

Public Document Pack

Mid Devon District Council

Community Policy Development Group

Tuesday, 19 March 2019 at 2.15 pm
Exe Room, Phoenix House, Tiverton

Next ordinary meeting
Tuesday, 25 June 2019 at 2.15 pm

Those attending are advised that this meeting will be recorded

Membership

Cllr Mrs E M Andrews
Cllr Mrs H Bainbridge
Cllr Mrs A R Berry
Cllr Mrs C P Daw
Cllr Mrs G Doe
Cllr R J Dolley
Cllr F W Letch
Cllr Mrs E J Slade
Cllr B A Moore

A G E N D A

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

- 1 **Apologies and Substitute Members**
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 2 **Declarations of Interest under the Code of Conduct**
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
- 3 **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
Note: A maximum of 30 minutes is allowed for this item.
- 4 **Minutes of the Previous Meeting** (*Pages 5 - 10*)
Members to consider whether to approve the Minutes of the last PDG meeting held on 22nd January 2019 as a true record.

- 5 **Chairmans Announcements**
To receive any announcements that the Chairman may wish to make.
- 6 **Grant Funded Agency**
To receive a presentation from Involve
- 7 **Environmental Health Fees and Charges 2019/20** (*Pages 11 - 20*)
To receive a report from the Group Manager for Public Health and Regulatory Services presenting the Environmental Health Fees and Charges 2019/20 and to make a recommendation to Cabinet to approve the Charges for 2019/2020.
- 8 **Public Health Initiatives Communication Strategy**
To receive details of the Public Health Communication Strategy from the Public Health Officer including a mock-up of web pages and the strategy for providing residents with printed information.
- 9 **Financial Monitoring**
To consider a *report of the Principal Accountant presenting financial monitoring information for the income and expenditure to date.
- 10 **Performance and Risk** (*Pages 21 - 34*)
To provide Members with an update on performance against the corporate plan and local service targets for 2018/2019 as well as providing an update on the key business risks
- 11 **Chairman's Annual Report** (*Pages 35 - 36*)
To receive the Chairman's draft annual report on the work of the Committee since May 2018, which will be submitted to Council on 24th April 2019
- 12 **Identification of Items for future meetings**
Members are asked to note that the following items are already identified in the work programme for future meetings.

Cabinet Member for Working Environment and Support Services

Air Quality Action Plan for Cullompton and Crediton

RIPA

6 Month Leisure update

CCTV Annual update

Note: This item is limited to 10 minutes. There should be no discussion on the items raised.

Stephen Walford
Chief Executive
Monday, 11 March 2019

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Carole Oliphant on:

Tel: 01884 234209

E-Mail: coliphant@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COMMUNITY POLICY DEVELOPMENT GROUP**
held on 22 January 2019 at 2.15 pm

Present

Councillors B A Moore (Chairman)
Mrs H Bainbridge, Mrs A R Berry,
Mrs C P Daw, Mrs G Doe, R J Dolley,
F W Letch and Mrs E J Slade

Apologies

Councillor(s) Mrs E M Andrews

Also Present

Councillor(s) Mrs J B Binks and C R Slade

Also Present

Officer(s): Joanne Nacey (Group Manager for Finance), Rob Fish (Principal Accountant), Michael Lowe (Health & Safety Officer), Kevin Swift (Public Health Officer) and Carole Oliphant (Member Services Officer)

58 APOLOGIES AND SUBSTITUTE MEMBERS (00.01.22)

Apologies were received from Cllr Mrs E M Andrews.

59 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

There were no declarations made.

60 PUBLIC QUESTION TIME (00.01.38)

Cllr Mrs J B Binks, as the outside representative for Citizens Advice, addressed the Group in relation to item 9 on the agenda the Draft Budget and said that in March 2017 the Community PDG had proposed a reserve of funds for agencies struggling with the implemented Service Level Agreements.

She explained that due to the reduced funding from MDDC Citizens Advice had cut back the hours when their offices were open to the public in Tiverton and Crediton.

She asked what had happened to the reserve fund agreed by the PDG in March 2017 and if a formula had been agreed for agencies to gain access to additional funding over and above their Service Level Agreement.

The Chairman advised that the questions would be addressed and discussed during the Draft Budget item.

61 **MINUTES OF THE PREVIOUS MEETING (00.07.25)**

The Minutes of the Meeting held on 20th November 2018 were approved as a correct record and **SIGNED** by the Chairman.

62 **CHAIRMANS ANNOUNCEMENTS (00.08.22)**

The Chairman had no announcements to make.

63 **GRANT FUNDED AGENCY (00.08.46)**

The Chairman introduced Molly Holmes, Chief Officer from Age UK Mid Devon. She explained that they were just coming to the end of the first year of funding through the Service Level Agreement.

Giving a presentation to the Group she explained that the most popular topic that clients contacted them about was Attendance Allowance (a non-means tested disability benefit) and that Age UK had helped residents of Mid Devon to claim £572K in benefits during 2017/2018.

With the funding received from MDDC they had introduced home visits and had supported 263 clients in their own homes. They had also been able support an additional 718 clients with benefits and welfare information and advice via their telephone advice service or drop in hubs in Cullompton and Tiverton.

They had hosted 5 information 'Free Cream Tea' events in rural parishes across Mid Devon, which had been very well attended and had enabled access to clients who they had not been able to engage with before. Ms Holmes asked if Members could recommend further communities where additional events could be hosted to encourage more residents to engage with the services that Age UK Mid Devon offered.

She then gave the Group an overview of the positive feedback and comments received from some of their clients.

In response to a question about there being no drop in hub held in Crediton, Ms Holmes explained that the hub they had there wasn't supported by the community and that they found it more beneficial to clients to be visited in their own homes. She pointed out that there was an Age Concern hub still available in Crediton.

The Chairman thanked Molly Holmes for her presentation.

64 **PUBLIC HEALTH INITIATIVES COMMUNICATION STRATEGY (00.22.25)**

The Group received a verbal report from the Public Health Officer on the communication strategy for public health initiatives and he explained that discussions had taken place about how best to communicate major public health initiatives to residents.

He explained that at the suggestion of the Cabinet Member for Community Wellbeing the Communication Team were currently making amendments to the MDDC website so that relevant information could be communicated and people could be signposted

to further information. He confirmed that a mock-up of the new web pages would be brought to the next meeting.

In response to a question regarding printed information for residents who did not have access to computers he said that resources were not currently available to print leaflets but he would bring some additional information on this approach to the next meeting.

65 HEALTH & SAFETY POLICY REVIEW OF INCIDENTS AND NEAR MISSES (00.26.50)

The Group received and **NOTED** a *report from the Director of Corporate Affairs and Business Transformation presented by the Health and Safety Officer outlining the numbers of health & safety incidents and near misses reported to the Council and the reasons for them.

The officer explained that his role was to monitor accidents and incidents and report them quarterly and that Group Managers had a responsibility to ensure that any instances were reported. He had the authority to investigate serious incidents and make recommendations to ensure processes and working practices were amended if required.

He explained that year to date there had been 23 minor incidents, which were mostly slips, trips and falls. There had been 5 instances reported with members of the public but when these had been investigated they were found to be no fault of MDDC.

In response to Members concerns about a MDDC refuse lorry which had spilled hundreds of litres of diesel in Crediton the Health and Safety Officer said that he had no knowledge of this but would investigate.

The Chairman stated that although it was unlikely that there would be zero incidents it was encouraging that the trend was downwards.

Note: *Report previously circulated and attached to the minutes

66 FINANCIAL MONITORING (00.035.33)

The Group received a verbal report by the Principal Accountant giving a financial update in respect of the income and expenditure so far in the year.

He explained that the overall General Fund variance was £94K in November which was an improvement of £74k from £168K reported in October. The improvement for Community PDG related services was £138k. The main areas of improvement were Revenues and Benefits at £75K and Planning at £63K. He explained the improvements in housing benefit subsidy, additional annex tax, new burdens grants from Government and additional council tax benefit.

67 DRAFT BUDGET (00.40.12)

The Group received and **NOTED** a *report of the Deputy Chief Executive (S151) presented by the Group Manager for Financial Services outlining the draft budget for 2019/2020.

She explained that the forecasted budget shortfall of £662K had been reduced to £253K. She stated that officers had gone into a great deal of detail and had been pragmatic in order to produce a robust budget. She confirmed that the Government settlement had come through in December and that the figures rarely changed.

She explained to the Group that a budget shortfall of £253K was not a great place to be in and if more savings could be found they would be but it would be unlikely. She stated that the budget gap would be plugged with the council's reserves and New Homes Bonus for 2019-2020 but this would mean that the 2020-2021 budget already had a gap of £253K and this could rise to as much as £1m.

In response to a question from the Chairman she confirmed that the overall budget was £10m and that the £253k shortfall represented about 2.5% which was favourable compared to other local authorities.

She explained to the Group that the Council were lobbying the Government hard to acknowledge that rural areas could be as or more deprived than urban ones and deserved the same level of funding.

She confirmed to the Group that the provisional Capital Programme was currently being completed and would be forwarded to all Members.

In relation to the questions asked by Cllr Mrs J M Binks at public question time she reminded the Group what had been agreed by them in March 2017:

1. The Citizens Advice was granted an additional £3k per annum over the agreed £12.5K Service Level Agreement taking their annual amount to £15.5K
2. The Tiverton Market Drop in Centre was granted £3k over the next 2 years to transition from a guaranteed yearly grant to Service Level Agreements

She explained that in March 2017 there was a forecasted £18K underspend in grants funding which was to be earmarked to assist struggling agencies transition to Service Level Agreements. However this had been used, in part, to grant the additional funding to the Citizens Advice and the Tiverton Market Centre agreed by the PDG at the March meeting.

She further explained that in 2017/2018 the council had ended the year with an overspend of £72k on the budget and that the remaining reserves for grant funded agencies had been used to plug the council's budget funding gap. She confirmed that there were now no funds left in the council's reserves specifically earmarked for grant funded agencies and that if the Group were minded to grant additional funding to the Citizens Advice this would need to be added to the forecasted £253K budget gap facing the council in 2019/2020 and be taken directly from the council's reserves.

The Chairman explained to the Group that although they had the best intentions in March 2017 to create and make available a reserve fund for grant funded agencies that because of budget pressures the council were no longer able to offer this fund.

There was a general discussion regarding the pressures on all grant funded agencies due to reduced funding from County, District and Town Council's and that the Service

Level Agreements brought in by MDDC gave agencies some clarity about how much funding they would receive over a three year period.

The Cabinet Member for Community Wellbeing explained that the Service Level Agreements were confirmed for the remainder of the year and work would begin again in the autumn for agencies to apply for ongoing funding through new agreements due to commence in 2020.

He explained that he had attended the open sessions recently run by the Citizens Advice and had been able to confirm that all the grant funded agencies supported by MDDC worked together to refer clients. He stated that the Citizens Advice had recently been awarded the contract by the Department of Work and Pensions to give Universal Credit advice and this would be a substantial revenue stream for them moving forward.

Note: *Report previously circulated and attached to the minutes.

68 **PERFORMANCE AND RISK (01.12.54)**

The Group had before it and **NOTED** a report * from the Director of Corporate Affairs and Business Transformation presented by the Group Manager for Performance, Governance and Data Security providing Members with an update on performance against the Corporate Plan and local service targets as well as providing an update on the key business risks.

Discussion took place regarding the risk severity explanations and the Group Manager for Performance, Governance and Data Security said she would circulate them onto members. She explained that the Risk Management Policy was being reviewed by the Audit Committee in March 2019.

Note: * Report previously circulated attached to the minutes

69 **IDENTIFICATION OF ITEMS FOR FUTURE MEETING (01.16.24)**

The Group requested that the Public Health Officer communicate the equipment and supplier used for the Trim Trail due to be completed shortly in Tiverton to the Town and Parish Council's so that this could be replicated by them if required. It was agreed that this would be added to the next Town and Parish newsletter.

(The meeting ended at 3.37 pm)

CHAIRMAN

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COMMUNITY POLICY DEVELOPMENT GROUP

19 MARCH 2019

ENVIRONMENTAL HEALTH FEES AND CHARGES

Cabinet Member: Cllrs Colin Slade and Margaret Squires
Responsible Officer: Simon Newcombe, Group Manager for Public Health & Regulatory Services

Reason for Report: To provide members with the revised fees and charges for statutory and discretionary functions within the Public Health & Regulatory Services Commercial Team.

RECOMMENDATION:

- (1) That Cabinet approve the revised fees and charges as set out in Annex 1.

Relationship to the Corporate Plan: Priority Area Community - Promoting physical activity, health and wellbeing. The statutory functions of the Commercial Team directly protect the health and wellbeing of residents, workers and visitors across Mid Devon.

Financial Implications: The revised fees and charges are set out in Annex1 of the report. The fees have been updated to reflect current service delivery costs.

Legal Implications: The Council cannot charge for the performance of its statutory duties unless permitted by legislation. It can, however, charge for discretionary services, provided such charges are made on a cost recovery basis i.e. that the charge levied reflects the overall cost to the Council in the delivery of the service. The cost can include overheads i.e. it is not simply an hourly rate based on the cost of employing the officer. Charges above cost recovery i.e. which result in a profit are not permissible – the Council would have to establish a trading company and that is not proposed in this report.

Risk Assessment: There are no major risks. A failure to update the relevant fees and charges could mean we are not able to adequately recover costs where we are able to do so.

Equality Impact Assessment: A full assessment is not necessary for this report. The charges are set and applicable to the service being provided and do not disadvantage any protected characteristics or specific groups.

1.0 Introduction

- 1.1 A review of fees and charges is necessary to offset or cover the costs incurred by this authority in carrying its duties.
- 1.2 As the pressure on Council budgets increases, service areas are having to re-examine the functions offered and, in addition to key statutory functions, provide discretionary functions in a way that does not present an undue cost

to the authority. An innovative approach has also been taken to off-set the cost through the commercialisation of some discretionary services, wherever possible and permissible.

- 1.3 A new cost of charging for missed appointments is introduced to reflect the corporate risk function now carried out by the Commercial Team on behalf of Building Services, in particular Council housing but can apply to corporate commercial property, though instances of missed appointments are much less common in the latter. This change mirrors the adopted recharges policy currently carried out by Building Services.

2.0 Changes to the fees and charges

- 2.1 A breakdown of the Council's current and proposed charges in respect of the environmental health functions is set out in Annex 1.

Private Water Supplies

- 2.2 The Commercial Team within Public Health and Regulatory Services carries out duties to ensure that private water supplies are safe and drinking water quality is acceptable to consumers under the Private Water Supplies (England) Regulations 2016. This includes the risk assessment of water supplies, the taking of and the analysis of water samples, and the investigation into the reasons why the results of some tests breach the regulatory standards.
- 2.3 On the basis of the number of tests and assessments carried out in previous years, the Council can expect to achieve an income in the region of £35,000 for 2019/20.
- 2.4 Local Authorities can make reasonable charges to cover the costs of carrying out the duties in relation to private water supplies, as set out in the Private Water Supplies (England) Regulations 2016.

Environmental Testing Services

- 2.5 In relation to the testing of swimming pool and hot tubs it is important that operators carry out bacteriological monitoring on a regular basis to ensure that the pool water is being adequately disinfected and that no person is being exposed to any harmful bacteria in the pool. Public Health offers the discretionary service of pool water sampling visits and provides advice given in the event of any failures.
- 2.6 The testing of water quality for legionella may, in future, be offered to third parties complementary to the corporate risk work currently being carried out and outside of the hours paid for by corporate risk client services (Corporate Property, Building Services and Leisure). As part of the employer's responsibilities to manage legionella this service would initially be offered to MDDC owned tenanted sites on a trial basis and include advice in the event of any unsatisfactory results. In the future, this work could be delivered to commercial/social housing clients or to other local government clients within or outside of the district.

- 2.7 The sampling of material suspected of containing asbestos may, in future, be offered to third parties. This would also be a complementary to the asbestos surveys currently being undertaken on Council owned housing stock by the team.
- 2.8 An ultraviolet light box and hand gel is available as a 'wash and glow' training solution to educate both children and adults in correct hand-washing techniques. A hire charge is introduced to cover the costs of hire although this may be waived where it forms part of an 'official control' or public health function.

Charges for Food Hygiene Rating Scheme Revisits

- 2.9 The Commercial Team participate in the delivery of the national Food Hygiene Rating Scheme where food businesses are rated between 0 (*urgent improvement necessary*) and 5 (*very good*). As a food business operator with a food hygiene rating of 4 or below there is a right to request a revisit from a food hygiene officer to re-rate the business providing action has been taken to improve any issues found during the original inspection.
- 2.10 A cost recovery fee for food hygiene rating scheme re-rating inspections is to be introduced. Legal advice received by the Food Standards Agency indicates that powers available to local authorities in England under the Localism Act 2011 allow for the recovery of costs for re-inspection requested by businesses to re-assess their food hygiene rating. This is because early re-rating assessment visits as set out below are a discretionary service rather than a statutory duty.
- 2.11 Currently a food business operator can only request one re-rating inspection between due periodic inspections, ranging from six months to three years. The re-rating inspection is carried out unannounced and is typically carried out between three to six months of the initial inspection. Under the fee paying scheme, all requested revisits will be carried out within three months of the fee being paid and there is no limit on the number of requests a business can make.
- 2.12 There is no prescribed fee for undertaking this work and Food Standards Agency guidance indicates local authorities must set a fee having regard to HM Treasury 'managing public money' and other relevant guidance. The fee set therefore covers the cost of delivery for re-rating inspections only.

Charges for Food Safety Advice to Businesses

- 2.13 The Commercial Team is responsible for carrying out inspections of all food businesses in Mid Devon and have a range of enforcement powers to ensure they meet the requirements of food hygiene law. The provision of advice to individual businesses is one such part of our successful strategy to change behaviour and increase compliance rates in food businesses.
- 2.14 The demand for professional food safety advice, particularly from new businesses, is threatened by the competing demands for resources as part of

our primary aim of regulating businesses for the protection of the public. While it is recognised that timely advice can have a greater impact on securing compliance over enforcement action there is now a point where the provision of advice goes over and above what is deemed statutory and places undue cost on the service at the expense of other functions.

- 2.15 Section 93 of the Local Government Act 2003 contains powers for all local authorities to levy charges for 'discretionary services' i.e. where the authority has a choice whether or not to undertake the service and the recipient has a choice whether or not to receive the service. A significant proportion of the food safety advice provided by the Commercial Team is discretionary. No fee is permitted to be charged for the inspection of food businesses which is carried out as part of the Council's statutory duties.
- 2.16 Businesses will continue to be given sufficient information or advice free of charge so that they are clear as to the legal obligations placed upon them. A pre-agreed charge on a cost recovery basis will however be introduced for certain aspects of the advisory work currently undertaken including:
- all advisory visits
 - where "considerable" assistance to start-up a new food business is required
 - where help is required to produce and implement a food safety management system
 - where tailored advice specific to the businesses needs is requested
 - requested visits, advice or guidance carried out in advance of a Food Hygiene Rating Scheme visit

Charging for other Food Related Activities

- 2.17 The Commercial Team issue food export certification where a food business wishes to commercially export food outside the European Union. Food export certificates are issued to satisfy the particular requirements of each importing country that may require a detailed inspection of the consignment and processing requirements or simple documentation that the premises are subject to inspection by the local authority.
- 2.18 In the event of a no-deal Brexit there will likely be an increase in the number of export certificates which local authorities need to issue to producers exporting to the European Union.
- 2.19 A food condemnation certificate may be issued where a food business has food that is no longer fit for purpose (for example freezer breakdown, out of date food, damaged stock). Environmental Health Officers will visit and certify the quantity of unfit food (often required for insurance purposes) and ensure that it is appropriately disposed of.
- 2.20 There is no legal obligation on the part of the local authority to issue health certificates or food condemnation certificates and therefore this remains a discretionary service.

Requests for Statements and Information

- 2.21 In certain circumstances, such as an accident investigation, a request can be made by a third party to provide a 'witness of fact statement'. Officers may produce a full report or they may provide all the information in the form of a statement whilst having due regard to any photographs, plans, calculations, analyses, measurements, survey reports or other similar documents. A charge will be levied on all such requests.
- 2.22 All food premises used for storing, selling, distributing or preparing food must register with the local authority as a food business establishment. Registration is free and enables environmental health to keep an up-to-date list of all premises operating in Mid Devon. The name and address of the food business and the nature of the food business will be held on the Public Register. A copy of the list or any entry on it may be provided to anyone who makes a request for such information under Article 31(1)(b) of Regulation 882/2004.

Charging for Missed Appointments

- 2.23 A newly assigned function of the Commercial Team is to carry out Legionella sampling and asbestos surveys on Council properties as part of the statutory corporate risk obligations for Building Services. Where a Tenant has had suitable notice and refused access for the Council to carry out this monitoring, the Council will recharge the Tenant for any costs incurred with the aborted visit and any subsequent attempts to gain access. This will include lost officer time, travel costs, administration fees, and legal/court costs where applicable.
- 2.24 If a Tenant is out or does not answer the door when we visit for a pre-arranged repair appointment, the Council will recharge the Tenant for any costs incurred with the aborted visit.
- 2.25 As regulators for private water supplies, where the owner or person responsible for the supply has had suitable notice and refused access for the Council to carry out its statutory duties, the Council will recharge the responsible person for any costs incurred with the aborted visit and any subsequent attempts to gain access. This will include lost officer time, travel costs, administration fees, and legal/court costs where applicable.

3.0 Summary

- 3.1 A review has been carried out of fees and charges and is necessary to offset or cover the costs incurred by this authority in carrying out its statutory duties under the Private Water Supplies (England) Regulations 2016 and for those discretionary services offered by the service as outlined above.
- 3.2 The 2019-20 fees and charges are set out in Annex 1. In order to compare fee structures, a range of local authority service charges are benchmarked from published information as detailed in Annex 2.

3.3 The charges for our discretionary services are on a cost recovery basis only in order to comply with legal limitations on charging.

Contact for more Information: Jeremy Pritchard, Team Leader (Commercial Team) on 01884 244614 or jpritchard@middevon.gov.uk or Simon Newcombe, Group Manager for Public Health and Regulatory Services 01884 244615 or snewcombe@middevon.gov.uk.

Circulation of the Report:

Cllrs Colin Slade and Margaret Squires, Cabinet Member for Community Well-being and Public Health respectively
Members of the Community PDG
Leadership Team
Financial Services
Legal Services
Group Manager for Performance, Governance and Data Security

Annex 1

Mid Devon District Council Public Health & Regulatory Services Commercial Team Charges 2019/20

PRIVATE WATER SUPPLIES			
Activity	Current charge	Proposed charge	Comments
Risk Assessment	£220 for up to 2 hrs + £40 hr thereafter	£200 for up to 2 hrs on-site + £40 hr thereafter	A risk assessment is required for all private water supplies except for single domestic dwellings
Risk Assessment Report	Included with above fee	£70	Includes up to 2 hours write-up
Sampling visit	£80	£100	Sampling visit only, does not include analysis costs
Investigation	£100	£50	An investigation must be carried out to determine the cause of a failure including service of notice
Authorisation	£100	£100	Issued for a temporary basis whilst remedial work is carried out to improve the supply

FOOD SAFETY			
Activity	Current charge	Proposed charge	Comments
Food Condemnation Certificate	£100	£100	Customer to arrange for removal of condemned food by approved contractor (includes first hour plus £40 per hour thereafter)
Food Export Certificate	£50	£100	Includes a site visit. Additional certificate(s) £30 each
Food Export Certificate	£23 each	£30 each	No site visit. Certificates sent through post
Training course in Food Safety in Catering	£15 per person	£15 per person	2-hour food hygiene (refresher) training course
UV light box hire	-	£40	(includes a minimum 1 x 200ml UV cream)
1 hour regulatory business advice at our office	-	£53	(£40 per hour thereafter)
1 hour regulatory business advice site visit	-	£99	(£40 per hour thereafter)
Safer Food Better Business pack	-	£30	(an additional £4.95 for postage)
Food Hygiene Rating Scheme re-inspection charge	-	£155	

ENVIRONMENTAL SAMPLING/TESTING			
Activity	Current charge	Proposed charge	Comments
Swimming pool and hot tubs sampling*	-	£140	(Includes bacteriological analysis) Additional samples £50 each
Legionella sampling	-	£120	Additional samples £40 each
Asbestos sampling	-	£150	Additional samples £50 each
<i>*includes sampling for Leisure Services</i>			
REQUESTS FOR STATEMENTS/INFORMATION			
Issue of Factual Statement	-	£200	Includes up to 4 hours work
Individual copy of Food Premises Registration form	£12	£15	Paper copy
Entire copy of Food Premises Registration Forms	£550	£550	Paper copy
	£110	£110	Electronic copy
PRIMARY AUTHORITY PARTNERSHIP			
Initial set-up fee	-	£550	
1 hour business advice at our office	-	£53	(from £40 per hour thereafter)
1 hour business advice site visit (within Mid Devon)	-	£99	(from £40 per hour thereafter)
FIXED PENALTY NOTICES			
Smoking in a smoke free designated area or vehicle	£50	£50	Reduced to £30 if paid within 15 days of being issued
Failing to display smoke free signage	£200	£200	Reduced to £150 if paid within 15 days of issue
MISSED APPOINTMENTS			
Missed appointment	-	£15	
Refused access	-	Officer time, travel costs, administration and court costs where applicable	

Annex 2

Benchmarking Local Authority Charges

PRIVATE WATER SUPPLY CHARGES			
Local authority	Activity	Charge	MDDC Charge
Cornwall Council	Sampling visit	£100	£100
	Risk Assessment	£317 (2 hrs + £52 per hr) & £126 report (1.5 hrs)	£200 (2 hrs + £40 hour & £70 report 2 hrs)
North Devon District Council	Sampling visit (programmed)	£100 (single request)	£100
	Risk Assessment	£204	£200 (2 hrs + £40 hour & £70 report 2 hrs)
	Investigation	£100	£50
	Authorisation	£100	£100
FOOD SAFETY CHARGES			
Cornwall Council	Food Condemnation Certificate	£84 (per hour)	£100
	Food Export Certificates (site visit)	£122	£100
	Food Export Certificate (signing only)	£61	£30
	Food Hygiene Rating Scheme re-inspection charge	£175	£155
North Devon District Council	Food Condemnation Certificate	£50 (per hour)	£100
	Food Export Certificates (site visit)	£50	£50
	Food Export Certificate (signing only)	£50	£23
Teignbridge District Council	Food Hygiene Rating Scheme re-inspection charge	£160	£155
OTHER CHARGES			
Cornwall Council	Issue of Factual Statement	£336	£200
	Primary Authority Partnership	£672 (set-up) and advice from £84 hr	£450 (set-up) and advice from £40 hr
	Regulatory business advice	From £84	From £53
Teignbridge District Council	Issue of Factual Statement	£150	£200

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COMMUNITY PDG 19 MARCH 2019:

PERFORMANCE AND RISK FOR 2018-19

Cabinet Member Cllr Colin Slade
Responsible Officer Director of Corporate Affairs & Business Transformation,
Jill May

Reason for Report: To provide Members with an update on performance against the corporate plan and local service targets for 2018-19 as well as providing an update on the key business risks.

RECOMMENDATION: That the PDG reviews the Performance Indicators and Risks that are outlined in this report and feeds back areas of concern to the Cabinet.

Relationship to Corporate Plan: Corporate Plan priorities and targets are effectively maintained through the use of appropriate performance indicators and regular monitoring.

Financial Implications: None identified

Legal Implications: None

Risk Assessment: If performance is not monitored we may fail to meet our corporate and local service plan targets or to take appropriate corrective action where necessary. If key business risks are not identified and monitored they cannot be mitigated effectively.

Equality Impact Assessment: No equality issues identified for this report.

1.0 Introduction

- 1.1 Appendix 1 provides Members with details of performance against the Corporate Plan and local service targets for the 2018-19 financial year.
- 1.2 Appendix 2 shows the section of the Corporate Risk Register which relates to the Community Portfolio. See 3.0 below.
- 1.3 Appendix 3 shows the profile of all risks for the Community Portfolio.
- 1.4 The Community PDG agreed that the performance indicators for Leisure would be provided in Part II to allow Members to review performance without risk to the Leisure business. This information is included as Appendix 4
- 1.5 All appendices are produced from the corporate Service Performance And Risk Management system (SPAR).

2.0 Performance

- 2.1 Regarding the Corporate Plan Aim: **Promote physical activity, health and wellbeing:** The first Trim Trail in Amory Park Tiverton has been completed.
- 2.2 **Other: compliance with food safety law** there has been some reclassification of premises which has reduced the number of higher risk premises this PI relates to.
- 2.3 Digital inclusion work has commenced with the Web Accessibility legislation impact being assessed. This is because of an EU directive regarding new website accessibility requirements being introduced over the next 2 years.

3.0 Risk

- 3.1 The Corporate risk register has been reviewed by Group Managers Team (GMT) and updated. Risk reports to committees include risks with a total score of 10 or more. (See Appendix 2)
- 3.2 Appendix 3 shows the risk matrix for MDDC for this quarter. If risks are not scored they are included in the matrix at their inherent score which will be higher than their current score would be.

4.0 Conclusion and Recommendation

- 4.1 That the PDG reviews the performance indicators and risks for 2018-19 that are outlined in this report and feedback any areas of concern to the Cabinet.

Contact for more Information: Catherine Yandle, Group Manager Performance, Governance and Data Security ext 4975

Circulation of the Report: Management Team and Cabinet Member

Corporate Plan PI Report Community

Monthly report for 2018-2019
 Arranged by Aims
 Filtered by Aim: Priorities Community
 Filtered by Flag: Exclude: Corporate Plan Aims 2016 to 2020
 For MDDC - Services

Key to Performance Status:

Performance Indicators: No Data Well below target Below target On target Above target Well above target

* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Community

Priorities: Community

Aims: Promote physical activity, health and wellbeing

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group to Manager	Officer Notes
<u>GP Referrals</u>	22 (10/12)			22	22	22	22	22	22	22	22	22	22				Corinne Parnall	(January) 22 (K)

Aims: Other

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group to Manager	Officer Notes
<u>Number of social media communications MDDC send out</u>	108 (10/12)		30	69	66	66	75	77	86	125	160	94	93				Jane Lewis	(January of Faceb Posts Publish No. of T Tweeted (MA)
<u>Number of web hits per month</u>	36,837 (10/12)			35,191	33,432	29,453	30,317	31,082	29,611	31,193	29,782	28,428	36,443				Jane Lewis	
<u>Compliance with food safety law</u>	89% (10/12)		90%	85%	85%	85%	85%	85%	86%	86%	87%	87%	88%				Simon Newcombe	(April - A The redt to 85% compliar statistica The cycl- inspectic intervent has mea 3-yearly of the lo category premises been complete financial This has resulted number l identific longer active/pr food and require deregistr Such low premises village halls/pre preparec have the straight-l compliar targets a typically above 9(a result. fewer su premises means tt overall % compliar across tt district is

Corporate Plan PI Report Community																		
Priorities: Community																		
Aims: Other																		
Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer
																		lower. Tr higher ris premises still perf as before the numl food reta premises scoring < on Score door ren unaffected (CY)

Corporate Plan PI Report Community

Monthly report for 2018-2019
 Arranged by Aims
 Filtered by Aim: Priorities Community
 Filtered by Flag: Exclude: Corporate Plan Aims 2016 to 2020
 For MDDC - Services

Key to Performance Status:

Performance Indicators:

No Data	Well below target	Below target	On target	Above target	Well above target
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* Indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Community

Priorities: Community

Aims: Promote physical activity, health and wellbeing

Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group to Manager	Officer Notes
<u>GP Referrals</u>	22 (10/12)			22	22	22	22	22	22	22	22	22	22				Corinne Parnall	(January) 22 (K)

Aims: Other

Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group to Manager	Officer Notes
<u>Number of social media communications MDDC send out</u>	108 (10/12)		30	69	66	66	75	77	86	125	160	94	93				Jane Lewis	(January) No. of Facebook Posts Published = 51 No. of Tweets Tweeted = 42 (MA)
	28,794 (11/12)		35,191	33,432	29,453	30,317	31,082	29,611	31,193	29,782	28,428	36,443	31,056					

Corporate Plan PI Report Community

Priorities: Community

Aims: Other

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
<u>Number of web hits per month</u>																	Jane Lewis	
<u>Compliance with food safety law</u>	89% (10/12)		90%	85%	85%	85%	85%	85%	86%	86%	87%	87%	88%				Simon Newcombe	(April - August) The reduction to 85% compliance is a statistical issue. The cycle of inspection and interventions has meant a 3-yearly review of the lowest category risk premises has been completed this financial year. This has resulted in a number being identified as no longer active/preparing food and require deregistration. Such low-risk premises (e.g. village halls/pre-prepared food) have the most straight-forward compliance targets and typically score above 90% as a result. Having fewer such

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Corporate Plan PI Report Community

Priorities: Community

Aims: Other

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
																		premises means the overall % compliance across the district is now lower. The higher risk premises are still performing as before and the number of food retail premises scoring 4 or 5 on Scores-on-door remain unaffected. (CY)

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Community PDG Risk Management Report - Appendix 2

Report for 2018-2019
 For Community - Cllr Colin Slade Portfolio
 Filtered by Flag:Include: * CRR 5+ / 15+
 For MDDC - Services

Not Including Risk Child Projects records or Mitigating Action records

Key to Performance Status:

Risks: No Data (0+) High (15+) Medium (6+) Low (1+)

Community PDG Risk Management Report - Appendix 2

Risk: Legionella Legionella

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: Medium (10)	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 2 - Low
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Service Manager: Darren Beer, Heather Hargreaves

Review Note:

Risk: Plant Room Plant Room

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: Medium (10)	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 2 - Low
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Service Manager: Darren Beer, Heather Hargreaves

Review Note:

Risk: Pool Inflatable Pool Activities

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: Medium (10)	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 2 - Low
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Service Manager: Darren Beer, Heather Hargreaves

Review Note: improvement through increased staffing resources, or removing the activity. Staff training is undertaken for this activity in addition to the NPLQ qualification

Community PDG Risk Management Report - Appendix 2

Risk: School Swimming Sessions School Swimming Sessions

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Service Manager: Darren Beer, Heather Hargreaves

Review Note: Improvement possible by increased staffing resources

Risk: Swimming Lessons Swimming Lessons

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Service Manager: Darren Beer, Heather Hargreaves

Review Note: Improvement possible with increased staffing resources

Risk: Swimming Pool Swimming pool & spectator walkway

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Service Manager: Darren Beer, Heather Hargreaves

Review Note: Improvement possible by increased staffing resources

Risk Matrix Community Appendix 3

Report For Community - Cllr Colin Slade Portfolio Current settings

Risk Likelihood	5 - Very High	No Risks	No Risks	No Risks	No Risks	No Risks
	4 - High	No Risks	No Risks	No Risks	No Risks	No Risks
	3 - Medium	No Risks	No Risks	3 Risks	No Risks	No Risks
	2 - Low	No Risks	3 Risks	9 Risks	1 Risk	7 Risks
	1 - Very Low	No Risks	No Risks	No Risks	3 Risks	3 Risks
	1 - Very Low	2 - Low	3 - Medium	4 - High	5 - Very High	
	Risk Severity					

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Community PDG Chairman's Report 2018-19

It has now been 3 years since I took over as Chairman of the Community PDG. By way of reminder its specific areas of interest are Community Leadership, Leisure Centres, Community Consultation / Development / Participation, Community Planning, and Town Centre Improvements. This is a broad remit. In my opinion the committee has continued to make positive progress in pursuing its objective of active promotion, within its powers, of community benefit.

Much of the work of the PDG has continued to be centred around checks and balances based on regular reports from officers and outside organisations. Some of these have been routine from financial monitoring, risk reviews through to public health plan performance and anti-social behaviour statistics. Concentrating on areas on interest rather than the mundane, the PDG continues to embrace active debate on important elements of reports received.

Less routine reports have included presentations from some of the charities that MDDC supports including Citizens Advice, Mid-Devon Mobility (formerly Tiverton and District Community Transport Association) and the Tiverton Museum of Mid-Devon Life. Much good work is done for the community by these and others. Whilst the PDG sought to increase levels of financial support this proved impossible due to overall funding constraints.

Feedback was sought on some of the initiatives taken in 2017-18. It was reported that the extension to the Exe Valley Leisure Centre had resulted in a very positive outcome in customer take-up. Improvements in Lords Meadow should lead to similar community benefits. In addition, leisure-service price strategy had been implemented with little negative feedback. In a similar vein the PDG has taken a keen interest in the implementation of the district's first Trim Trail. Sited in Tiverton this was opened to the public at end February 2019.

Some policies and plans require regular review to ensure currency against current legislation and guidance. The Air Quality Action Plan was introduced in 2017-18 with positive progress being reported a year later. A new, necessary and comprehensive policy addressing the sensitive topic of Unauthorised Encampment was reviewed and eventually adopted by full Council.

As in 2017-18 the budget was a challenge with further reductions in government funding to the District. Most of the activity for which the PDG is responsible is mandatory with economies already taken such that further reductions in staffing would be counter-productive. Where possible, charging regimes will be optimised as far as government rules permit (eg planning) or in line with market benchmarks (eg leisure services).

Perhaps the most stimulating event of the year was a CPDG-promoted Member Briefing on the current topic of Diet and Nutrition. With 3 engaging guest speakers the committee as well as other Councillors were encouraged actively to promote healthy initiatives such as Sugar Smart through MDDC to the benefit of the community. Hopefully this theme will be continued into next year.

This report marks the last in the 4-year term for the currently-elected Members of the CPDG. It has been my privilege to lead this committee for much of that time. I'd like to thank the Members and Officers for their thoughtful and at times challenging but always constructive contributions. In addition, I would like to thank Carole Oliphant our Clerk for keeping us in order in the past year.

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