpose of the Housing Manager's report was to consider an approach by Accent Housing Association to purchase the services of the Mobile Caretaker Unit on an ad hoc basis.	
Recommendations:	
That Members agree that the Mobile Caretaker Unit provide general estate management services to Accent Housing Association on an ad hoc basis when time allows and that full costs of the services be recovered from the Association, on the proviso that the Council's services are not affected.	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 27th August, 2009	(v)
Reporting Officer: Housing Manager	
<p>Title: 34 Fenton Street, Barrow-in-Furness – 2 bedroomed house</p> <p>Summary and Conclusions:</p> <p>The Housing Manager submitted a report which requested members to consider the future use of this miscellaneous property. It was currently leased to Project John, but now required remedial work to remedy serious damp problems. The Housing Manger suggested offering the property for sale on the open market.</p> <p>Recommendations:</p> <p>That Members agree to:</p> <ul style="list-style-type: none"> (i) Retain the property, 34 Fenton Street, Barrow-in-Furness; (ii) Carry out the repairs to remedy the serious damp problems; (iii) Review and agree an appropriate rental charge with Project John in consultation with the Chairmen of the Housing Management Forum; and (iv) The Housing Manager to ensure that any miscellaneous properties are included within the Planned Maintenance Programme and that he reports back to a future meeting of the Forum detailing the miscellaneous properties still owned by the Housing Service. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 27th August, 2009	(vi)
Reporting Officer: Housing Manager	
<p>Title: Consultation: Reform of Council Housing Finance</p> <p>Summary and Conclusions:</p> <p>The purpose of the Housing Manager's report was to present Members with a copy of the recently issued consultation paper with regard to the future financial framework for Council housing.</p> <p>Recommendations:</p> <p>That Members agree to:</p> <ul style="list-style-type: none"> (i) Note the content of the consultation paper; (ii) The Housing Manager, in consultation with the Borough Treasurer, draft a suitable response to be agreed with the Chair of Housing and the Chair of this Forum by the close of the consultation period; and (iii) Ask the Borough Treasurer to provide information as to the amount of debt owed by this Council appertaining to the provision of the Council Housing Service. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 27th August, 2009	(vii)
Reporting Officer: Housing Manager	
<p>Title: Choice Based Lettings</p> <p>Summary and Conclusions:</p> <p>The purpose of the Housing Manager's report was to agree that a formal bid be submitted to the Department for Communities and Local Government (CLG) for funding to assist Barrow in participating in the Cumbria Choice Based Lettings (CBL) Scheme.</p> <p>Recommendations:</p> <p>That Members agree that:</p> <ul style="list-style-type: none"> (i) The Housing Manager be authorised to complete and submit the bid by 9th October, 2009; (ii) A sum of £15,000 be identified from the operating balances in the HRA for 2009/10 in order to contribute to the capital cost of the Project; and (iii) The likely ongoing revenue costs for the scheme be noted. 	

EXECUTIVE COMMITTEE	(D) Agenda Item 8
Date of Meeting: 16th September, 2009	
Reporting Officer: Borough Treasurer	
Title: Budget Timetable and Assumptions 2010-2011	
Summary and Conclusions:	
This report sets out the planned timetable and assumptions to be used in preparing the budget for 2010-2011.	
Recommendations:	
Members are asked to agree the timetable and approve the assumptions to be used for setting the budget for 2010-2011.	

Report

Preparation of the budget for the financial year 2010-2011 will be starting shortly. Members are aware that the Council Tax for the new financial year must be set before the end of February 2010.

In setting the budget a number of assumptions are adopted. For 2010-2011, I recommend that the following factors are applied:

- Staff budget prepared on full establishment
- Staff pay awards 1%
- Employers pension contributions 25%
- Employers national insurance rate contribution 7.25%
- Utilities at prevailing rates
- Business rates 4%
- Insurance premiums at tender rates
- Contracts according to agreed indexation
- All other heads of expenditure and income 0%
- Interest rates on borrowing 4.2%
- Interest rate on investments 1%
- Increase in fees and charges to be considered individually

These assumptions will also be used for the medium term financial plan.

The process will require members input on the following dates:

Housing Forum consultation on the HRA	21 st January 2010
Joint Board consultation on all budgets	22 nd January 2010
Executive Committee to approve the budget proposals	27 th January 2010
Special Joint meeting of the scrutiny committees	10 th February 2010
Special Council to set the budget and Council Tax	26 th February 2010

There will also be a public consultation exercise planned for the 1st February 2010.

(i) Legal Implications

Statutory requirements to set the budget and Council Tax.

(ii) Financial Implications

The level of assumptions will impact on the budget requirement.

(iii) Health and Safety Implications

None

(iv) Key Priorities or Corporate Aims

The key priorities are a major consideration in the budget setting process.

(v) Risk Assessment

The assumptions have been assessed using previous trends and current relevant information.

(vi) Equal Opportunities

None

Background Papers

Nil

EXECUTIVE COMMITTEE	(R) Agenda Item 9
Date of Meeting: 16th September, 2009	
Reporting Officer: Director of Corporate Services	
Title: Health and Safety Policy and Management Arrangements	
Summary and Conclusions:	
A review of the Council's Health and Safety Policy	
Recommendation:	
To recommend the Council:-	
<ol style="list-style-type: none">1. To note the updates and improvements to Health and Safety within the Council; and2. To adopt this as the Council's Health and Safety Policy.	

Report

1. Background

The Council's Health and Safety Policy Statement is a comprehensive document comprising the diverse Health and Safety Policies that the Council adheres to. It includes Management arrangements for the regulation and monitoring of Health and Safety within the Council.

This document is reviewed periodically with the last comprehensive review being in 2003.

This Policy Statement contains various amendments including new responsibilities for Elected Members, Directors, Managers, Supervisors and Employees. It also introduces a new Health and Safety Management System with emphasis on individual and corporate responsibility for Health and Safety.

It also covers responsibilities placed on employers by new legislation including the Corporate Manslaughter and Homicide Act 2007; and the Health and Safety Offences Act 2008.

A copy of the Health and Safety Policy and Management Arrangements is attached at **Appendix 1**.

(i) Legal Implications

The Council has a statutory responsibility for Health and Safety. This review now covers legislation passed since the last policy review.

(ii) Risk Assessment

This review follows a risk audit of the Council's Health and Safety Policies

(iii) Financial Implications

None

(iv) Health and Safety Implications

A comprehensive update of the Council's Health and Safety Policies.

(iv) Key Priorities or Corporate Aims

KP5: Improve effectiveness and efficiency of the Council.

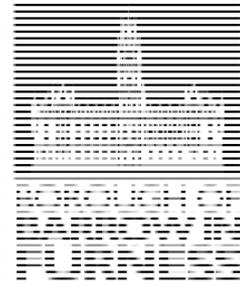
(vi) Equal Opportunities

The review has included consultation with Safety Representatives and the Health and Safety Management Board.

Background Papers

None.

Barrow Borough Council



HEALTH & SAFETY POLICY AND MANAGEMENT ARRANGEMENTS

Author:	A. Buck	
Approved by:	Health & Safety Management Board	
Version:	V3	
Approval date:	06/05/09	
Review date:	06/05/12	
Version history	Approved	Reasons/comments
V3	06/05/09	Reviewed
V2	May 2003	Reviewed
V1	1999	

Contents

Introduction	1
Health and Safety Policy Statement	2
The Health & Safety Management System	3
Core objectives of the Health & Safety Management System	4
Management and Committee Structures	6
Document hierarchy	7
Management hierarchy	8
Responsibilities for Health & Safety	10

Introduction

This document describes the Health and Safety Management System and responsibilities to deliver the Council's commitments on Health and Safety. These commitments are set out in the Health and Safety Policy Statement signed by the Chief Executive and the Leader of the Council.

Health and Safety is the responsibility of all employees and it is therefore essential that the contents of this document are understood and followed by all employees, whether director, manager, supervisor or employee.

We all have a contribution to, and an involvement in health and safety. We have a responsibility for ourselves, each other and anybody else affected by our decisions, actions or omissions. If we take ownership of any defects that we see or are brought to our attention, not just those within our own jobs, we will be looking out for each other and our organisation.

Copies of this document can be made available to relevant authorities, customers, suppliers and contractors as a means of demonstrating our commitment to health and safety and ability to manage health and safety risk effectively.

Ola Oduwole
Director of Corporate Services
Health and Safety Management Lead Officer

Health and Safety Policy Statement

The Council exists to enhance the economic and social future of the Borough and to meet the needs and aspirations of the community. Health and safety is integral to this vision and our performance.

We have the ultimate responsibility for the delivery of health and safety within the Council. We are not satisfied with mere compliance with the law – we aspire to the best practice.

Health and safety must be integrated into our everyday responsibilities and activities and dealt with in a proportionate manner. Where there are unacceptable risks their resolution will take the highest priority.

We will lead by example, and expect all directors and managers to do the same, to ensure competence, provide adequate resources, and promote the right attitudes, initiatives and behaviours to encourage a positive culture where everyone is aware of their individual responsibilities and is actively engaged and committed to improving standards of health and safety.

A competent and committed management together with staff involvement will underpin all our health and safety values. This will ensure the achievement of a safe and healthy working environment and continual and effective improvement of health and safety performance.

The Health & safety management system, core objectives, management and committee structures and responsibilities detailed below provide the framework for managing health and safety in our Council. Its success depends upon everyone taking personal responsibility for their actions and giving their support and commitment to health and safety as an integral part of our overall service delivery.

Tom Campbell
Chief Executive
Date:

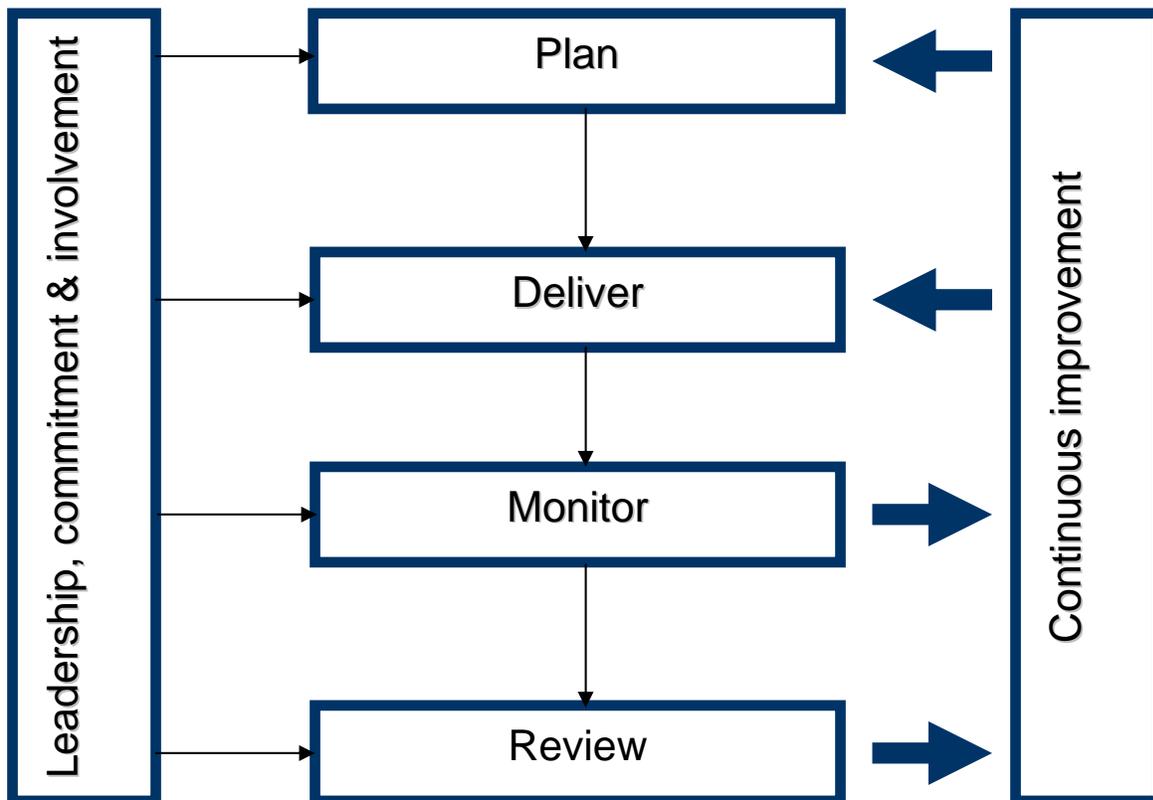
Jack Richardson
Leader of the Council
Date:

The Health & Safety Management System

The means to achieve the required health and safety performance is provided by our Health and Safety Management System (H&SMS) and related standards and procedures.

Our H&SMS draws on the elements of occupational health and safety management system, OHSAS 18001, the Health and Safety Executive's guidance: 'Successful health and safety management' (HSG65) and the Health and Safety Commission's guidance: 'Leading health and safety at work' (INDG417).

The Health & Safety Management Board will drive the implementation of the H&SMS. The diagram below illustrates how a competent and committed management together with staff involvement will underpin the system and ensure continuous improvement in health and safety performance.



Core objectives of the health & safety management system

Element	Core objectives
LEADERSHIP, COMMITMENT & INVOLVEMENT	<ul style="list-style-type: none">• Produce a Policy and management statement that establishes an overall sense of direction and sets the principles of action, objectives, responsibility and performance required throughout the Council.• Create a positive safety culture by top down, visible leadership and commitment to establish and improve all elements of the Health & Safety Management System.• Ensure that roles, responsibilities and authorities are defined, documented, communicated, understood and monitored.• Ensure that duty holders take responsibility for, and are accountable for their actions.• Ensure that adequate resources are provided to enable H&S tasks to be performed.• Create and maintain effective management, communication and consultation systems and structures.• Integrate good health and safety management with business decisions.• Support employees in developing 'grass roots' initiatives.
PLAN	<ul style="list-style-type: none">• Adopt a planned and systematic approach to continually improve performance.• Establish, throughout the organisation, measurable H&S objectives to enable the H&S Policy to be achieved.• Develop effective health & safety policies which set a clear direction for the organisation to follow and contribute to all aspects of business performance as part of a demonstrable commitment to continuous improvement.
DELIVER	<ul style="list-style-type: none">• Ensure effective, competent, trained and resourced managers, employees and contractors.• Have a total appreciation of all significant H&S hazards after using the processes of hazard identification, risk assessment and risk control.• Determine and apply effective and proportionate strategies and control measures to control risks, defining standards and maintaining documented procedures.• Be aware of and understand how its activities are, or will be, affected by relevant legal and other requirements, and to communicate this to relevant personnel.• Obtain competent health & safety advice.• Involve staff and their representatives in decisions that affect their health & safety so they are motivated and empowered to work safely and to protect their long term health.• Identify and effectively control all documents and data critical to the operation of the H&S management system and the performance of H&S activities.• Have effective procedures for reporting and evaluating/investigating accidents, incidents and non-compliance. The prime purpose being to prevent further occurrence by identifying and dealing with the root cause(s).

MONITOR

- Identify key performance parameters for its H&S performance across all its activities and establish and maintain procedures to measure and monitor H&S performance on a regular basis.
- Wherever possible, allow the people doing the job to set performance standards.
- Establish and maintain internal and external audit programmes to determine whether the H&SMS has been properly implemented and maintained, and is effective in meeting the stated policy and objectives.
- Establish and maintain effective appraisals of individual and team performance.

REVIEW

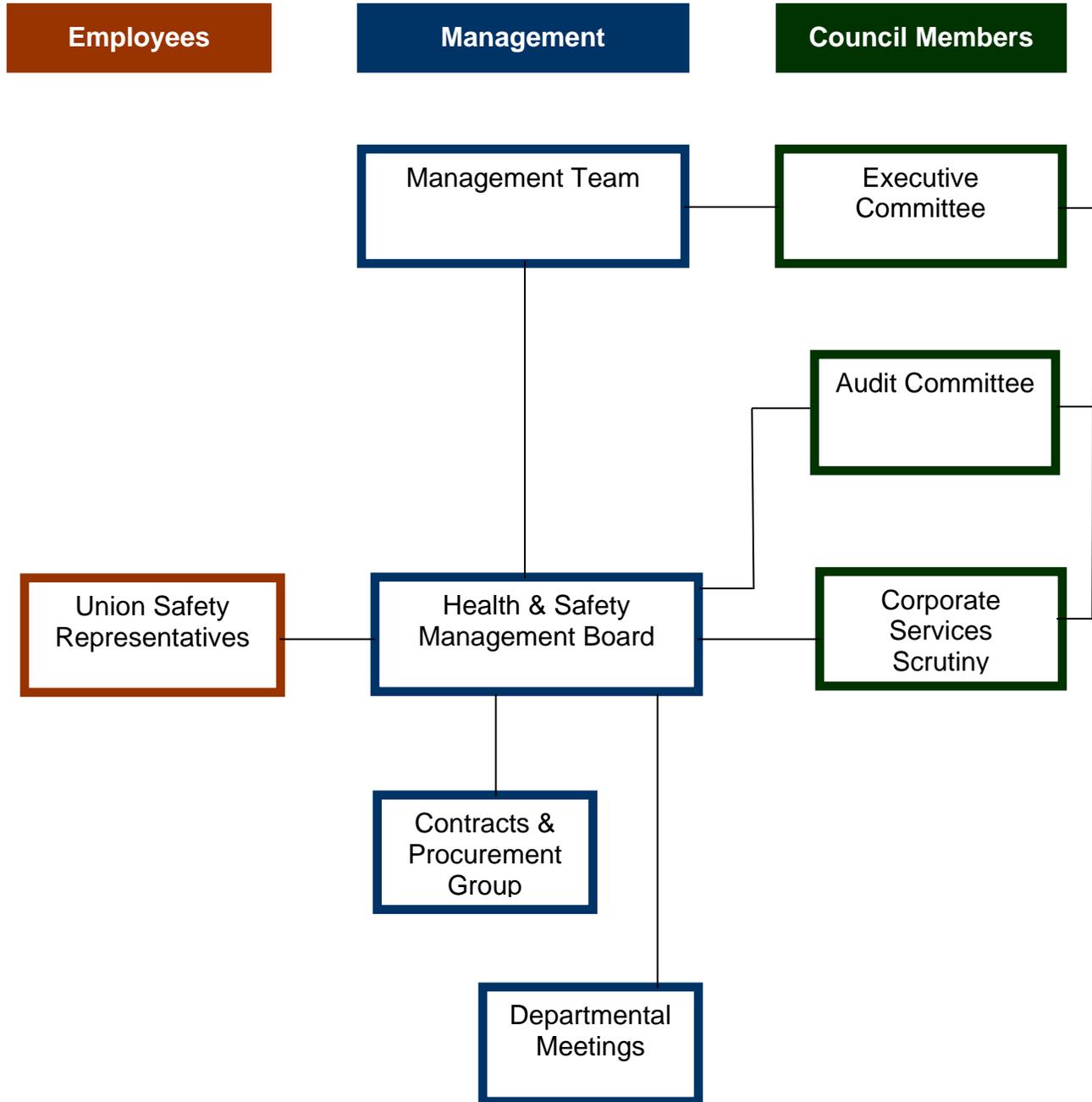
- Review the operation of the H&S Policy and management system at least annually to assess whether it is being fully implemented and remains suitable for achieving the Council's stated H&S policy and objectives.
- Instigate appropriate audits of the management system to ensure it remains fit for purpose in achieving the Council's stated H&S policy and objectives.
- Making any changes necessary to the system for its continued effectiveness.

CONTINUOUS IMPROVEMENT

- Learn from all relevant experience and applying the lessons.

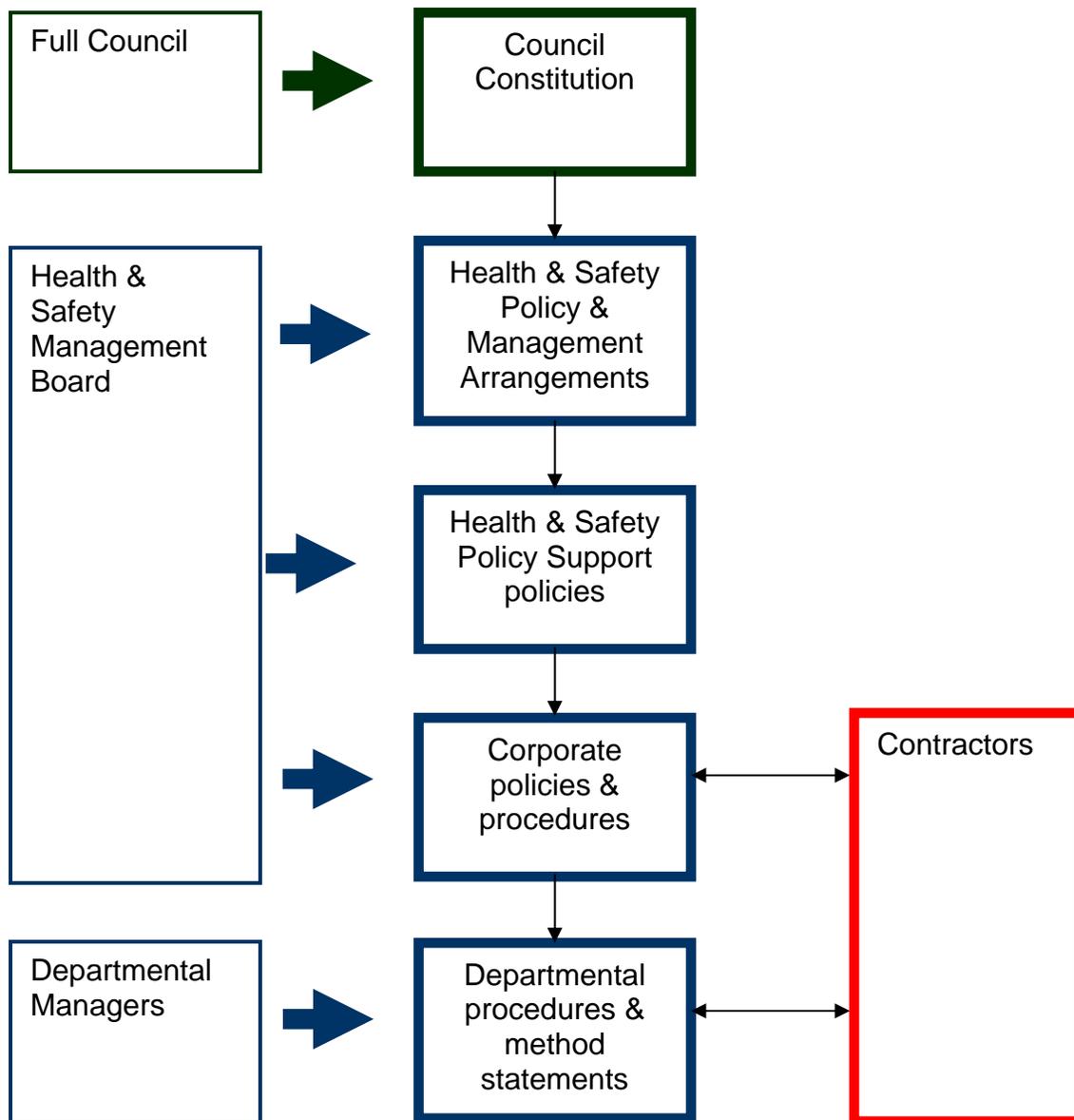
Management and Committee Structures

Health & safety is coordinated through a framework of meetings at senior management and departmental levels. These are linked to Council and employee committees.



Document hierarchy

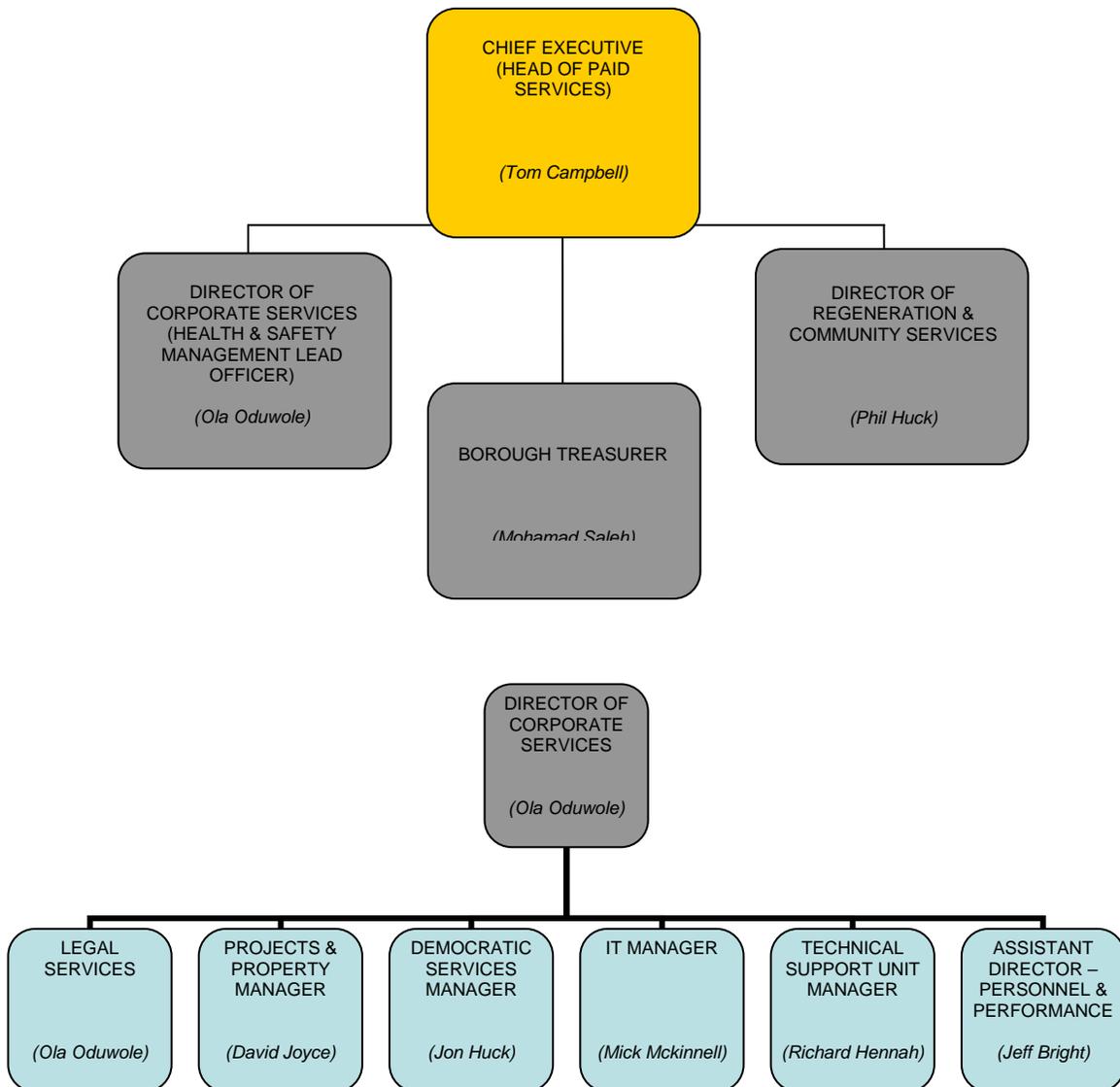
Diagram showing the hierarchical relationship of health & safety documentation and who draws up the various elements.

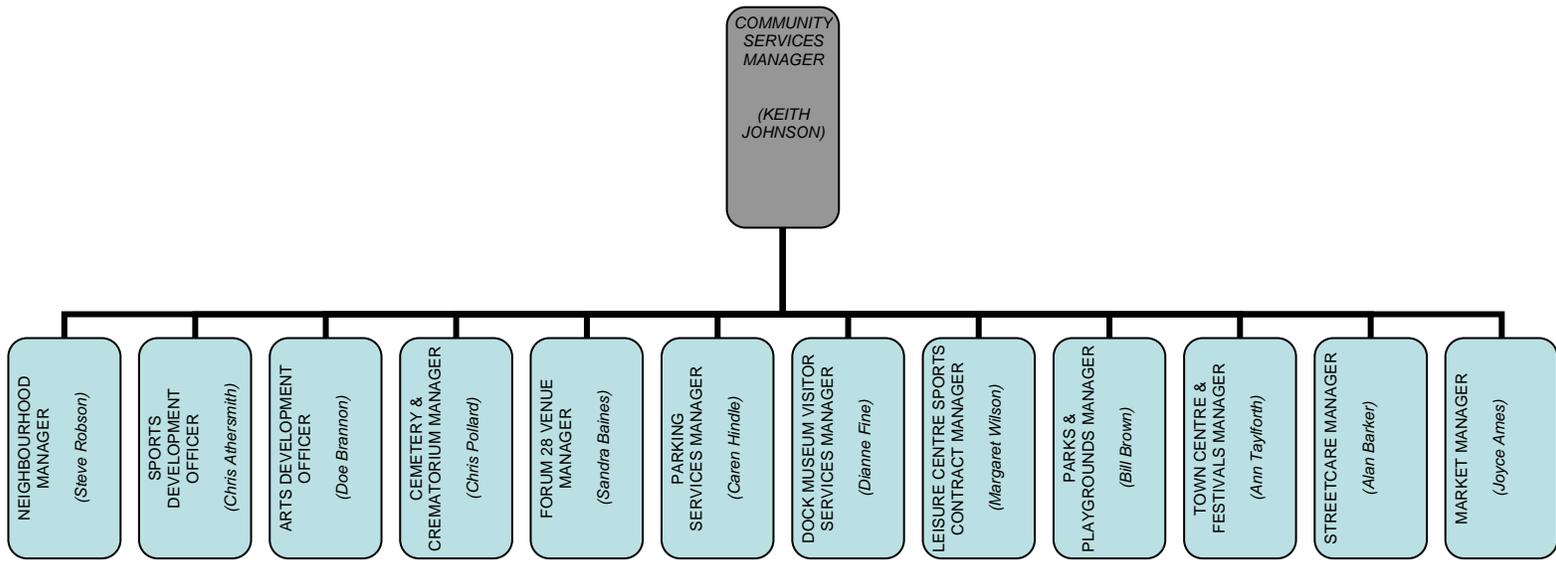
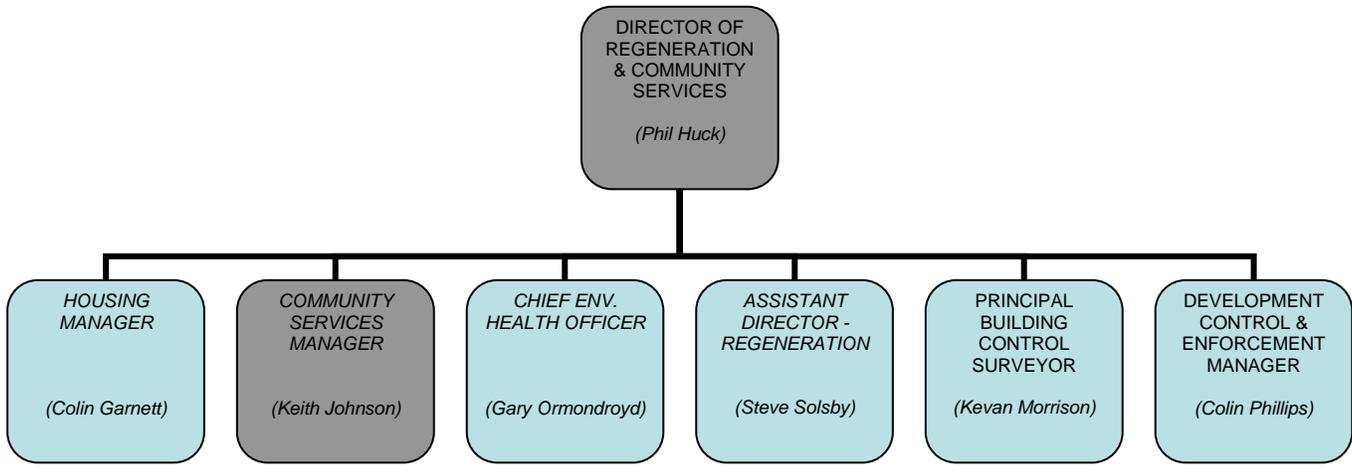
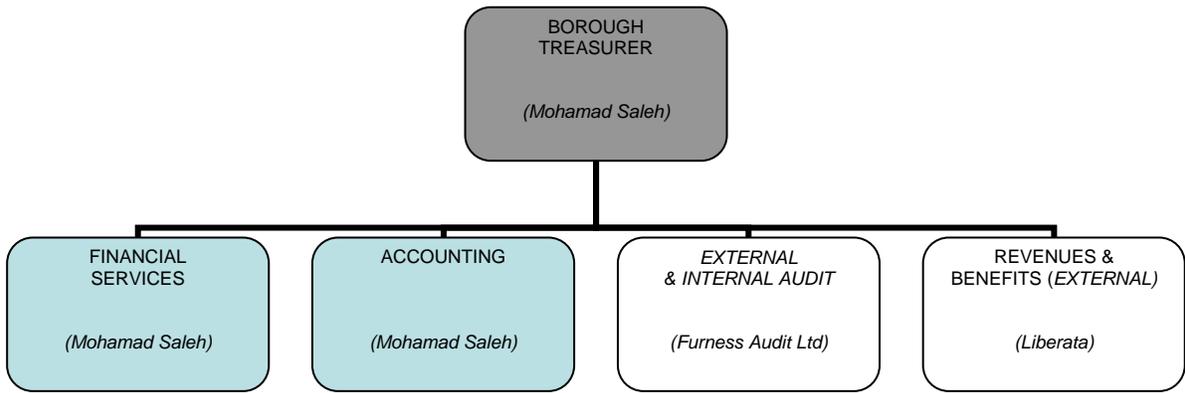


Management hierarchy

The diagrams below show the hierarchy of health & safety responsibilities within the Council. These are consistent with normal line management hierarchy. The colour coding indicates the corresponding level of responsibility as follows:

Gold Chief executive
Silver Director
Blue Manager





Responsibilities for Health & Safety

It is fundamental for the effective implementation of the Council's Health and Safety Policy and management arrangements that everyone is aware of their own and others responsibilities and that they take personal responsibility for, and are accountable for, their actions in all matters affecting health and safety.

This section sets out the broad responsibilities of members and all persons employed by the Council. These responsibilities are further defined in health and safety procedures issued through the Health & Safety Management Board.

The Council

The Council has general duties and responsibilities as an "employer" under the Health and Safety at Work etc Act, 1974, and related legislation and have responsibility for their decisions that may affect health and safety.

In order to meet these responsibilities, the full Council will ensure that:

- There is in place an effective safety policy and management system that ensures the assessment of risks and the effective planning, organisation, control, monitoring, audit and review of the preventative and protective measures necessary to control risks
- There is visible leadership to develop a positive attitude to health and safety among employees
- There is demonstrable commitment to achieving a high standard of health and safety performance and ensuring that health and safety is an integral part of the overall management culture
- Public reporting of health and safety performance is an integral part of the Council's approach to managing health & safety
- The Chief Executive meets his responsibilities for safety, health and welfare via appropriate appraisals and performance reviews
- Adequate resources are directed towards achieving these objectives
- Appoint a health & safety spokesperson from lead and opposition parties to be members of the Health & Safety Management Board

Elected Members

All elected Council Members have individual and collective responsibility to keep themselves updated on the Council's Health and Safety policy and to ensure that this is monitored and implemented through the appropriate council committees, and will:

- Take personal responsibility for their own actions and decisions
- Co-operate with the Council so that the Council can comply with its duty of care
- Follow procedures and safe systems of work designed for their protection
- Not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare
- Report any unsafe practice/situation/condition, ineffective procedure, accident, dangerous occurrence or near miss to the relevant manager or other appropriate person

Chief Executive

The Chief Executive has ultimate responsibility for the delivery of health and safety and welfare within the Council and will:

- Provide visible leadership to developing a positive attitude to health and safety and acceptance of personal responsibility among employees by visibly demonstrating his own commitment to achieving a high standard of health and safety performance
- Ensure that health and safety is an integral part of the overall management culture in which health and safety objectives are regarded as linked to other business goals
- Ensure that adequate resources are made available to enable the Council policy to be implemented
- Appoint a competent person to assist the Council to apply the provisions of health and safety legislation
- Ensure the establishment and maintenance of an effective and appropriate management system that ensures the assessment of risks and the effective planning, organisation, control, monitoring, review and audit of the preventative and protective measures necessary to control the risks
- Ensure the establishment and maintenance of a rolling action plan to review policies and procedures
- Ensure that health & safety performance is publicly reported
- Ensure that Directors and managers meet their responsibilities for safety, health and welfare

Health & Safety Management Lead Officer

The Director of Corporate Services is nominated to act as the Health & Safety Champion and will:

- Act as a focal point to advise on and embed best health & safety practice within the Management Team
- Champion and promote health & safety amongst Council officers, employees and Members, and build and coordinate relationships to achieve this
- Represent senior management by chairing relevant H&S working groups
- Ensure director health & safety competencies
- Ensure appropriate Member and Member health & safety spokesperson training

Directors

Directors have overall responsibility for the effective implementation of this policy within their Directorate and will:

- Provide personal leadership in attaining health & safety objectives
- Ensure that health and safety is an integral part of the overall Directorate management culture and develop a positive attitude to health and safety among employees by visibly demonstrating commitment to achieving a high standard of health and safety performance
- Implement health and safety management systems within their Directorate which will ensure the assessment of risk; and the effective planning, organisation, control, monitoring, review and auditing of the preventative and protective measures necessary to eliminate or control those risks
- Ensure that managers meet their responsibilities for safety, health and welfare
- Ensure that health and safety responsibilities throughout their directorates are delegated to competent, authorised, resourced and trained persons and that these responsibilities are properly assigned, accepted, clearly understood, fulfilled and monitored
- Ensure that responsibilities for managing operational and non-operational premises are clearly defined, properly assigned, clearly understood, and accepted
- Inform the Health & Safety Management Board of any proposed structural alterations, workplace re-organisation, changes in work equipment, staffing levels or work practice likely to have implications for the health, safety or welfare of employees

Managers

Managers are responsible for health, safety and welfare performance within their departments and control, whether it relates directly to the activities of the Council or to contractors working on its behalf. Managers will:

- Provide personal leadership in promoting a positive health and safety culture in which employees are engaged, developed and supported in taking initiatives in health and safety, and can make suggestions for improvement
- Visibly demonstrate commitment to achieving a high standard of health and safety performance
- Ensure that hazards are identified and risk assessments are effectively carried out, recorded and acted upon
- Ensure that any preventative and corrective measures, including written safety procedures, identified by risk assessments are implemented, recorded and monitored as necessary
- Ensure that all staff within their department, and any other persons under their control or responsibility, are provided with the necessary information, instruction, training, supervision and equipment to carry out their work without risk to themselves or others
- Ensure effective downward and upward communication of health & safety information, matters and concerns within their department, referring any significant health & safety concerns that cannot be resolved within their department to the Health & Safety Management Board
- Effectively engage with, and involve, staff and their representatives on health and safety matters, and in particular when carrying out risk assessments
- Ensure that responsibilities are delegated to competent, authorised, resourced and trained persons and that these responsibilities are properly assigned, clearly understood, accepted, fulfilled and monitored
- Ensure that supervisors and employees meet their responsibilities for safety, health and welfare
- Ensure that health and safety remains a standing item on the agenda of team meetings

Supervisors

Supervisors are responsible for health, safety and welfare performance within their area of control, whether it relates directly to the activities of the Council or to contractors working on its behalf, and will:

- Assist managers in promoting a positive health and safety culture and effective downward and upward communication of health & safety information, matters and concerns within their department
- When issuing instructions, ensure that relevant advice and information on safe working practices is included as appropriate
- Monitor staff and others under their control appropriately to ensure that work is carried out in a safe manner
- Ensure that their Manager or other appropriate person is made aware of any activities, plant, equipment or materials that present an uncontrolled risk, and remove same from use unless in so doing a greater risk is created

Employees

All employees have a duty while at work to take care for the health and safety of themselves and others who may be affected by their work. In particular every employee, regardless of seniority, will:

- Take personal responsibility for their actions and work within their competence
- Co-operate with the Council so that they can comply with their duty of care
- Follow Council policies, procedures, guidance and safe systems of work designed for their protection
- Not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare
- Report any unsafe practice/situation/condition, ineffective procedure, accident, dangerous occurrence or near miss to their manager/supervisor or other appropriate person and make suggestions for improvement
- Use correct work equipment, including safety equipment and protective clothing where required, and materials in a safe matter and in accordance with any instruction and training
- Check that work equipment is in safe working order before use, and report immediately any defect

Corporate Safety Management

The Health & Safety Management Board will:

- Approve policies, procedures and guidance as necessary to advise employees and others on their duties in respect of health, safety and welfare
- Monitor, in conjunction with Managers, the health and safety performance of the Authority and feed back relevant information to Directors and Managers where appropriate
- Review the Health & Safety Policy at least once every year to ensure it is fit for purpose or whenever there is a significant change
- Formulate and approve all necessary revisions of the Policy and written arrangements and procedures in support of it
- Monitor the completion of risk assessments and actions identified by the risk assessment process with a view to ensuring they are implemented effectively
- Monitor the training provided for all employees
- Provide regular reports on its work to Management Team and to Scrutiny Committee

The Safety Adviser will:

- Be the competent person providing assistance within the meaning of Regulation 7 of the Management of Health and Safety at Work Regulations 1999
- Have the right of executive action in emergency or situation where there is an unacceptable risk, being accountable to the Chief Executive
- Advise the Health & Safety Management Board on the requirements of Health and Safety legislation and good working practice
- Ensure that a central record of all risk assessments is maintained
- Provide individual guidance to managers as directed by the Health & Safety Management Board
- Act as the Authority's link with representatives of the Health and Safety Executive
- Maintain links with Safety Advisers of Local Authorities and other safety professionals within the area
- Liaise as necessary with officers of Fire, Police and Health Authorities and representatives of Trade Unions
- Investigate where appropriate health, safety and welfare incidents and issues including those highlighted by members of staff, elected Safety Representatives, Elected Members or members of the public and report findings to The Health & Safety Management Board

Part One	
EXECUTIVE COMMITTEE	(D) Agenda Item 10
Date of Meeting: 16th September, 2009	
Reporting Officer: Chief Environmental Health Officer	
<p>Title: Food Safety Service Plan and Food Sampling Programme for 2009/2010</p> <p>Summary and Conclusions:</p> <p>This report requests Members to approve an updated Food Safety Service Plan and Food Sampling Programme as required by the Food Standards Agency.</p> <p>Recommendations:</p> <p>To approve and endorse the Food Safety Service Plan and Food Sampling Programme for 2009/2010.</p>	

Report

The Food Standards Agency requires Food Authorities to produce an annual Food Safety Service Plan and Food Sampling Programme.

Attached at **Appendices 2 and 3** are documents that have been developed in accordance with statutory guidance I would ask Members to endorse them.

(i) **Legal Implications**

The Council has a statutory duty to enforce legal provisions for Food Safety legislation.

(ii) **Risk Assessment**

Non-compliance with obligations to prepare a service plan would pose a significant risk of challenge from a statutory agency.

(iii) **Financial Implications**

Significant resources are utilised in fulfilling the statutory duty.

(iv) **Health and Safety Implications**

Not applicable.

(v) Key Priorities or Corporate Aims

KP5 Improve efficiency and effectiveness of Council services.

(vi) Equal Opportunities

Not applicable.

Background Papers

Not applicable.

FOOD SAFETY SERVICE PLAN

2009/2010

1. Service Aims & Objectives

1.1 Aims & Objectives

- a) To ensure that food & drink intended for sale for human consumption which is produced, stored, distributed, handled or consumed within the district is without risk to health or safety of the consumer.
- b) To ensure that food premises comply with the law and that the Council fulfils its duty by undertaking interventions at premises in accordance with Food Standards Agency risk categories, and submits appropriate returns to the Food Standards Agency.
- c) Enforcement activities will be based on the principles identified in the Regulators' Compliance Code and the Council's Enforcement Policy
- d) Carry out a co-ordinated food sampling programme which concentrates on locally produced foods and also imported foods and supports LACORS (Local Authorities Coordination Body of Regulatory Services), FEMS (Food, Environmental Microbiological Services North West) and Food Standards Agency sampling initiatives.
- e) Consult with stakeholders on their level of satisfaction with the service and be responsive to changes in demand.
- f) Investigate cases of infectious disease and food poisoning as necessary in consultation with the Consultant in Health Protection.
- g) Carry out relevant enforcement responsibilities in relation to imported food control.
- h) Work in partnership with the Food Standards Agency, Primary Care Trust and Health Protection Unit to promote healthy eating and improve nutrition of the local population.

1.2 The Sustainable Community Strategy and Local Area Agreements

The Food Service Plan supports and contributes to the Sustainable Community Strategy which presents a vision for the future of Barrow: "Barrow Borough will become recognised, both by local people and by those outside the area, as a prosperous, pleasant, healthy and safe place to live and work".

Eight key priorities have been identified which are essential to this vision being achieved. These priorities are listed below:-

1. More and better jobs for local people –The Commercial Services Team offer businesses support, providing advice and education during visits and in response to service requests. The team provides a wide range of information which is readily available to businesses and the public.

2. Delivering better education at all levels - The Commercial services Team provide advice and education during food safety and health and safety visits. The Food Standards Agency Safer Food Better Business pack is actively promoted by officers during visits and assistance and guidance is given to businesses on how to complete the pack and maintain the system.
3. Improving health and life expectancy for people living in the area - All aspects of service delivery aim to protect public health, promote consumer confidence and enhance food safety. In addition advice is offered to businesses concerning the promotion of smoke free public places and workplaces.
4. Reducing levels of crime and fear of crime - No direct link.
5. Offering higher quality housing choices - No direct link.
6. Developing a more attractive place to live - Officers advise and assist business proprietors in improving their businesses and complying with appropriate legislation thereby helping create a more pleasant environment.
- 7 Ensuring our young people have the start in life they deserve.-The Commercial Services team inspect premises and take food samples to assist the production of healthy and wholesome food.
- 8 Give extra help to those in greatest need.
No direct link.

The Strategy also aims to support and develop relevant indicators set in the Local Area Agreement through a range of interventions and partnership working.

2. Background

- 2.1 Barrow Borough Council is mainly urban in nature with a population of 71,655 covering an area of 7699 hectares and is a major industrial area of Cumbria. It is one of 6 District Council's within the County of Cumbria. By far the largest town within the Borough is Barrow and this is the business centre of the Furness area with a vibrant town centre attracting shoppers from a wide area. Dalton, the ancient capital of Furness, is much smaller and lies inland. Askam, Newton, Lindal and Marton are small villages lying near the borough boundary while a number of smaller communities make up the more rural areas. To the west of Barrow lies Walney Island which is approximately 9 miles long, the central area of the island being mainly residential.

The Borough has a mixed economy although historically employment has been heavily biased towards heavy industry, including shipbuilding, but in more recent years this type of employment has seen large scale redundancies and closures resulting in a relatively high unemployment level.

2.2 Scope of the Food Service:-

The Food Service involves carrying out routine inspections of food premises and enforcement of relevant legislation to ensure the safety of food which is produced, stored, distributed, handled, sold or consumed within the borough. An advisory service is offered to food businesses and members of the public on food related matters. Food hygiene training courses used to be run for food workers but in recent years interested parties have been put in touch with other local training organisations. Occasionally low risk food premises inspections are undertaken at the same time as low risk health & safety inspections to ensure best use of resources and reduced disruption for proprietors. Low risk food premises are targeted using an alternative strategy which provides a more effective use of resources.

Changes in food safety legislation came into force in January 2006 which requires a considerable training input to assist businesses comply with their responsibilities. Officers give advice on Safer Food Better Business during their visits where appropriate.

The Food Law Code of Practice issued in June 2008 replaces the inspection focussed approach to food law enforcement with a more flexible one whereby local authorities can use a wider range of interventions to monitor, support and increase business compliance.

The authority is responsible for monitoring shellfish harvesting areas which are classified according to their microbiological quality. The authority is also responsible for issuing shellfish registration documents to assist in the traceability of shellfish used for sale for human consumption.

The authority undertakes a varied food sampling programme covering locally produced foods, nationally produced foods and imported foods. Environmental swabbing of food production / preparation areas is also undertaken.

The investigation and control of cases and outbreaks of food poisoning and infectious diseases is carried out by the authority.

Barrow Borough Council is a Port Health Authority and recent changes in legislation now require the authority to issue Ship Sanitation Certificates and enforce food safety on board ships in certain circumstances.

The authority is responsible for enforcement of controls on imported foods, both inland and at point of entry. (Currently no food is imported via the port)

2.3 Organisational Structure:-

See separate sheet (appendix A)

2.4 Demands on the Food Service:-

There are approximately 610 food premises in the borough area. There are no large national/multi-national food producers in the area, the bulk of premises being small to medium retailers and caterers etc. Only one premises is approved under the provisions of product specific regulations.

Staff work flexi time which allows for a more flexible approach to the timing of inspections etc.

The Freedom of Information Act has resulted in requests from the media and other organisations for information relating to inspections of food premises carried out by the authority. This is quite time consuming.

As a result the Cumbria Food Liaison Group introduced a website based initiative in June 2007 "Scores on the Doors" which reports in the form of a star rating system the outcome of food hygiene inspections of premises.

2.5 Service Delivery Points

Environmental Health Department,
Town Hall,
Duke Street,
Barrow-in-Furness,
Cumbria LA14 2LD

Tel: (01229) 876546

Fax: (01229) 876411

Out of hours/emergency (01229) 833311

Website: www.barrowbc.gov.uk

e mail:- commercial@barrowbc.gov.uk

Opening Hours:- 8.30 – 5.00 Monday to Friday
8.30 – 4.30 Friday.

2.6 Enforcement Policy:-

A Food Safety Enforcement Policy has been adopted based on the principles of good enforcement identified in the Regulator's Compliance Code and Enforcement Concordat to which the Council have signed up.

3. Service delivery

3.1 Premises inspections

It is the Authorities policy to implement a system of inspection of all food premises based upon assessment of risk thereby concentrating resources upon premises presenting the greatest risk to public health. Assessment of risk is based on guidance contained in Food Standards Agency Code of Practice.

The food premises risk profile is currently (April 2009) –

Premises Risk	Number of Premises	Planned Interventions for 2009/10
A	1	2
B	15	15
C	194	113
D	121	49
AES	220	54
Unrated	59	45
Total	610	278

In addition outstanding interventions due from the previous year will also need to be addressed.

A summary of performance against planned interventions achieved during 2008 / 2009 is given below:

Risk Category of Premises	Nos. Premises in Category	Min Inspection Frequency (Months)	Min Number Planned Interventions to be carried out during year	Nos. planned interventions achieved	%	Total nos. interventions undertaken	Nos. warning letters sent	Nos. Imp notices served
A	1	6	2	2	100	7	2	3
B	22	12	22	20*	100*	34	11	
C	239	18	169	124*	73*	174	48	
D	116	24	68	25*	37*	36	14	7
Other	195	36	65	93	100	109	0	
Unrated	35			28		49	10	
Total	609		326	293		409	85	10

* - 2 category B risk premises and a number of category C and D risk premises closed prior to the intervention due date.

The authority failed to achieve the target number of planned interventions during 2008/09. This resulted from a number of factors including one member of staff being on maternity leave and a large infectious disease outbreak which took up a considerable number of man days.

It is estimated that to achieve the planned interventions for 2009/10 will require 1.85 full time equivalent staff.

Scores on the Doors

“Scores on the Doors” is a website which provides a National Public Information Service to a large number of local authorities to publicise the “hygiene ratings” of food businesses which are inspected by officers. Businesses are given a Star Rating of between 5 Stars for excellent businesses to zero stars for businesses which require considerable improvements. The Star Rating is calculated using inspection scores for Confidence in Management, Structural Standards and Hygienic Practices.

“Scores on the Doors” helps promote and empower customer choice by making available information to which the public has a right under the Freedom of Information Act and also provides a viable, cost effective and well publicised means of encouragement for improved standards amongst food businesses.

“Scores on the Doors” can be accessed via the Council’s website:- www.barrowbc.gov.uk or via [www: - scoresonthedoors.org.uk](http://www.scoresonthedoors.org.uk)

3.2 Food complaints

Food complaints notified to the Authority will be dealt with in a structured manner with guidance contained in the Food Standards Agency Code of Practice being adhered to.

31 complaints about food and food businesses were investigated during 2008/09. It is estimated that a similar number of food related complaints will be dealt with during 2009/10. Historically the majority of complaints relate to foods being manufactured outside the area. Time spent on complaints varies considerably depending on nature of complaint and level of action required.

It is estimated that the investigation of food complaints involves approximately .1 full time equivalent staff.

3.3 Home Authority Principle

The Authority supports the Home Authority Principle however because of the nature of businesses operating in the area does not act as a Home Authority for any business. However, the authority responds to requests for advice and carries out investigations as part of the originating authority responsibilities for businesses where necessary.

3.4 Advice to business

The Council recognizes the importance of their educational and advisory role as a means of improving food safety and meeting the demands of stakeholders and welcomes requests for information or advice from businesses.

The Commercial Services Team provides advice to businesses in a number of different ways including:-

- Advisory visits where appropriate
- Visits and advice prior to the setting up of a business
- Provision of advice on best practice during inspections
- Provision of a range of free leaflets and other guidance including information on the Council's website
- Special visits to explain the Safer Food Better Business initiative.
- Provision of advice on how to improve businesses "Scores on the Doors" rating.

3.5 Food inspection & sampling

It is the policy of the Council to carry out sampling of foods to assist in the protection of public health & food law enforcement functions of the Authority.

A Food Sampling policy has been produced and a sampling programme has been prepared. The Authority will take part in co-

ordinated sampling programmes, sample shellfish and seawater to assist in the classification of the shellfish beds and the monitoring of toxic algae incidents, carry out sampling in the cases of food contamination, food complaints and food poisoning incidents as required and carry out routine sampling of locally produced foods.

Samples will be sent for examination either to the Food, Water and Environmental Laboratory of the Health Protection Agency at Preston or the Lancashire County Council Public Analysts at Preston depending on examination and analysis required. A sampling programme is drawn up in consultation with FEMS and the Lancashire Food Officer Group and also includes local initiatives.

During 2008 / 2009 165 food samples and 53 shellfish samples were submitted for analysis for bed classification purposes. FEMS allocate the authority with a certain number of credits which are used for the analysis of the majority of food samples. Samples taken for analysis to classify shell fish beds are not covered by the credit allocation system. In addition a further 24 shellfish samples were submitted to Centre for the Environment Fisheries and Aquaculture Science (Cefas) at Weymouth and 18 sea water samples to Cefas at Lowestoft for algal toxin monitoring purposes. Cockle beds have been closed for all of 2008-09 and little mussel fishing has taken place. A reduced frequency of shellfish sampling has been undertaken of certain beds to maintain classifications while not being harvested.

It is estimated that the collection of samples, recording and following up results involves approximately .25 full time equivalent staff.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

It is the policy of the Council to receive notifications and carry out investigations of outbreaks and food related infectious disease as laid down in the Communicable Disease Control Health Authority/Local Authority Joint Plan.

It is difficult to estimate the number of outbreaks, but during the last financial year a total of 142 notifications of infectious disease and food related illness were received with no significant outbreaks.

It is estimated that the investigation and control of food poisoning & infectious diseases involves approximately .1 full time equivalent staff assuming no significant outbreaks.

3.7 Food Safety incidents

It is the Council's policy to respond to Food Standards Agency food hazard warnings and food safety incidents in accordance with Food Law Codes of Practice.

During 2008 / 2009 71 notifications were received with the majority requiring little or no action.

3.8 Liaison with other organisations

The Authority participates in the following liaison groups related to food safety issues.

1. Cumbria Chief Environmental Health Officers Food Liaison Group
2. Lancashire Food Officer Group/Food, Environmental and Microbiological Services North West
3. Northwest Shellfish Liaison Group
4. United Utilities Public Health Liaison Meeting
5. Barrow Food Forum
6. MAFF Zoonosis Liaison Meeting
7. Health Protection Agency / Control of Infection meetings.
8. Health Inequalities Task Group

The Chief Environmental Health Officer's Cumbria Food Liaison Group held meetings with officers of Social Services, County Catering, Health Protection Unit and Primary Care Trust as and when necessary to ensure consistency and develop initiatives.

Interventions

The revised Food Law Code of Practice issued by the Food Standards agency introduces a change to how Food Authorities carry out their roles in establishing that food related activities carried out at food establishments comply with food law.

Rather than carrying out inspections of all food businesses Food Authorities are required to carry out planned appropriate official interventions to ensure that food meets the requirements of food hygiene law, including microbiological quality, absence of pathogenic micro-organisms and safety for consumption.

Interventions which are official controls include:-

Inspections
monitoring
surveillance
verification
audit; and
sampling.

Other interventions, i.e. those which do not constitute official controls include:

education, advice and coaching; and
information and intelligence gathering.

Healthier Communities

Cumbrian district food authorities are working together with the county trading standards officers and the Primary Care Trust to raise awareness of the importance of reducing salt intake in the fight against high blood pressure and strokes.

An initiative involving distribution of salt shakers with smaller holes than fish and chip establishments throughout the county commenced at the end of 08/09 and runs through in to the 09/10 year. A sampling programme involving salt analysis of portions before and after provision will be undertaken.

4. Resources

4.1 Financial Allocation

A net expenditure of £139,580 has been allocated for food safety during the year 2009-2010.

Staffing costs of £93,690 are allowed for in the 2009-2010 budget. A total of £7730 is allowed for general purchases, protective clothing, subsistence and professional fees. General food samples submitted to the Food, Water and Environmental Laboratory of the Health Protection Agency are paid for using the credits allocated by the laboratory.

Shellfish samples taken for shellfish bed classification purposes are paid for out of the professional fees of both the food safety budget and public health budgets.

No separate allocation is made for legal action taken as a result of enforcement action with prosecutions being taken in conjunction with the legal services department. The Council do not employ a Solicitor with legal advice being obtained from Cumbria County Council legal section or from private practices.

4.2 Staffing Allocation – See Appendix A for Staffing Plan

Food Safety duties are carried out by the Commercial Services Team. The team deals with health and safety duties, the full range of local authority licensing and port health as well as food safety and infectious disease/food poisoning related duties.

The section is headed by the Commercial Services Team Leader who is the lead officer for food safety issues.

There are two qualified Environmental Health Officers and a Food Safety Officer in the team who carry out food premises inspections and other food safety related duties as well as healthy eating and other promotional work. They also carry out health and safety work in the sector enforced by the local authority.

One of the Environmental Health Officers is responsible for co-ordinating the sampling programmes.

One Environmental Health Office has been on maternity leave since October 2008 and is due to return to work during this financial year.

Promotional activities and partnership working with the Health Authority are co-ordinated by one of the Environmental Health Officers in the team.

All team members assist in licensing duties as and when necessary.

Administration staff provide support to Officers involved in food safety and update computerised records

The Environmental Protection Technical Officer from the Environmental Protection Team acts as Systems Administrator for “Scores on the Doors” and Authority software system.

Assistance with the collection of shellfish samples is undertaken by a variety of departmental staff familiar with procedures involved. Samples from difficult to access shellfish beds are obtained by an officer of the North West and North Wales Sea Fisheries Committee on behalf of the Council.

In the event of a major food safety incident qualified Environmental Health Officers from other sections can be drawn in to assist with investigations as well as the Consultant in Health Protection and their staff together with the Consultant in Microbiology.

Title	Full time equivalent (Financial split)
Commercial Services Team Leader	40%
Environmental Health Officer	70%** 28%
Environmental Health Officer	40%
Food Safety Officer	70%

** - This post holder is on maternity leave until mid September 2009 and returning on reduced hours of 30 hours a week which equates to approximately and therefore only available as 28% f.t.e. for this year. .

4.3 **Staff Development Plan**

Regular staff appraisals are undertaken which are used to identify structured staff training needs. The Council takes part in the Investors in People initiative and ongoing professional training is encouraged.

Officers are authorised to carry out duties in line with their qualifications and experience.

The Food Safety Officer is currently undertaking a day release Degree Course in Environmental Health at Leeds Metropolitan University

Officers will receive relevant update training on food related matters as and when required and depending on availability. Where only one officer attends a course, feed back and for cascade training will be undertaken to make best use of opportunities. Training records will be documented.

5.0 Quality Systems

It is our policy to carry out food service delivery in accordance with policies and procedures and to take part in proposed interauthority auditing. Procedures will be reviewed on a regular basis.

6.0 Review

6.1 The Service Plan will be reviewed annually and reported to Members. The review will link into the budgetary process and performance will be reported to Members in the Information Booklet.

6.2 From April 2008 the Authority have been required to report annually a National Performance Indicator (NI184) for food establishments which are “broadly compliant” with food hygiene legislation. The Food Standards Agency have set a target of 75% of businesses being “broadly compliant” by 2010.

6.3

Target for 2008/09	Achievement 2008/09	Target for 2009/10	Resources needed
Achieve 100% planned food hygiene interventions for premises due an inspection at least once during a 12 month period. Achieve 90% for other premises.	100% 73% C risk,37% D risk, 100% E risk premises	As for 2008/09	To be done within existing resources. *
Compliance with food sampling programme	Targeted food sampling programmes achieved. 165 samples of food were submitted for examination.	As for 2008/09	To be done with in existing resources. *
Respond to Food Alerts as required	All food alerts recorded and	As for 2008/09	To be done with in existing

by the Food Standards Agency	actioned in accordance with FSA requirements. 71 received		resources. *
		Review operation of Scores on the Doors Scheme in line with proposed national scheme once agreed by FSA.	To be done with in existing resources. *
Food Standards Agency have set a target of 75% food premises being "broadly compliant" by 2010	86% food premises "broadly compliant"	To concentrate resources on businesses which are not broadly compliant to improve %age.	To be done with in existing resources. *
Investigation of food poisoning and infectious disease cases against target time.	All cases of food poisoning and infectious disease achieved against target time. 142 notifications.	As for 2008/09	To be done with in existing resources. *

6.3

The authority failed to achieve the target number of planned interventions during 2008/09. This resulted from a number of factors including one member of staff being on maternity leave and a large infectious disease outbreak which took up a considerable number of man days. In addition one staff member was absent from the office for one day a week during term time to attend university.

During 2009/10 it is anticipated that a similar level of targeted interventions will be achieved as in 2008/09 as the officer currently on maternity leave is returning half way through the financial year and on reduced hours of 30 hours a week.

* Although a total of approximately 2.2 full time equivalent staff are budgeted for to provide the service (excluding administration support and chief officer) in 2009/10 in reality only approximately 1.7 full time equivalent staff will be available during this period. The assumption that the targets can be met within existing resources during 2009/10 is made assuming all 2.2 full time equivalent staff are available. In addition to the maternity leave issue and reduced hours on return, already this year a number of man-days has been lost through preparation for a Food Standards Agency Audit of the section and work undertaken following the audit.

FOOD SAMPLING PROGRAMME 2009-2010

- 1) The sampling programme is prepared in consultation with colleagues from the Lancashire Food Officer Group and Greater Manchester Food Liaison Group and the Food, Environment and Microbiology Services North West (FEMS).

A representative of Barrow Borough Council and South Lakes District Council attend quarterly meetings with the Lancashire Food Officer Group and FEMS and are actively involved in the development of the programme.

- 2) The Council engages the services of the Food, Water and Environmental Laboratory of the Health Protection Agency based at the Royal Preston Hospital to undertake all microbiological examinations.
- 3) The County Analyst, based at Lancashire County Laboratory in Preston, is used for any foods or waters which require analysis. These samples are usually related to the investigation of food complaints and, therefore, they will not form part of the annual sampling programme.
- 4) In developing the programme consideration is given to:-
 - Protection of the consumer through the enforcement of food legislation.
 - Identification of foods that pose a hazard to the consumer because they contain significant levels of pathogenic bacteria
 - Assessment of the microbiological quality of food manufactured, distributed or retailed in the area.
 - Identification of any contraventions of food safety legislation
 - Assistance in the evaluation of food handling and processing practices at premises.
 - Assistance in determining whether advice or enforcement action would be most appropriate where it is suspected that poor practices and procedures exist.
 - Offering advice and guidance, if appropriate, on food hygiene matters.
 - The investigation of food complaints.
- 5) The Sampling Programme consists of food sample surveys recommended by the survey sub-committee and agreed by the Lancashire Food Officer Group and representatives of Barrow Council and South Lakes District Council. Details of the previous years quarterly sampling programmes are appended as are details of Barrow's input into these surveys. FEMS shall collate results and produce a detailed report of surveys.
- 6) The Council are required to sample shellfish from the beds around their coastline to comply with the requirements of current food safety legislation. Monthly samples are taken from a number of beds and submitted for bacterial examination to the FW & E laboratory at Preston. During 2008-09 53 samples of shellfish were submitted to the Laboratory.

In addition the Council are required to take monthly samples of shellfish and seawater from 2 shellfish sites which are submitted to the Centre for Environment, Fisheries and

Agricultural Science laboratory at Weymouth and Lowestoft respectively to check for algal toxins.

- 7) In addition to the programme above, locally produced/prepared foods and imported foods will be sampled on a regular basis.
Local food products will also be sampled following relevant complaints and food poisoning cases or from premises where there are concerns about production practices. In addition samples of products from approved premises will be taken at least twice a year. Other local sampling initiatives may also be undertaken using swabbing techniques during inspections.
- 8) Bacteriological results are judged against national guidelines for the microbiological quality of ready to eat foods sampled at the point of sale.

**Greater Manchester FLG/Lancashire FOG/Preston Microbiology Services
Co-ordinated Surveys for the Microbiological Examination of
Food/Environmental Samples**

Annual Summary 2008

Survey	Code	Total No. of samples examined	No. of samples examined by Barrow Borough Council*...	Date	Report issued	Lead Authority
Sandwich/Wrap containing green leaf salad and herbs	704008	337	8	Nov 07 – April 08	13/08/08	Sub-committee
Fresh cream cakes	804001	352	10	Jan – June 08	15/09/08	
Edible seeds	704010	484	11	Oct 07 – March 08	06/05/08	LACORS/HPA
Ready-to-eat foods from fresh fish counters	804002	81	4	April 08	21/08/08	
Environmental samples from premises handling raw and cooked chicken	804003	127	33	Jan 08 – Aug 08	05/01/09	
Study 33 – LACORS Speciality meats	804005		1	April 08 – March 09		LACORS/HPA
Study 34 – LACORS Eggmix and environmental samples	804006	185	9	May – Oct 08		LACORS/HPA
Sliced cooked meats from point of sale	804007		11	May – Apr 09		
Traditional baked egg custard tarts	804008	139	7	July – Aug 08	11/11/08	
Prepacked cooked meat sandwiches	804011		15	Sept – Apr 09		
Study 35 – LACORS Shelled ready-to-eat nuts	804012		12	Oct 08 – March 09		LACORS/HPA
Pig, Lamb and Ox liver	804013	157	8	Sept – Apr 09		
Local initiative	804009	449	36	Jan – Dec 08		
Dairy products	804010	197	0	Jan – Dec 08		

Part One	
EXECUTIVE COMMITTEE	(D) Agenda Item 11
Date of Meeting: 16th September, 2009	
Reporting Officer: Chief Environmental Health Officer	
<p>Title: Occupational Health and Safety Section Service Plan for 2009/2010</p> <p>Summary and Conclusions:</p> <p>This report requests Members to approve an updated Occupational Health and Safety Section Service Plan as required by the Health and Safety Executive.</p> <p>Recommendations:</p> <p>To approve and endorse the Occupational Health and Safety Section Service Plan for 2009/2010.</p>	

Report

The Health and Safety Executive requires local authorities to produce an annual Occupational Health and Safety Service Plan.

Attached at **Appendix 4** is the document which has been developed in accordance with statutory guidance and I would ask Members to endorse the relevant plan.

(i) **Legal Implications**

The Council has a statutory duty to enforce legal provisions for occupational health and safety in specified activities.

(ii) **Risk Assessment**

Non-compliance with obligations to prepare a service plan would pose a significant risk of challenge from a statutory agency.

(iii) **Financial Implications**

Significant resources are utilised in fulfilling the statutory duty.

(iv) **Health and Safety Implications**

Not Applicable.

(v) Key Priorities or Corporate Aims

KP5 Improve efficiency and effectiveness of Council services.

(vi) Equal Opportunities

Not Applicable.

Background Papers

Not Applicable.

OCCUPATIONAL HEALTH AND SAFETY

SECTION SERVICE PLAN

2009-2010

1.1 Aims and Objectives

- a) To ensure that workplaces within Barrow Borough area operate to the highest standards to ensure the wellbeing of employees and customers alike.
- b) To enforce the provisions of the Health and Safety at Work etc. Act 1974 in accordance with the Council's enforcement policy, the Enforcement Concordat and the Regulators Compliance Code.
- c) To carry out a programme of inspections of business premises to a frequency determined by the HSE Risk Assessment Policy Rating System.
- d) To contribute on a local, regional and national level to the HELA Strategic Plan and Northwest Local Authority / Health and Safety Executive Joint Regional Plan of Work 2009/2010 in order to reduce injury and ill health associated with work activities.
- e) To participate in the Priority Topic Areas campaigns and county initiatives where resources permit.
- f) To comply with the Section 18 guidance on enforcement of health and safety law issued by the Health and Safety Commission (HSC).
- g) To promote health and safety in the work place and the provision of a safe and healthy work environment.
- h) Provide advice and information to businesses.
- i) To respond to complaints regarding health and safety at work.
- j) To investigate notifiable accidents and dangerous occurrences in accordance with the Accident Investigation Policy agreed with the Cumbria Health and Safety Liaison Group.
- k) Consult with stakeholders on their level of satisfaction with the service and be responsive to changes in demand.
- l) Provide assistance to the Council's Safety Officer.
- m) To carry out licensing and registration functions at relevant establishments.
- n) The authority is committed to improving health and safety outcomes.

1.2 The Sustainable Community Strategy and Local Area Agreements

The Health and Safety Service Plan supports and contributes to the Sustainable Community Strategy which presents a vision for the future of Barrow.

"Barrow Borough will become recognised, both by local people and by those from outside the area, as a prosperous, pleasant, healthy and safe place to live and work"

Eight key priorities have been identified which are essential to this vision being achieved. These priorities are listed below:-

1. More and better jobs for local people – The Commercial Services Team offer businesses support, providing advice and education during visits and in response to service requests. The team provides a wide range of information which is readily available to businesses and the public.
2. Better education at all levels - The Commercial Services Team provide advice and education during health and safety visits.
3. Improved health for people living in the area - All aspects of service delivery aim to promote health and safety and reduce accidents. In addition advice is offered to businesses concerning the promotion of smoke free public places and workplaces. Officers will support local, countywide and national initiatives to assist in achievement of relevant targets set in the Local Area Agreements.
4. Reduced crime and fear of crime - The Commercial Services Team will assist businesses in the management of risks to employees from retail violence focusing on perceived soft target premises and shops where alcohol is sold.
5. Higher standards of housing - No direct link.
6. A more pleasant environment to live in - Officers advise and assist business proprietors in improving their businesses and complying with appropriate legislation thereby helping create a more pleasant environment.
7. Ensuring our young people have the start in life they deserve. The Commercial Services Team will continue to work jointly with the County Council Education Welfare Service to protect children in employment in Cumbria.
8. Give extra help to those in greatest need. The Commercial Services Team will help vulnerable workers and migrant workers by sharing intelligence with other agencies, especially the Gangmaster Licensing Authority and the Border & Immigration Agency and responding to any requests for service or to information received from other agencies.

The Strategy also aims to support and develop relevant indicators set in the Local Area Agreement through a range of interventions and partnership working.

2. Background

2.1 Barrow Borough Council district is mainly urban in nature with a population of 71,655 covering an area of 7699 hectares and is a major industrial area of Cumbria. It is one of 6 District Council's within the County of Cumbria. By far the largest town within the Borough is Barrow and this is the business centre of the Furness area with a vibrant town centre attracting shoppers from a wide area. Dalton, the ancient capital of Furness, is much smaller and lies inland. Askam, Newton, Lindal and Marton are small villages lying near the Borough boundary while a number of smaller communities make up the more rural areas. To the west of Barrow lies Walney Island which is approximately 9 miles long, the central area of the island being mainly residential.

The Borough has a mixed economy although historically employment has been heavily biased towards heavy industry, including shipbuilding, but in more recent years this type of employment has seen large scale redundancies and closures resulting in a relatively high unemployment level.

2.2 Scope of the Occupational Health and Safety Section

The Occupational Health and Safety Service falls within the Commercial Services Section of the Environmental Health Department and carries out routine inspections on a risk based frequency and enforcement of relevant legislation to help ensure the wellbeing of employees and customers of premises for which Barrow Borough Council is the enforcing authority. An advisory service is offered to businesses and members of the public on health and safety related matters. The section works in partnership with the Health and Safety Executive with focused inspections on the priority areas identified in the Priority Topic Area projects and on locally identified priority areas.

The Section responds to notifications of accidents and dangerous occurrences in premises for which the authority have enforcement responsibilities.

In recent years the section has not directly provided health and safety training, however, as a member of the Cumbria Health and Safety Liaison Group staff have assisted in running joint training initiatives on specific areas identified as priorities by the group. It is intended that a local training initiative will be arranged to raise awareness and compliance in specific areas of health and safety in local small to medium businesses.

- The section plays an important consultation role in the implementation of the Licensing Act 2003. The section also deals with the animal welfare licensing responsibilities of the authority which includes the licensing of zoos, pet shops, animal boarding establishments, riding establishments and dangerous wild animals.

Priority topic areas to be covered are:

- Slips and trips
- Falls from heights
- Workplace transport
- Musculoskeletal disorders
- Work related stress
- Asbestos
- Contact dermatitis
- Occupational asthma
- Vulnerable workers
- Retail violence at work
- Noise in the music and entertainment industry
- Improving management of health and safety in care homes
- Improving swimming pool safety

The Cumbria Health and Safety Liaison Group (CHSLG) which comprises members from each of the district councils and the HSE have developed a plan of work for the financial year in which the proposed work of the group for both the national campaigns and local initiatives is laid out in relation to the above topics.

In addition there is a North West Local Authority Joint Regional Work Plan for 2008 / 2009 which aims to promote cohesion, improve planning between Local Authorities and the Health and safety Executive, and provide a tool to share training and expertise between regulators.

2.3 Organisational Structure

See separate sheet (Appendix A)

2.4 Demands on Health and Safety Service

There are approximately 1300 business premises in the borough area for which the local authority has responsibility for health and safety matters. These premises are of a wide variety and comprise mainly of retail and wholesale premises, offices, leisure activities and residential premises.

During 2008-2009, 50 accident reports were received. It is anticipated that a similar number will be received this year.

There are 7 licensed pet shops, 4 animal boarding establishments, 1 riding establishment and 2 licensed zoos.

In addition to the above the section is responsible for the licensing or registration of a number of premises and persons to carry out acupuncture, tattooing, electrolysis and ear piercing.

2.5 Service Delivery Points

Environmental Health Department,
Town Hall,
Duke Street,
Barrow-in-Furness,
Cumbria
LA14 2LD

Tel: (01229) 894900 Direct (01229) 876582 / 876378

Fax: (01229) 876411

Out of hours/emergency (01229) 833311

Website – www.barrowbc.gov.uk

Opening hours – 8.30 – 5.00 Monday to Thursday
8.30 – 4.30 Friday.

2.6 Enforcement Policy

A departmental Enforcement Policy has been adopted based on the principals of good enforcement identified in the Regulators Compliance Code and the Enforcement Concordat to which the Council has signed up. This is supported by more detailed procedures specific to health and safety.

3. Service Delivery

3.1 Premises Inspections

The Health and Safety Commission (HSC) are advising local authorities to change their approach to inspections from one which is primarily based on risk rating to one which reflects the HSC's strategic approach to the development of more effective health and safety enforcement interventions to include planned enforcement initiatives such as those based on the Strategic Priorities Programme (See2.2) and local initiatives rather than general visits to all premises. Inspections will be based on:-

Planned general inspections
Planned enforcement initiatives
Planned advisory / training initiatives
Investigation of accidents
Investigation of complaints
Advice
Visits to new premises.

The profile of premises which the authority has enforcement responsibilities for at April, 2009 is as follows:-

Type of premises	Number of premises
Retail shops	561
Wholesale	33
Offices	184
Catering, restaurants & bars	178
Hotels, campsites & other accommodation	40
Residential care homes	11
Leisure & cultural activities	110
Consumer services	118
Other	65
	1300

Risk Category of premises	Number of premises in category
A	9
B1	18
B2	37
B3	77
B4	296
C	763
Non risk rated or HSE enforced	427
Total	1627

During 2008 / 2009 the following numbers of visits were undertaken :-

Type of premises	Total number of premises at 31/3/08	Inspections carried out	Special surveys	Revisits	Accident investigations	Requests for advice	Other	Total
Retail shop	619	57	0	16	8	8	13	102
Wholesale	24	4	0	5	0	0	0	9
Offices	157	31	0	1	0	0	2	34
Catering, restaurants & bars	160	17	0	0	6	3	5	31
Hotels, etc	45	2	0	0	0	0	0	2
Residential care	10	3	0	0	0	0	1	4
Leisure & cultural	111	11	0	2	7	7	5	32
Consumer services	105	12	0	0	0	0	1	13
Other premises	65	1	0	0	1	4	0	6
Totals	1296	138	0	22	22	22	27	233

During 2008 / 2009 the following formal enforcement actions were undertaken:

Type of Premises	Improvement notices	Immediate prohibition notices
Retail	3	
Wholesale, warehouses	5	3
Offices		1
Catering, restaurants etc	1	
Hotels etc		
Residential care		
Leisure & cultural		
Consumer services	1	
Other		
Totals	10	4

3.2 Accident Investigations

Serious injuries, work related diseases and dangerous occurrences in the workplace are reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995. Once notifications have been received the Accident Investigation Procedure is followed to prioritise actions. During 2008/09 50 Riddor notifications

were received. It is anticipated that a similar number will be received during this financial year.

3.3 Home Authority Principle and Primary Authority Principle

The authority supports the Home Authority Principle, however, because of the nature of the businesses operating in the area do not act as a Home Authority for any business.

The authority supports the Primary Authority Principle as set up by the Local Better Regulation Office (LBRO) and will act within the guidelines laid down with regards businesses falling under the scheme.

3.4 Advice to Business

The Council have signed up to the Enforcement Concordat and aim to work actively with business, especially small and medium sized businesses to advise on and assist with compliance with legislation and to encourage good practice.

Advice is given to individuals setting up new businesses and during inspections of existing businesses advice is offered on how to improve practices and on current initiatives based on the HELA Strategic Plan and any current specialist initiatives including asbestos related issues.

In conjunction with the Chief Officers Health and Safety Technical Working Group the Authority participate in the organisation and running and training seminars/courses which are run on specialist health and safety areas for local business.

During 2008/09 a one day course was held for Residential Care Homes and Nursing Homes which covered issues connected with moving people safely as part of a musculoskeletal disorders initiative.

A ladder exchange campaign was run in conjunction with a “working at heights” initiative and as a result six ladders were taken out of use and replaced. Defective ladders could be replaced at certain establishments at a significant discount.

In addition to participation in the organisation and running of the above the authority intends to organise a specific local training initiative to assist local small to medium businesses manage their health and safety responsibilities more effectively.

3.5 Liaison with other Organisations

The Authority participates in the following liaison groups relating to health and safety issues:-

- 1) Cumbria Chief Officers Health and Safety Technical Working Group
- 2) Morecambe Bay Health Authority Public Health/Infections Disease Liaison Meeting.
- 3) South Cumbria Occupational Safety Group.
- 4) Crime Reduction Partnership – in particular Violent Crime Reduction Sub-Group.
- 5) Community Action Furness.
- 6) Ofsted Liaison Group.
- 7) The Chief Environmental Health Officer's Health and Safety Technical Working Group hold meetings with officers of Social Services and other ongoing actions concerned in the registration of care homes etc.
- 8) Health & Safety Executive.

4. Resources

4.1 Financial Allocation

A net expenditure of £131,110 has been allocated for occupational health and safety during the year 2009-2010.

Staffing costs of £97030 are allowed for in the 2009-2010 budget. A total of £32,790 is allowed for general purchases, protective clothing, subsistence and professional fees.

No separate allocation is made for legal action taken as a result of enforcement action with prosecutions being taken in conjunction with the legal services section who outsource much of the work to local practices.

4.2 Staffing Allocation

Occupational health and safety duties are carried out by the Commercial Services Team which also deals with food safety duties, the full range of local authority licensing, port health, and infectious disease/food poisoning related duties.

The Commercial Services Team is headed by a team leader. The team includes two qualified Environmental Health Officers (one newly qualified), a Food Safety Officer who also carries out licensing enforcement duties, a Health and Safety Enforcement Officer, a Licensing Officer and a Health and Safety consultant who is employed for two days a week on a contract basis.

One Environmental Health Officer who mainly specialises in food safety, zoo licensing, public health and health promotional activities is expected to be taking maternity leave during the year and the other newly qualified Environmental Health Officer is expected to cover many

of these duties for the foreseeable future rather than mainly specialising in health and safety.

Administration staff provide support to officers involved in health and safety. .

4.3 Staff Development Plan

Regular staff appraisals are to be undertaken which will be used to identify structured staff training needs. The Council takes part in the Investors in People initiative and ongoing training is encouraged.

Training is geared towards ensuring the competence criteria for inspectors identified in Health and Safety Executive guidance and officers receive relevant update training as and when required and depending on availability. Staff undertaking health and safety enforcement duties will undertake completion of the Regulators Development Analysis Tool (RDNA) by April 2011.

5.0 Quality Systems

It is our policy to carry out areas of health and safety service delivery in accordance with policies and procedures and to take part in proposed inter-authority auditing.

6.0 Review

The Service Plan will be reviewed annually and reported to Members. The review will link into the budgetary process and the review of Best Practice performance plans. Performance will be monitored and reported to Members in the Information Booklet

EXECUTIVE COMMITTEE	(D) Agenda Item 12
Date of Meeting: 16th September, 2009	
Reporting Officer: Projects and Property Officer	
<p>Title: Barrow Island ARLFC – Ground Lease</p> <p>Summary and Conclusions:</p> <p>The report details the current position with regard to a lease of land at Ostley Bank to Barrow Island ARLFC.</p> <p>Recommendation:</p> <p>That Members note the current position and agree to the surrender of Barrow Islands existing lease and the granting of a new lease on the terms reported</p>	

Report

Background

Barrow Island ARLFC occupies land in Ostley Bank under the terms of a 25 year lease from 10th October 1990 to 9th October 2015.

The land is shown hatched on the plan attached at **Appendix 5**.

Barrow Island ARLFC has requested that the Council consider a surrender of the existing lease and the granting of a new lease on the following main terms:

Term	25 years
Rent	£2,500pa
Rent Review	In every fifth year
Other Terms	As existing lease

Barrow Island ARLFC have indicated that they require a lease of at least 25 years to secure funding for the future development of the club.

(i) **Legal Implications**

A formal lease contract for the land over 25 years.

(ii) Financial Implications

An annual rental income for the Council of £2,500 per annum.

(iii) Health and Safety Implications

There are no Health and Safety implications.

(iv) Key Priorities or Corporate Aims

Not applicable.

(v) Risk Assessment

There are no risks associated with this transaction.

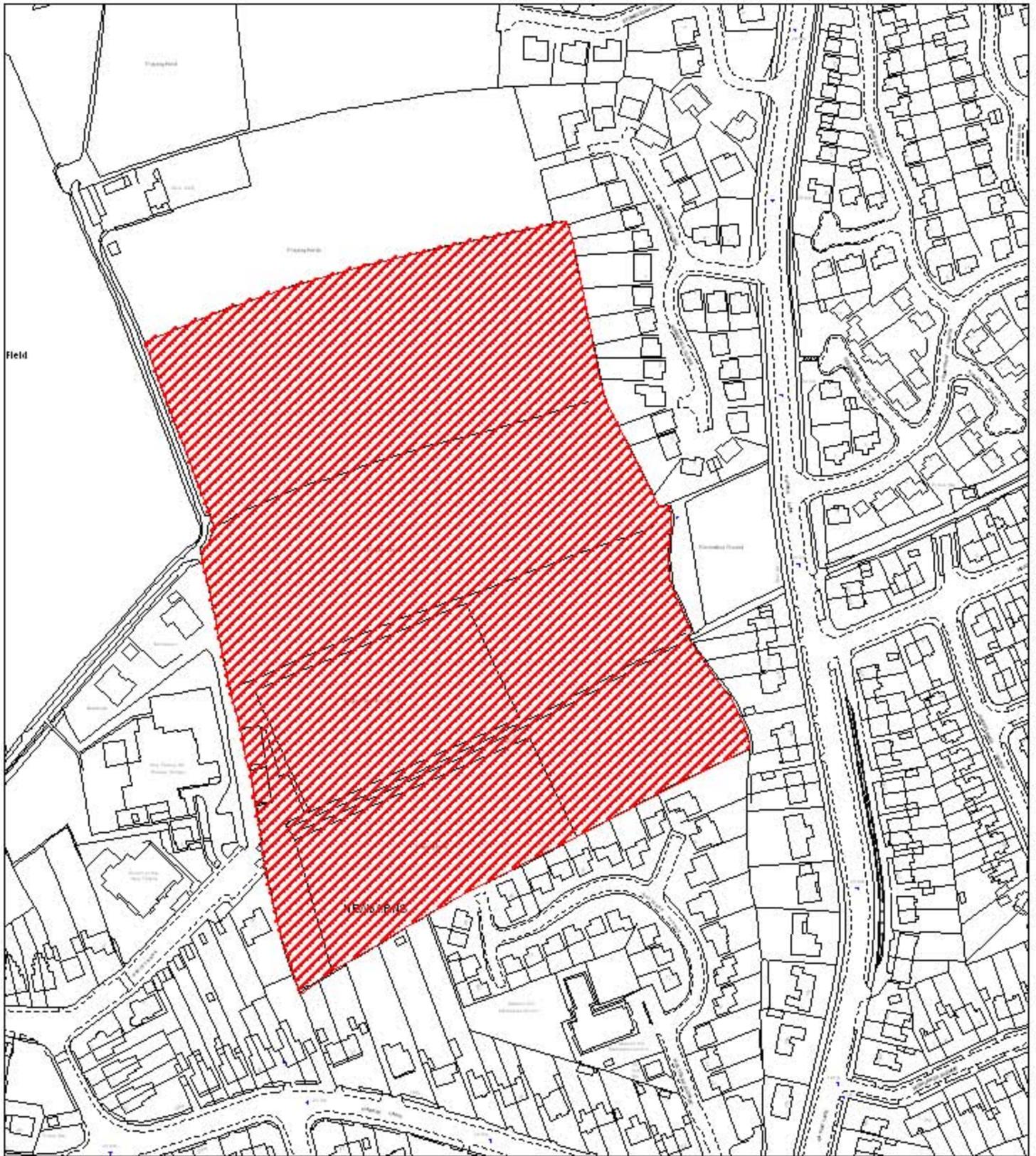
(vi) Equal Opportunities

Not applicable.

Background Papers

Not applicable.

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Produced on : 19/08/2009



EXECUTIVE COMMITTEE	(R) Agenda Item 13
Date of Meeting: 16th September, 2009	
Reporting Officer: Democratic Services Officer (Member Support)	
Title: Reviewing the Member Development Strategy	
Summary and Conclusions:	
The Member Training Working Group has revised the Member Development Strategy to ensure continuation of effective Member Development. The Strategy is reviewed on an annual basis in conjunction with the Democratic Services Manager, the Democratic Services Officer (Member Support) and the Member Training Working Group. The responsibility for agreeing the overall Strategy lies in the hands of the Full Council.	
Recommendation:	
To recommend the Council to approve the revised Member Development Strategy.	

Report

In order to ensure that Member training and development is prioritised, planned and co-ordinated effectively it is important that the Council have a Member Development Strategy. This Committee agreed to adopt the Strategy in July 2004 (Minute No. 6 of the meeting on 12th July, 2004 refers).

The Member Development Strategy sets out that it will be reviewed on an annual basis in conjunction with the Democratic Services Manager, the Democratic Services Officer (Member Support), and the Member Training Working Group. The responsibility for agreeing the overall Strategy lies in the hands of Full Council.

The Member Training Working Group have revised the Strategy document and referred it to this Committee for approval. A copy of the revised Strategy is attached at **Appendix 6**.

- (i) Legal Implications

Not applicable

(ii) Risk Assessment

Not applicable

(iii) Financial Implications

Not applicable

(iv) Health and Safety Implications

Not applicable

(v) Key Priorities or Corporate Aims

Not applicable

(vi) Equal Opportunities

Not applicable

Background Papers

Not applicable



Barrow Borough Council

Member Development Strategy 2009/2010

Date: August 2009

Author: Paula Westwood



CONTENTS

Introduction.....	2
Vision.....	2
Objectives.....	2
Who is Involved.....	3
Planning & Timing of Member Development.....	3
Learning Styles.....	3
Member Induction.....	3-4
Member Training Working Group.....	4
Personal Development Plans (PDP's).....	4
Information Services.....	5
IT Accessibility	5
Evaluation & Monitoring of the Strategy.....	5
Evaluation & Monitoring of What Members Learn.....	5
Continuous Improvement.....	5-6
Member Training Budget.....	6
Progress on Member Training & Development in 2008/2009.....	6
Further Information.....	7

Introduction

Local Government has undergone a massive period of change. Councillors need to take on a broad range of new skills, networks and knowledge; often in a short space of time to embrace increasingly complex roles. Some of these skills are inherent in a politician, some may need to be learned, and others just developed. Adding this new range of skills to existing competence will not be possible without a structured approach and a serious commitment made to Member development with the active inclusion of Members.

In November 2003, the Council declared its commitment to achieve the North West Charter for Elected Member Development which involves exploring new roles for Members, considers how to identify and address the development needs of Members and introduces a practical methodology for assessing key service priorities for the Council.

In September 2006, less than three years on, the Council were awarded with the North West Charter Award for Elected Member Development. This achievement would not have been possible without the Council's commitment and the commitment of its Elected Members to training and development.

Once awarded, the Charter has a lifespan of three years, after which time the Council will be asked to submit details to North West Employers' Organisation of how we have sustained and further developed our level of commitment towards Member development. The Charter re-assessment has been scheduled to take place on 25th September, 2009.

Vision

The Member Development Strategy provides a long-term direction for Member training and development. The vision behind the strategy is;

“To ensure that all Members have access to adequate training and development opportunities to enable them to fulfil their responsibilities”

Objectives

The Member Development Strategy has the following underlying aims:

- ❖ To encourage involvement of Members in their own development and learning – where they identify their own particular development needs and the means of satisfying those needs to meet the Corporate Strategy of the Council.
- ❖ To focus on Members being learners rather than recipients of training.
- ❖ To ensure that all newly Elected Members are properly inducted into the Council and their role.
- ❖ To see the use of Information Technology as the norm and to ensure that all Members have the opportunity to benefit from Information Technology to assist them in their role and their development.
- ❖ To enable the sharing of good practice.

Who is Involved

The responsibility for the delivery of the Member Development Strategy involves a range of people, led by the Democratic Services Manager, the Democratic Services Officer (Member Support) and the Member Training Working Group. A Learning Programme will be agreed each municipal year by the Member Training Working Group.

Planning & Timing of Member Development

To ensure effective planning and co-ordination of Member Development, it is imperative that the people involved in the cycle of identifying needs through to delivering and evaluating training keep each other informed.

To ensure that all Members can participate in Member Development, the Council will endeavour to arrange training events around Committee meetings and ensure that wherever possible, all events organised are accessible in terms of location.

Learning Styles

It is recognised that people have different preferences for the way in which they learn new skills. There are a wide range of methods for learning including:

- ❑ E-Learning
- ❑ Networking
- ❑ Observation
- ❑ Presentations
- ❑ Quiet Reading
- ❑ Action Learning
- ❑ Internet Research
- ❑ Councillor Mentoring
- ❑ Local College courses
- ❑ Information Technology
- ❑ CD ROMs /DVD's and Videos
- ❑ Visits to other Local Authorities
- ❑ Local, Regional and National Conferences
- ❑ Corporate Training and Development Courses

Member Induction

As part of the Council's Induction Programme, Members are invited to attend a half-day briefing at the Town Hall hosted by the Democratic Services Manager, the Democratic Services Officer (Member Support), the Chief Executive and Directors.

The induction programme briefly comprises of:-

- ❑ An introduction to the political management structure, Member/Officer Protocol, role of councillors and explanation of the Constitution;
- ❑ The Ethical Framework: the Council's Code of Conduct, Registering and declaring interests;
- ❑ Members allowances, claiming expenses, car mileage and tax returns;
- ❑ Introduction to Democratic Services Section and their role;
- ❑ What happens next? – Including Personal Development Plans and Member Training; and
- ❑ Tour of the Town Hall.

We appreciate that newly Elected Members come with a variety of experiences; they may either be new to the representational role or have been a Councillor before. That is why, following Induction, Members are invited to attend a one-to-one discussion with the Democratic Services Officer (Member Support) to draw up a Personal Development Plan suited to their individual training and development needs.

Member Training Working Group

The Council has set up a Member Training Working Group who have the responsibility of meeting on a quarterly basis to review and monitor performance progress of Member Development.

The Member Training Working Group is a cross-party group consisting of the following Members and Officers;

- ❑ Ken Williams - Conservative (Chairman)
- ❑ Ollie Flitcroft - Conservative (Nominated Official Spokesperson for Member Development)
- ❑ Dave Pidduck - Labour
- ❑ Mike Stephenson - Independent
- ❑ Paula Westwood - Democratic Services Officer (Member Support)
- ❑ Jon Huck – Democratic Services Manager
- ❑ Ola Oduwole – Director of Corporate Services

Personal Development Plans (PDP's)

It is believed that people are more effective in learning if they take some time to think about what they need to learn before launching straight into it. PDP's are an ideal opportunity to do this thinking. That is why, on an annual basis, the Democratic Services Officer (Member Support) invites Members along to attend 'one-to-one' discussions to review and update their PDP's.

Following Induction, all newly Elected Members are given the opportunity to attend a one-to-one discussion with the Democratic Services Officer (Member Support) in order to identify their individual training and development needs and draw up a PDP.

The findings from these interviews are then presented to the Member Training Working Group who agree and formulate the Annual Learning Programme each year based on the most commonly identified developed needs.

In 2009/2010, 100% of Members had undertaken a PDP or a review of their PDP. PDP's are important to ensure that training events are Member-led.

Information Services

An abundance of useful information is made available for Members to assist them in their role. Information can be obtained from the Members' Room, The Members' Private Web Area, the Council's Website and the newsletter 'Member Matters'. The Democratic Services Officer (Member Support) can also assist in undertaking searches for information.

IT Accessibility

Today more and more information is transmitted and stored electronically than ever before; Members without IT skills may find themselves at a significant disadvantage. Members are encouraged to use IT and take up opportunities for developing their IT skills. There is a limited budget within the IT department to provide Members with the necessary IT equipment to enable them to carry out their roles effectively.

Evaluation & Monitoring of the Strategy

It is vital that Members are well equipped to undertake their work and be effective as local representatives.

The Member Development Strategy will be reviewed on an annual basis in conjunction with the Democratic Services Manager, the Democratic Services Officer (Member Support) and the Member Training Working Group. The responsibility for agreeing the overall strategy lies in the hands of the Full Council.

The Democratic Services Officer (Member Support), The Democratic Services Manager and the Member Training Working Group have the joint responsibility for the development of the Annual Learning Programme and for monitoring outcomes and improved effectiveness of the Members.

Evaluation & Monitoring of What Members Learn

In order to get the best out of training and development opportunities we need to evaluate the impact of any organised training event and ensure that any learning has been put into practice.

Where events are organised by the Council, Members will be requested to complete a feedback form. If we don't do this, we may be wasting our time and money. These forms should be completed as honestly as possible to help ensure that future Members are receiving high quality training with positive outcomes. The Member Training Working Group will review the attendance and feedback from events on a quarterly basis.

Continuous Improvement

In September 2006, the Council were awarded with the North West Charter Award for Elected Member Development, which has a lifespan of three years. The Council's re-assessment to ensure continuous improvement and improved effectiveness of the Member development process has been scheduled to take place on 25th September, 2009.

In March 2007, after careful consideration of the suggestions for continuous improvement made by North West Employers' Organisation, the Member Training Working group agreed that the

Council should focus on the following three factors as part of the continuous improvement process in respect of Member Development:-

1. Mentoring (to develop a formal mentoring scheme);
2. Availability of Personal Development and Succession Planning (matching up Members' individual identified development needs with the resources and courses available); and
3. Access to Committee papers online (including all appendices).

Each of these three factors have now successfully been implemented.

Member Training Budget

Each year a budget is set aside for Member training and development.

In 2008/2009 the budget allocated was £22,500 (made up of £12,600 for Member Training and £7,898 for ACE Programme training costs associated with Cumbrian collaboration). The total expenditure from the budget during 2008/2009 was £12,188.05.

The budget allocation for 2009/2010 is £22,500.

Progress on Member Training & Development in 2007/2008

Throughout 2008/2009 a total of 31 training and development opportunities had been made available to Members. The average rate of attendance at each event was 50.1%. The events included:-

- ❑ New Member Induction Day
- ❑ Overview & Scrutiny Committee Training
- ❑ Planning Training - Code of Conduct for Members Dealing with Planning Matters
- ❑ Audit Committee Training
- ❑ Housing Management Forum Training
- ❑ A Briefing on Planning for Councillors
- ❑ The Role of Councillors in Planning: Propriety & Good Practice
- ❑ Data Protection Briefing
- ❑ Skills for Sustainable Communities
- ❑ Leading Safely Course
- ❑ IT Training including:-
 - Health, Safety & Security Issues
 - Introducing Windows
 - Forms of Communication
 - File Management
 - Introducing Word
 - Creating a Poster in Word
 - Introducing the Internet
 - Outlook for E-mailing
 - Excel
 - PowerPoint
 - Introducing Mail Merge
- ❑ HSE Seminar: Address from the HSE
- ❑ Understanding Local Government Finance
- ❑ 'Open Forum' How the Council Operates
- ❑ Speaking off the Cuff

- ❑ Media Training
- ❑ Speed Reading Training
- ❑ Emergency Planning Training
- ❑ 'Open Forum' re Standards and the Code of Conduct & Member/Officer Relations
- ❑ Mentoring Skills Training

Further Information

If you would like any further information on Member training and development, or would like to arrange for training on a specific issue, please contact Paula Westwood, Democratic Services Officer (Member Support) on 876322 or e-mail pwestwood@barrowbc.gov.uk