

# TONBRIDGE & MALLING BOROUGH COUNCIL



## EXECUTIVE SERVICES

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### Chief Executive

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Kent ME19 4LZ  
West Malling (01732) 844522

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**NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.**

Contact: Committee Services  
[committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk)

20 August 2014

To: MEMBERS OF THE LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Local Environmental Management Advisory Board to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 2nd September, 2014 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

## A G E N D A

### PART 1 - PUBLIC

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| 1. | Apologies for absence    | 5 - 6  |
| 2. | Declarations of interest | 7 - 8  |
| 3. | Minutes                  | 9 - 14 |

To confirm as a correct record the Notes of the meeting of Local Environmental Management Advisory Board held on Tuesday 27 May 2014

**Matters for recommendation to the Cabinet**

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| 4. | Refuse and Recycling Collections and Arrangements for Contracted Services Christmas 2014 | 15 - 18 |
| 5. | EU Waste Framework Directive   | 19 - 22 |
| 6. | Food and Safety Team Service Plan  | 23 - 66 |

**Matters submitted for Information**

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| 7.  | Waste and Street Scene Services Update | 67 - 72 |
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Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

**Matters for consideration in Private**

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| 13. | Exclusion of Press and Public | 91 - 92 |
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The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**PART 2 - PRIVATE**

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| 15. | (LGA 1972 Sch 12A Paragraph 7 – Prevention, investigation or prosecution of criminal offences) |         |
| 15. | Urgent Items   | 97 - 98 |

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

## **MEMBERSHIP**

Cllr M O Davis (Chairman)  
Cllr S M King (Vice-Chairman)

Cllr Ms J A Atkinson  
Cllr Ms V M C Branson  
Cllr C Brown  
Cllr F R D Chartres  
Cllr R W Dalton  
Cllr Mrs E M Holland

Cllr Mrs F A Kemp  
Cllr Miss A Moloney  
Cllr Mrs A S Oakley  
Cllr Ms S V Spence  
Cllr D J Trice

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Apologies for absence

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Declarations of interest

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## TONBRIDGE AND MALLING BOROUGH COUNCIL

### LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

Tuesday, 27th May, 2014

**Present:** Cllr M O Davis (Chairman), Cllr S M King (Vice-Chairman), Cllr Ms J A Atkinson, Cllr Ms V M C Branson, Cllr C Brown, Cllr F R D Chartres, Cllr R W Dalton, Cllr Mrs F A Kemp, Cllr Miss A Moloney, Cllr Mrs A S Oakley and Cllr D J Trice

Councillors Mrs J A Anderson, O C Baldock, M A C Balfour, Mrs P Bates, P F Bolt, D J Cure, N J Heslop, B J Luker, Mrs S Murray, M R Rhodes, H S Rogers and A G Sayer were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Ms S V Spence

#### PART 1 - PUBLIC

#### **LEM 14/14 DECLARATIONS OF INTEREST**

There were no declarations of interest made in accordance with the Code of Conduct.

#### **LEM 14/15 MINUTES**

**RESOLVED:** That the notes of the meeting of the Local Environmental Management Advisory Board held on 3 March 2014 be approved as a correct record and signed by the Chairman.

#### MATTERS FOR RECOMMENDATION TO THE CABINET

#### **LEM 14/16 WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE) RECYCLING**

Decision Notice D140061MEM

Further to Decision No D140024MEM, the joint report of the Director of Street Scene and Leisure and Cabinet Member for Environmental Services provided an update on the Council's WEEE recycling pilot and recommended that the initiative be extended to the summer of 2015 to allow further evaluation of partnership arrangements with Kent County Council.

**RECOMMENDED:** That

(1) the changes to the funding arrangements of the WEEE pilot, as detailed in the report, be noted;

(2) the appointment of Veolia as the provider of the WEEE recycling pilot to 30 June 2015 be endorsed; and

(3) the Director of Street Scene and Leisure be requested to report back to the Advisory Board on the findings of his ongoing review of the WEEE recycling service and, in particular, details of any proposed partnership funding with Kent County Council.

#### **LEM 14/17 PAPER BANKS - OUTLETING OF MATERIAL**

Decision Notice D140062MEM

Consideration was given to the report of the Director of Street Scene and Leisure regarding the extension of the existing contract with Aylesford Newsprint Limited for provision and emptying of paper banks, the current contract containing an option to extend for a further five years until May 2019.

**RECOMMENDED:** That the extension of the contract with Aylesford Newsprint Ltd for the provision of banks and collection of paper from the 'bring' sites until 16 May 2019 be approved.

#### **LEM 14/18 TONBRIDGE ODOUR UPDATE**

Decision Notice D140063MEM

Further to Decision No D140026MEM the report of the Director of Planning, Housing and Environmental Health provided an update on the issue of odour emissions in Tonbridge and specifically on the developments that had occurred since the previous meeting of the Advisory Board in March 2014.

It was confirmed that the Regenerative Thermal Oxidiser (RTO) was undergoing installation with a revised completion date of 9 June. Reference was made to a recent change in the ownership of the company and the Managing Director's expectation that this would enable many of the desired improvements to be made. A copy of his letter explaining the delay in the timetable for installation of the RTO was available at the meeting. Officers undertook to inform members of the Advisory Board when the installation was complete and indicated that monitoring would continue to assess the effectiveness of the equipment in addressing the odour problems.

**RECOMMENDED:** That

(1) the progress made to date with the installation of the Regenerative Thermal Oxidiser at Drytec be endorsed; and

(2) the approach of officers be endorsed in endeavouring to ensure the installation is completed within the agreed timetable and in monitoring the subsequent performance of the RTO by way of ongoing odour monitoring.

#### **LEM 14/19 ENVIRONMENTAL PROTECTION TEAM PERFORMANCE 2013-14**

Decision Notice D140064MEM

The report of the Director of Planning, Housing and Environmental Health described the operational day to day work of the Council in relation to its statutory function of environmental protection and pollution control for the year 1 April 2013 to 31 March 2014. Reference was made to the impact of the odour from Drytec on requests for service. A further area of growth related to response to consultations on temporary event notices.

**RECOMMENDED:** That the work carried out by the Environmental Protection Team in 2013/14 and the proposed service improvements for 2014/15 be endorsed.

#### **LEM 14/20 FOOD AND SAFETY TEAM PERFORMANCE 2013-14**

Decision Notice D140065MEM

The report of the Director of Planning, Housing and Environmental Health described the operational activities of the Council in relation to its statutory function of food safety and health and safety for the year 2013/14. Reference was made to positive feedback from promotional initiatives and plans to continue education and training for catering businesses in 2014/15.

**RECOMMENDED:** That the performance relating to activities associated with the food and safety function in 2013/14 be noted and the service improvements for 2014/15, as detailed in paragraph 1.9 of the report, be endorsed.

#### **MATTERS SUBMITTED FOR INFORMATION**

#### **LEM 14/21 STREET SCENE ACTION PLAN 2013-14**

The report gave details of street scene initiatives completed in 2013/14 in support of one of the Council's key improvement priorities aimed at providing 'a clean, smart, well maintained and sustainable Borough'. It was noted that street scene was a cross cutting theme with actions impacting on a range of services and involving a number of external partners such as Kent Highway Services, the Police, Housing Associations and the Environment Agency.

**LEM 14/22 WASTE AND STREET SCENE SERVICES - CONTRACT PERFORMANCE 2013-14**

The report considered performance over the range of Waste and Street Scene Services' functions and contracts during 2013/14. Members were pleased to note that the results across the high profile functions managed by the Service demonstrated that the performance of the team and contractors continued at its historically high level of quality.

Reference was also made to the results of a recent programmed Internal Audit review of the Waste and Street Scene team's work areas and the management of administration of contracts in which only one minor recommendation relating to an IT improvement to an administrative procedure had been made.

**LEM 14/23 WASTE SERVICES UPDATE**

The report provided an update on a number of Waste and Street Scene Service initiatives including plastic collections at bring sites, the outcome of the Scrutiny review of the Council's concessionary charges and fees and the development of on-line services.

**LEM 14/24 KENT RESOURCE PARTNERSHIP**

Members were updated on the key initiatives being undertaken by the Kent Resource Partnership (KRP). Particular reference was made to support for increasing recycling and the Advisory Board was informed of the proposals prepared to secure new third party funding for a communications plan. Details were also given of the KRP's approach to reducing litter and the designation of June 2014 as a 'Clean Kent Month'.

**LEM 14/25 "LOVE WHERE YOU LIVE" CAMPAIGN**

Details were given of the past successes and future initiatives involved in the 'Love Where You Live' campaign launched in September 2011 in partnership with Keep Britain Tidy. Members commended the officers involved in the wide range of achievements in 2013/14 and continued initiatives in 2014/15.

**LEM 14/26 REVIEW OF NOISE ATTENUATION M20 JUNCTIONS 4 TO 5**

Members were advised of the reply received from the Highways Agency to comments sent to them in May 2013 in response to their consultation on the identification of the M20 Junctions 4 to 5 as an 'Important Area' for the purposes of noise action planning. It was noted that wider investigations were being undertaken for the two 'important areas' being considered as potential locations for a smart motorway. A master plan was currently being compiled by the Highways Agency, further

clarification of which would be provided once the details were confirmed. Officers suggested that the appropriate Asset Manager of the Highways Agency be invited to meet Local Members to discuss future plans.

**LEM 14/27 AIR QUALITY UPDATE**

The report of the Director of Planning, Housing and Environmental Health provided a summary of the work on air quality being undertaken by the Environmental Protection Team and gave an update on the current situation regarding the local air quality management regime. It was noted that DEFRA had confirmed acceptance of the conclusions of the Council's Annual Progress Report 2013 and made a number of recommendations relating to future reports. A progress update on the existing Air Quality Action Plan would be included within the Annual Progress Report for 2014.

**LEM 14/28 EXTERNAL CONSULTATIONS**

Members noted the consultation documents responded to since the last meeting of the Advisory Board.

**LEM 14/29 SERVICE OF STATUTORY NOTICES**

The report outlined the Statutory Notices served since the last meeting of the Advisory Board.

**LEM 14/30 PROSECUTIONS**

The report of the Director of Central Services gave details of prosecutions undertaken since the last meeting of the Advisory Board.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**LEM 14/31 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.56 pm

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## TONBRIDGE & MALLING BOROUGH COUNCIL

### LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

2 September 2014

#### Report of the Director of Street Scene & Leisure

#### Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

#### **1 REFUSE & RECYCLING COLLECTIONS AND ARRANGEMENTS FOR CONTRACTED SERVICES AT CHRISTMAS 2014**

##### **Summary**

**This report details arrangements for refuse, recycling, street cleansing and public convenience cleansing over the Christmas holiday period.**

#### **1.1 Refuse and Recycling Collections – Christmas Arrangements 2014**

1.1.1 Members will be aware of the general approach taken regarding the refuse and recycling collection service in previous years, which aims to:

- Keep disruption to an absolute minimum;
- Provide minimal suspension to green waste collection service, while recognising the need to ensure that no properties go more than 15 days without a black bin collection;
- Maintain the green box recycling collections throughout the holiday period; and
- Provide notification to all residents in a variety of formats.

1.1.2 As Christmas Day falls on a Thursday this year it will be necessary to temporarily suspend the green waste service on this day for a short period. This will ensure that residents who miss a collection on Christmas Day do not go for more than 15 days without a black bin collection.

1.1.3 Having consulted our contractors and the Waste Disposal Authority regarding operational considerations and tipping facilities, I can confirm the following arrangements:

##### Monday, Tuesday and Wednesday Collections

1.1.4 Where the normal collection day is a **MONDAY, TUESDAY or WEDNESDAY** there are no changes to services over the Christmas and New Year period.

### Thursday Collections

- 1.1.5 For properties that are on the green waste scheme and are due a **BLACK BIN COLLECTION ON THURSDAY 25 DECEMBER** the collection schedule will be:

Date	We will collect
Thursday 4 December	Green-lidded bin and green box
<b>Note: This will be the last green-lidded bin collection until Thursday 15 January 2015</b>	
Thursday 11 December	Black bin
Thursday 18 December	Black bin and green box
Thursday 25 December	<b>NO COLLECTIONS</b>
<b>FRIDAY 2 January 2015</b>	Black bin collection with additional sacks and green box
Thursday 8 January	Black bin
Thursday 15 January	Green-lidded bin and green box

- 1.1.6 For properties that are on the green waste scheme and are due a **GREEN-LIDDED BIN COLLECTION ON THURSDAY 25 DECEMBER** the collection schedule will be:

Date	We will collect
Thursday 11 December	Green-lidded bin and green box
<b>Note: This is the last green-lidded bin and green box collection until Thursday 8 January 2015</b>	
Thursday 18 December	Black bin collection
Thursday 25 December	<b>NO COLLECTIONS</b>
<b>FRIDAY 2 January 2015</b>	Black bin collection with additional sacks
Thursday 8 January	Green-lidded bin and green box
Thursday 15 January	Black bin collection

- 1.1.7 Where the normal collection day is a **THURSDAY** but households have a **weekly black bin or sack** collection:

- households will continue to receive a weekly collection except for Thursday 25 December when there will be no collections – their next collection will be Friday 2 January.



### Friday Collections

- 1.1.8 Where the normal collection day is **FRIDAY** all services will run one day late in the weeks commencing 22 and 29 December.
- 1.1.9 Details of collection arrangements will be notified to residents in the following ways:
- information will be delivered by bin hanger on the lead up to the Christmas period;
  - information will be included within the new calendar leaflet which is due to be delivered in October; and
  - information will be advertised on the Council's website.
- 1.1.10 As in previous years, we will temporarily suspend our "extra waste" policy. Additional sacks of waste will be taken along with the black bin collections for all properties scheduled in the weeks commencing 22 December, 29 December and 5 January 2015.

## **1.2 Recycling "Bring" Sites - Christmas Arrangements 2014**

- 1.2.1 Over Christmas and New Year period we usually find an increase in materials, as recycling tonnages peak at our "bring" sites. In order to deal with increased demand and to ensure sites are kept clear of fly-tipping and overflows we will be working with our contractors to:
- increase collections on the lead up to Christmas; and
  - re-schedule collections and extend working hours, where possible.

## **1.3 Street Cleansing - Christmas Arrangements 2014**

- 1.3.1 With the exception of Christmas Day, all areas on a daily cleansing schedule will be cleaned on public holidays.

## **1.4 Public Conveniences - Christmas Arrangements 2014**

- 1.4.1 With the exception of Christmas Day, all public conveniences will be cleansed as normal throughout this period. In keeping with previous years, facilities will be left open on Christmas Day.

## **1.5 Legal Implications**

- 1.5.1 The Council has a statutory duty to provide a refuse collection service.

## **1.6 Financial and Value for Money Considerations**

- 1.6.1 The costs associated with the collection and contracted services arrangements for Christmas are contained within existing budgets.

## 1.7 Risk Assessment

- 1.7.1 Careful planning, good communication with residents and coordinated arrangements for the holiday collection period will ensure minimal disruption and effective delivery of these high profile services.

## 1.8 Equality Impact Assessment

- 1.8.1 See 'Screening for equality impacts' table at end of report

## 1.9 Recommendations

**CABINET IS RECOMMENDED TO NOTE AND ENDORSE** the arrangements for refuse & recycling collections and contracted services over the Christmas period as set out in this report.

The Director of Street Scene & Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Dennis Gardner

Nil

Robert Styles

Director of Street Scene & Leisure

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	No implications to any community group.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	No implications to any Community group
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*

## TONBRIDGE & MALLING BOROUGH COUNCIL

### LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

2 September 2014

#### Report of the Director of Street Scene & Leisure

#### Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

#### **1 EU WASTE FRAMEWORK DIRECTIVE (WDF) - LEGISLATION REGARDING RECYCLING COLLECTION METHODS**

##### **Summary**

**This report provides details of the new regulations and legislation regarding the collection methods for recycling materials that come into force in January 2015.**

#### **1.1 Background**

1.1.1 Members may recall an earlier report to this Board in November 2013 following advice from Defra regarding compliance on the co-mingling of recycling materials at the time of collection.

1.1.2 The revised Waste Framework Directive requires the UK to take measures to promote high quality recycling. This includes a specific requirement, by January 2015, to set up separate collections of paper, plastic, metal and glass as a minimum. These materials must be collected separately, unless:

- It is not necessary to provide high quality recyclates – the “necessity test”, or
- It is not technically, environmentally, economically practicable (TEEP) – the “practicability test”.

1.1.3 While the legislation prioritises the above key materials, it also requires Waste Collection Authorities to look at their entire waste systems and how waste is managed in accordance with the waste hierarchy of treatment. This regulation came into force in 2011 and places an ongoing requirement to apply the waste hierarchy:

- Prevention;
- Preparation for re-use;
- Recycling, and
- Other recovery including energy recovery.

1.1.4 Although it had been hoped that Defra would provide detailed advice on how Local Authorities may meet these requirements and demonstrate compliance, this guidance has not been forthcoming. However, in the absence of any Defra guidance a working group comprising members of Local Authority Waste Network (LAWN) has developed the Waste Regulations Route Map (the “Route Map”).

## **1.2 The “Route Map”**

1.2.1 This is an advice document that takes you through a step by step guide on how to demonstrate compliance with the new regulations.

1.2.2 The Route Map has been produced as an advice document and has been prepared in conjunction with a number of nationally recognised waste industry experts. As part of its development it was also peer reviewed by twenty English local authorities.

1.2.3 The Environment Agency, as the enforcement authority for the new legislation, has already indicated their support for the “Route Map” approach.

1.2.4 The Kent Resource Partnership (KRP) recently held a workshop session, which provided an overview of the new regulations and the potential implications for local authorities. This included presentations by legal experts, the Environment Agency and one of the authors of the “Route Map”. The session was attended by Director of Street Scene & Leisure, the Head of Waste & Street Scene and the Cabinet Member for Environmental Services. The KRP has endorsed the use of the “Route Map” as a sensible and consistent approach for Kent Authorities.

## **1.3 The Way Forward**

1.3.1 Although our initial view is that our current system of source separated collections for recycling does comply with the new regulations, we will still need to be able to demonstrate compliance. It is felt that the “Route Map” is a useful tool in fulfilling this requirement.

1.3.2 At the time of writing this report officers were engaged in meetings with KRP colleagues to adopt this approach and identify any potential areas for joint working. Where there are similar collection systems or disposal routes there may be both time and cost benefits in pooling resources.

1.3.3 Although there will inevitably be a significant input from officers, it may be more cost effective to engage a waste management specialist to take us through this process and also to provide some external verification. The KRP has set aside some funding to assist with this process. These issues are currently being considered by officers and it is not anticipated that there will be any additional costs for this council.

1.3.4 As Members will be aware, there are a wide range of waste collection systems nationally and also across Kent. Some authorities that presently co-mingle

recycling materials may have more significant challenges in demonstrating compliance with the new regulations. We will be watching developments closely over the next few years as we prepare for any future service changes on the lead up to our current contract expiring in 2019.

- 1.3.5 As discussions are ongoing, I will update Members on any developments at the Board meeting.

## **1.4 Legal Implications**

- 1.4.1 There is a legal requirement to comply with the new regulations. Waste Collection Authorities will need to be able to demonstrate that their recycling collection systems meet the “necessity test” and if then required the “practicability test”. It is felt that the recently published “Route Map” provides a method of being able to demonstrate our compliance.

## **1.5 Financial and Value for Money Considerations**

- 1.5.1 Officers are currently meeting with Kent Resource Partnership (KRP) colleagues to go through this process and identify any areas of common practice. Where there are similar collection methods or shared disposal routes, it may be more practical and efficient for some authorities to work together in demonstrating compliance using the “Route Map”. These issues are currently being considered by officers.
- 1.5.2 As the KRP has already set aside some funding to assist with this process, I do not anticipate any additional cost to this council.

## **1.6 Risk Assessment**

- 1.6.1 There are two significant risks to councils across the country: firstly, the Environment Agency has an enforcement role, which could involve prosecutions; secondly, Judicial Reviews may be possible against councils in terms of how the law has been implemented.
- 1.6.2 While our initial view is that our current collection methods do comply with the legislation, we will need to be mindful of future service changes and potential implications.

## **1.7 Equality Impact Assessment**

- 1.7.1 See 'Screening for equality impacts' table at end of report

## **1.8 Recommendations**

**CABINET IS RECOMMENDED TO NOTE AND ENDORSE** the approach outlined in this report to demonstrate compliance with the new regulations and work with Kent Resource Partnership colleagues where practicable.

The Director of Street Scene & Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Dennis Gardner

Nil

Robert Styles  
Director of Street Scene & Leisure

<b>Screening for equality impacts:</b>		
<b>Question</b>	<b>Answer</b>	<b>Explanation of impacts</b>
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	No implications to any community group.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	No implications to any Community group
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*

## TONBRIDGE & MALLING BOROUGH COUNCIL

### LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

02 September 2014

#### Report of the Director of Planning, Housing and Environmental Health

#### Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

### **1 REVIEW OF FOOD & SAFETY SERVICE PLAN 2012-2016**

#### **Summary**

**The Council is required to produce a Food and Safety Plan which forms part of the Council's Policy Framework. The plan is subject to annual review.**

#### **1.1 Background**

1.1.1 The Food Standards Agency (FSA) Framework Agreement requires local authorities to produce a Service Plan. It is against this Plan that local authorities are monitored and audited by the FSA. In addition, the Health and Safety at Work etc. Act 1974 section 18 guidance to local authorities is implicit in its requirement that a Plan is produced indicating how this function is organised, resourced and delivered. This Service Plan incorporates both these functions.

1.1.2 The Plan reflects national priorities and standards and considers:

- service aims and objectives;
- information on service delivery and work programmes;
- quality assurance;
- resource allocation; and
- performance management information.

1.1.3 A full copy of the revised Plan has been included at **[Annex 1]**. The principle revisions relate to changes in our internal structure, last year's performance data and a changing emphasis on our regulatory approach, following the Regulators' Code.

#### **1.2 Legal Implications**

1.2.1 The FSA requires the Council to produce a Food Safety Service Plan.

### 1.3 Financial and Value for Money Considerations

1.3.1 The resources to implement the Plan are covered within existing budgets.

### 1.4 Risk Assessment

1.4.1 Failure to produce a Service Plan could result in criticism from the FSA and would feature in future audit reports on the Council's performance.

1.4.2 The Plan provides evidence that there is proper governance, resourcing and organisation of the Council's Health and Safety function.

### 1.5 Equality Impact Assessment

1.5.1 See 'Screening for equality impacts' table at end of report

### 1.6 Recommendations

1.6.1 Cabinet is **RECOMMENDED** to:

- 1) **APPROVE** the amended Food and Safety Service Plan (2012 – 16);

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

Nil

contact: Jane Heeley  
Melanie Henbest

Steve Humphrey

Director of Planning, Housing & Environmental Health

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	The revised Service Plan does not impact on any of the equality groups.



<b>Screening for equality impacts:</b>		
<b>Question</b>	<b>Answer</b>	<b>Explanation of impacts</b>
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	All groups are treated equally through the adoption of the revised Service Plan.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*

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Planning, Housing and  
Environmental Health Services

# **Food & Safety Team Service Plan 2012 – 2016**

**Gibson Building, Gibson Drive  
Kings Hill, West Malling  
Environmental Health  
Kent ME19 4LZ**

**Steve Humphrey  
Director of Planning Housing &  
Environmental Health**

Reviewed September 2014

# FOOD & SAFETY TEAM SERVICE PLAN 2012-16

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## LIST OF APPENDICES

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Appendix 3	Food & Safety Team – Officer Roles
Appendix 4	Details of Budget Costs relating to Food Safety Function 2014/15
Appendix 5	Review of Food and Safety Team's Performance 2013/14

# FOOD & SAFETY TEAM SERVICE PLAN 2012-2016

## 1. Introduction

- 1.1 This Service Plan sets out how the Council intends to provide an effective food and safety service that meets the requirements of the Food Standards Agency (FSA) Framework Agreement and Section 18 of the Health and Safety at Work etc Act 1974. It covers the functions carried out by authorised officers of the Food & Safety Team under the provisions of the Food Safety Act 1990, the Food Safety & Hygiene (England) Regulations 2013, EC Regulations and Health and Safety at Work etc Act 1974 and associated regulations.
- 1.2 This Service Plan describes how Tonbridge & Malling Council intends to achieve the aims of the FSA and Health and Safety Executive (HSE), within its statutory remit and in support of corporate aims, objectives and local needs.
- 1.3 This Service Plan is subject to Member approval and will run for a four year period. It will be reviewed annually. It includes information on the following:
- service aims and objectives;
  - background information about Tonbridge & Malling Borough Council;
  - information on service delivery;
  - resourcing the food and safety function;
  - performance targets and how they will be achieved;
  - quality assurance procedures; and
  - review

## **2. Service Aims and Objectives**

### **2.1 Service Aims**

2.1.1 The overall aim of the Council's Food & Safety Team is to ensure the health and wellbeing of residents, employees and visitors in Tonbridge and Malling. This is achieved by working with businesses and consumers to ensure safe food, a safe working environment and deliver initiatives to target ill-health prevention.

2.1.2 The objectives of the Council are to:

- fulfil the statutory duty imposed on the Council as "The Food Authority" and as a regulator for health and safety to ensure the effective implementation of Government strategy on food and safety issues, having regard to the official Code of Practice issued by the FSA, Local Authority Circulars issued by the HSE and guidance issued by Local Government Regulation (LGR) and the Better Regulation Delivery Office (BRDO);
- protect the public by delivering a complementary programme of education and enforcement which endeavours to ensure that businesses are conversant with the law, understand the principles of hygiene and/or sensible health and safety management and are operated and maintained at a standard that complies with relevant legislation in accordance with the Service's Enforcement Policy;
- provide the resources, governance, performance management and reporting systems required to deliver an effective service and to comply with its statutory duties;
- operate systems to train, appoint, authorise, monitor, and maintain competent officers;

- work alone and in partnership with other local authorities, other regulators and stakeholders to make best use of available resources and to maximise their impact on local, regional and national priorities; and
- contribute to liaison, policy and governance arrangements at a local, regional and national level.

## **2.2 Links to Corporate Objectives and Plans**

2.2.1 The Council's Corporate Performance Plan for 2012/15 has a key priority of "Healthy living opportunities and community well-being". Particular mention is made in this Plan of the importance the Council places on its food hygiene and health and safety duties in respect of both regulatory and educational initiatives. In addition the Council is keen to promote its food and safety service as an integral part of the Council's objective to support economic regeneration.

2.2.2 The Council's food and safety function is placed in the Food & Safety Team of Planning, Housing and Environmental Health Service. The Food & Safety Team's Performance Plan for 2014/15, **Appendix 1**, identifies the key tasks, aims and objectives, standards and targets to be achieved and proposed improvement actions. The plan is reviewed annually and progress is monitored by the Service Management Team. Progress against the Performance Plan is reported to Members of the Local Environmental Management Advisory Board (LEMAB) regularly.

## **2.3 External Influences**

2.3.1 The Food Law Code of Practice (April 2014) and Guidance in April 2012 issued by the FSA under section 40 of the Food Safety Act 1990 requires food authorities to have regard to this Code when discharging their statutory duties in relation to food safety matters.

2.3.2 The Health and Safety Executive and Local Authorities Enforcement Liaison Committee (HELA) have produced a revised circular ‘Targeting Local Authority Interventions’ LAC 67/2(rev 4). This document provides local authorities with guidance to target their interventions to enable them to meet the requirements of the National Local Authority Enforcement Code.

2.3.3 The “Local Authority Enforcement Monitoring System” (LAEMS) is an annual return of our food safety activity including numbers of interventions carried out, enforcement actions taken, food sampling and complaint numbers. Similarly the HSE collect data annually in the form of an LAE1 return, which includes reports on the number of proactive and reactive interventions carried out, notices served and accidents investigated.

2.3.4 The publication of the Regulators’ Compliance Code has an impact on all work of a regulatory nature carried out by the Team through the emphasis of our interventions moving towards one in which we work in partnership with our business communities, using enforcement tools as a last resort to securing compliance or for the most serious breaches of legislation.



### **3. Background Information**

#### **3.1 Profile of Tonbridge & Malling Borough Council**

3.1.1 Tonbridge & Malling stretches from Snodland and Wouldham in the north to Tonbridge in the south, from Walderslade and Aylesford in the east to Borough Green and Ightham in the west. The Borough covers an area of 92 square miles and has a population of **120,805**. The Borough is mainly of a rural nature with the major areas of population being found at Tonbridge and in the conurbation surrounding the A20 in the Malling area.

3.1.2 The main Council offices are situated centrally at the Gibson Building, Kings Hill, West Malling where Environmental Health & Housing Services are based. Service users may contact the office in one of the following ways:

- by telephone or in person between 08.30 and 17.00 hours Monday to Friday (telephone number 01732 876191);
- by email on [foodandsafety@tmbc.gov.uk](mailto:foodandsafety@tmbc.gov.uk);
- by fax on 01732 841421;
- for out-of-hours emergencies, a telephone service is available for contact with a duty officer (telephone number 01732 844522).

#### **3.2 Organisational Structure**

3.2.1 Planning, Housing & Environmental Health Services have a wide range of duties and functions covering the spectrum of public health, planning, building control, environmental health and housing functions. Through the Council's constitution and delegated functions the team has delegated responsibility for food and safety enforcement. The Director of Planning Housing & Environmental Health has the authority to authorise legal proceedings in consultation with the Chief Solicitor.

The day to day management of the Team is the responsibility of the Food & Safety Team Manager under the management of the Chief Environmental Health Officer.

3.2.2 The Team is responsible for a number of functions detailed in the Team's Performance Plan. These functions are:

- food safety;
- workplace health & safety;
- the Council's corporate Health & Safety Service;
- the investigation and control of infectious disease; and
- public health and wellbeing.

3.2.3 Officers are required to work across all of the team's work areas at a level appropriate to their competence and qualifications. The structure of the Food & Safety Team is detailed in **Appendix 2** and brief information on the roles played by officers working in the Food & Safety Team is provided in the table at **Appendix 3**.

3.2.4 Although the Council does not operate a dedicated Environmental Health out of hours service, specialist staff are available via an informal cascade system should the need arise.

3.2.5 Kent Scientific Services, the Kent, Surrey and Sussex Public Health England Centre and the Food, Water and Environmental Microbiology Laboratory Service of Public Health England support the work of the Food & Safety Team through the provision of analytical and microbiological laboratory services and infectious disease investigation.

### **3.3 Scope of the Food & Safety Service**

The Team is responsible for undertaking the following work activities:

- programmed food hygiene inspections and revisits;
- health and safety interventions and re-visits;
- food sampling as required by the annual programme prepared by the Kent Environmental Health Managers Food Sampling Group and local needs;
- investigation of complaints;
- operation of the National Food Hygiene Ratings Scheme;
- investigation of cases of food poisoning and any associated outbreak control;
- investigation of workplace accidents and cases of ill health, adverse insurance reports;
- responding to Food Standard Agency Food Alerts;
- provision of export food certificates;
- inspection of food;
- approval of certain food premises;
- registration and inspection of premises offering special treatments such as tattooing and piercing;
- facilitation of advisory and training services for businesses;
- developing educational campaigns;
- health promotion initiatives with partners such as West Kent College and local businesses;
- smokefree enforcement;
- providing advice and support to businesses, especially new enterprises; and
- responding to licensing and planning consultations.

3.3.1 While engaged in the above activities the Team uses a variety of means to ensure that individuals and organisations meet their legal responsibilities including education, negotiation, advice, guidance, warning letters, formal notices and prosecution. The Council believes in firm but fair regulation consistent with the Better Regulation Principles. Overall the Team seeks to work in collaboration with businesses while avoiding bureaucracy in the way it works.

3.3.2 The Environmental Health & Housing Enforcement Policy adopts the Regulators Compliance Code's six principles of good regulation:

- supporting growth;
- provide simple and straight forward ways to engage and hear the views of businesses;
- base regulatory activity on risk;
- share information about compliance and risk;
- provide clear information, guidance and advice;
- ensure transparency. This means that a graduated approach to food safety enforcement is adopted in all but the most serious of cases. The Enforcement Policy is published on the Council's website.

[http://www.tmbc.gov.uk/\\_media/tmbc/pdf/environment/enforcementplans/EHHS\\_Enforcement\\_Policy\\_2011.pdf](http://www.tmbc.gov.uk/_media/tmbc/pdf/environment/enforcementplans/EHHS_Enforcement_Policy_2011.pdf)

3.3.3 The Planning, Housing & Environmental Health Service is committed to the promotion of equal opportunities in all of our activities in accordance with the Council's Equal Opportunities Policy. Every effort is made to ensure that we treat everyone equitably

and fairly. The Food and Safety Service underwent an Equalities Impact Assessment in March 2011 and was reviewed in May 2012.

### 3.4. Demands on the Food Enforcement Service

3.4.1 As of 1 April 2014 a total of 1139 food premises are recorded on the Uniform database in Tonbridge and Malling. The number and type of food premises are detailed in the table below.

**Number and type of food premises in the Borough**

<b>TYPE OF PREMISES</b>	<b>No.</b>
Distributors/Transporters	34
Retailers	213
Manufacturers/Packers/Processors	16
Primary Producers	6
Importers/exporters	1
Restaurants and caterers	869
<b>TOTAL</b>	<b>1139</b>

3.4.2 Included in the above table are premises manufacturing or processing products of animal origin, these are designated approved premises under EC Regulations and include two egg packers; two dairy products producer, one meat products and one fishery premises.

3.4.3 All food premises are rated according to their level of risk, as defined by the FSA Code of Practice. The risk rating determines the frequency and nature of the interventions. The table below provides a summary:

<b>Risk Category</b>	<b>Intervention Type</b>	<b>Frequency</b>
A and B (High risk)	Inspection/partial inspection or audit	A - 6 months B - 12 months
C not broadly compliant (High risk)	Inspection/partial inspection or audit	C - 18 months
C broadly compliant (Medium risk)	Alternate between inspections/partial inspections or audit and other official controls	C - 18 months
D (Low risk)	Alternate between official controls and non-official controls If the establishment is rated 30 or 40 for 'type of food and method of handling' the official control must be an inspection/partial inspection or audit	D - 24 months
E (Low risk)	Alternate enforcement strategy. Unless it is an approved establishment.	E - 36 months

Category E premises (low risk) are assessed either via an inspection or using self audit questionnaires. If a response is not received within 14 days then a follow up letter is sent. If after a further 10 days no response is received, the premises will be scheduled for an inspection.

- 3.4.4 New businesses are normally inspected in the month following receipt of registration. In the event that resources do not allow this, higher risk businesses will always be selected for inspection before lower risk establishments.
- 3.4.5 Establishments that operate outside of normal working hours will wherever possible be inspected at a time when the business is operational e.g. evenings and weekends.
- 3.4.6 The number of commercial premises within the Borough for which the Council has a duty to under health and safety legislation is 1246. This is made up of shops, offices, warehouses, caterers, residential care homes and leisure activities.
- 3.4.7 Businesses are no longer routinely inspected but selected for intervention based on

national planning and local priorities. A list of higher risk activities falling into specific local authority enforced sectors appropriate for the targeting of proactive interventions and the range of interventions that may be used as an alternative to proactive inspection is detailed in HELA LAC 67/2 (rev4) and the National Local Authority Enforcement Code.

## 4. Service Delivery

### 4.1 Delivery mechanisms

To deliver the service as identified in section 2 of this plan we have adopted a balance of techniques and approaches, which can be summarised by considering the four main elements of our “enforcement mix”:

- **Intervention driven** – to carry out official controls and/or interventions at all commercial premises in the borough at a frequency and intervention type determined by their risk rating, or based on intelligence information including accident reports and complaints. To carry out appropriate corrective action, including where necessary a range of enforcement options, such as the service of notices, simple cautions or prosecutions in line with our Enforcement Policy.
- **Demand driven** – to respond to all complaints relating to food and food premises, workplace safety and investigate them thoroughly; investigate cases of food related illness, food alerts, reported accidents and cases of ill health, adverse insurance reports and any other relevant matters in response to requests from stakeholders and the public.
- **Intelligence driven** – to gather appropriate information and intelligence, to address any threats to the health of members of the public/employees and target resources to areas of highest risk and where they can be most effective.
- **Education driven** – to provide advice and education to businesses and consumers within the Borough, to promote voluntary compliance and assist business operators develop an understanding of their responsibilities. This is

achieved by providing access to food hygiene training, delivering low cost seminars and providing advice and coaching during visits. It is believed that supporting legal compliance in this way is as important as detecting non-compliance.

## **4.2 Interventions**

4.2.1 Interventions for food premises and/or health and safety premises are outlined below:

### **FOOD SAFETY**

The intervention programme for food premises forms the core activity of the Food Safety function. The programme of interventions is based on the requirements of the Food Law Code of Practice, Chapter 4, including E.Coli guidance implementation. In addition to the programmed inspections, other visits may be made to food premises following complaints from the public or requests from businesses for information and guidance.

The range of interventions includes:

- inspections;
- monitoring;
- surveillance;
- verification;
- audit; and
- sampling where the analysis/examination is to be carried out by an official laboratory, e.g. the PHE laboratory at Collindale.

Other interventions which are not official controls include advice, education, coaching and/or information and intelligence gathering.

4.2.2 The work activity in respect of food safety inspections over the last year and an estimate of the inspections required to be undertaken during 2014/15 are shown below:



<b>Premises Risk Rating &amp; Frequency</b>	<b>No of interventions completed 2013/14</b>	<b>No of interventions planned for 2014/15</b>
A – 6 mths	6	2
B – 1 year	46	37
C – 18 mths	232	240
D – 2 years	89	69
E – 3 years	185	173
<b>TOTAL</b>	<b>558</b>	<b>521</b>

4.2.3 Details of formal action taken by the Food & Safety Team are given below:

<b>Type of formal action taken</b>	<b>2013/14</b>
Improvement Notices	11
Simple Cautions	0
Prosecutions under Food Hygiene (England) Regulations 2006	0
Food seizure and condemnation	0

### **4.3 Complaints**

4.3.1 Investigations by officers following a complaint about a food or safety issue is an important function of the Team's work. Authorised officers assess all complaints upon receipt. In circumstances where a need has been identified, investigations will commence within 5 days to determine the cause of the complaint. Officers' investigations identify whether an offence under relevant legislation has been committed and if there is a need for formal action. Consultation with the Primary Authority takes place when appropriate. Where appropriate, food complaints are referred to the originating authority – that is the local authority in whose area the food was manufactured - for further investigation.

4.3.2 One hundred and three requests were received during 2013/14, relating to food hygiene, food complaints and workplace safety. All complaints were investigated and appropriate action taken.

#### **4.4 Primary Authority Principle**

4.4.1 Effective support for businesses on food and safety matters depends on reliable and accessible advice from local authorities. Businesses trading across a number of local authority areas should be confident that advice is consistent. The Primary Authority scheme established under the provision of the BRDO aims to support this outcome.

4.4.2 The requirements of the Primary Authority Scheme are that officers:

- consult the Primary Authority website for details of Primary Authority partnerships and inspection plans;
- follow guidance issued by BRDO;
- adopt any inspections plans established between a Primary Authority and a business, and
- review requests for local partnerships as a case by case basis and adopt a Primary Authority status if directed to by the BRDO.

4.4.3 To date there have not been any requests from local businesses for a Primary Authority partnership. Should a request be made we would seem to engage positively with that business with a view to establishing a formal partnership.

#### **4.5 Advice to Businesses and the Public**

4.5.1 The Service is committed to ensuring that advice and support is available to all businesses in the Borough when requested. An important element of the work of the Team is to plan for providing this support, by:

- continuing the training partnership with West Kent College, and other West Kent local authorities to provide a range of Chartered Institute of Environmental Health food and health and safety training courses;
- offering food safety update forums for food businesses and food hygiene trainers;
- distributing of literature to businesses giving guidance on specific and topical subjects;
- responding to requests from businesses for site visits to solve problems;
- providing of advice and coaching to new and existing businesses prior to opening and during routine inspections; and
- making information available to the public and businesses via the Council's website and information at key public buildings.

## **4.6 Food Inspection and Sampling**

4.6.1 Food sampling to ensure the safety of food is an important public health function. Each year a food sampling programme is produced which outlines the Council's sampling strategy and approach to specific local and national demands. Compliance with all legislation and statutory Codes of Practice is ensured when undertaking sampling of food.

4.6.2 The Kent Food Sampling Group co-ordinate the county sampling programme. Each year a plan is developed by the Group incorporating priorities identified by PHE and the Food Standards Agency. Microbiological examinations are undertaken by Public Health England – Food, Water and Environmental laboratory at Collindale. In 2013/14 the Food & Safety Team took 221 food samples, 23 borderline and 42 unsatisfactory results were found. The appropriate feedback was given to businesses and follow up action taken.

4.6.3 During 2014/15 food sampling and microbiological activities will include the following activities:

- routine sampling of food and those forming part of national campaigns;
- sampling following receipt of a food complaint;
- routine sampling of manufacturers and processors;
- environmental swabbing of food premises;
- investigations undertaken following a food poisoning; and
- sampling following food hygiene inspections where problems were noted.

**Formal samples** are taken in line with the Food Law Code of Practice Chapter 6 and current guidance issued by PHE, FSA or the Kent Food Sampling Sub Group.

**Informal samples** reflect the numbers of reactive samples taken as a result of complaints.

## **4.7 Imported Foods**

4.7.1 The Service is committed to ensuring that any illegally imported food found during a food inspection is sampled where necessary and dealt with properly. This will normally involve detention and seizure of foods.

## **4.8 Control and Investigation of Food Poisoning Outbreaks and Food Related Infectious Disease**

4.8.1 Officers investigate food related infectious disease notifications in accordance with documented procedures. The primary objective of every investigation is to identify the cause of infection and prevent any further spread. Response times are based on a risk assessment approach and will vary from within 24 hours for high risk infections such as E.coli O157 to 48 hours for other medium to low risk infections. Officers will liaise with

the Consultants in Communicable Disease Control (CCDC), which the Council has appointed as Proper Officers under the provisions of the Public Health (Control of Diseases) Act 1984 (as amended) and Section 47 of the National Assistance Act 1948. The CCDC's are employed by the Kent, Surrey and Sussex Public Health England Centre. These arrangements enhance the relationship between organisations dealing with this aspect of infectious disease control.

Key policies in respect of food related infectious diseases are that:

- outbreaks will be responded to in accordance with the approved “Outbreak Control Plan” and in full liaison with CCDC who will lead the “Outbreak Control Team”;
- serious infectious disease notifications e.g. VTEC or Clostridium botulinum, will be dealt with in consultation with the CCDC and Food Standards Agency; and
- other infectious disease investigations will be undertaken in consultation with the CCDC, and in accordance with Team Procedures.

4.8.2 The incidence of confirmed cases of food-borne disease in the Borough over the last year is detailed in the table below. Typically there are only one or two outbreaks a year involving small numbers of cases.

**Incidence of food related infectious diseases 2013-2014**

<b>Communicable Disease</b>	<b>Number of reported cases</b>
Salmonella	18
Campylobacter	182
Dysentery	1

Hepatitis A	0
E.coli - O157	3
Cryptosporidium	15
Giardia lamblia	11
<b>Totals</b>	<b>230</b>

## 4.9 Food Alerts

4.9.1 Food alerts are issued by the FSA, they relate to national food scares or information about food being withdrawn from supply or sale and being recalled by the manufacturer or retailer. The majority of food alerts are for information only (FAFI), 33 received in 2013.

4.9.2 Food alerts for action are not significant in number, 10 in 2013, but have the potential to impact on programmed work, because they relate to serious public health risks requiring rapid follow-up by officers to prevent affected food from entering the food chain. The Food Alert Policy details how the Food and Safety Team will respond to food alerts of all categories.

## 4.10 Liaison with other Organisations

4.10.1 It is the Council's policy to involve stakeholders in the supply and review of its food hygiene services. The Team works increasingly in partnership to deliver services, examples of which are given below:

- participation in the Kent Environmental Health Managers/Chartered Institute of Environmental Health's (CIEH) Food Technical Group. This Group acts as a county-wide liaison group for all food safety issues and includes representatives from the Health Protection

Agency, Food Standards Agency and Trading Standards as well as representation from all Kent local authorities;

- Kent Food Technical Group;
- Kent Food Sampling Group;
- Kent Health and Safety Technical Group which includes HSE and Kent Fire and Rescue Service representation;
- partnership with West Kent College and West Kent local authorities to deliver food hygiene and health and safety training courses;
- liaison with the Public Health England and Kent Scientific Services in connection with food sampling; and
- liaison with a range of Public Health Partners.

#### **4.11 Promotion**

4.11.1 The Food & Safety Team continues to adopt a proactive, educational approach through a number of promotional initiatives, which include:

- participation in the Food Safety Week awareness campaign;
- National Food Hygiene Rating Scheme;
- Healthy Eating Award;
- Change for Life, Healthy Lifestyles;
- continuing support for businesses in implementing the Safer Food Better Business Pack during inspections;
- targeted mailshots and training sessions to different types of businesses; and
- publication of a health and safety handbook for businesses on an ad hoc basis.

4.11.2 The Environmental Projects Co-ordinator assists the Team to develop the educational and proactive campaigns, for example Food Safety Week.

## **HEALTH & SAFETY**

### **Health & Safety Interventions**

4.12.1 Resources in 2014/15 will continue to concentrate on high risk premises in accordance with LAC 67/2 (rev 4) and the Better Regulation aim of reducing the burden on businesses. Far less proactive inspections are undertaken with more emphasis placed on educating and providing guidance to dutyholders.

4.12.2 The work activity in respect of health and safety interventions over the last year is shown below:

<b><u>Type of intervention</u></b>	<b>No. of interventions carried out 2013/14</b>
Proactive inspections	3
Visits to investigate accidents	12
Revisits	7
<b>Total</b>	<b>23</b>

4.12.3 A gas safety information campaign for catering premises will be carried out in 2014/15 highlighting to businesses the importance of maintaining gas appliances. Accidents that meet the incident selection criteria and complaints relating to all premises will still be investigated.

4.12.4 Details of formal action taken by the Food and Safety Team in 2013/2014 in relation to the health and safety function are given in the table below. The majority of inspections



will result in written information being left or sent to the business identifying contraventions of the safety law and detailing best practice.

Type of formal action taken	2013/2014
Improvement Notices	9
Prohibition Notices	6
Formal Cautions	1
Prosecutions	0

#### 4.13 Accident Investigations

4.13.1 All accident or injury notifications are evaluated in accordance with LAC 22/13 Incident Selection Criteria Guidance. Where appropriate, investigations are carried out in accordance with the Service Enforcement Policy and the Food and Safety Team's Accident Investigation Procedure, focussing on priority areas. In 2013/2014 158 accidents were reported.

#### 4.14. Complaints about the Service

4.14.1 The Council has a corporate policy on the investigation of complaints about its staff and the services which it provides. Further details on the Council's complaints procedure can be found on the website.

## 5. Resources

### 5.1 Financial Allocation

5.1.1 The Council's budget for 2014/15 identifies a budget heading dealing specifically with costs relating to the Food & Safety function **Appendix 4**. The separation of costs associated with Food & Safety functions allows managers to monitor spending and income trends in this area.

## 5.2 Staffing Allocation

5.2.1 The structure of the Food & Safety Team is shown in **Appendix 2**. Detailed below in **Table 1** are details of staff working on food and safety enforcement and related matters expressed in Full Time Equivalents (FTEs).

**Table 1**

<b>Role</b>	<b>FTE 2013/14</b>	<b>FTE 2013/14 Spent on food safety work</b>	<b>FTE 2013/14 Spent on health and safety work</b>
<b>Chief EHO</b> -responsible for the management of the Environmental Health Service	<b>0.4</b>	<b>0.2</b>	<b>0.2</b>
<b>Manager</b> – responsible for the day to day management of the food safety function and monitoring performance.	<b>1.0</b>	<b>0.8</b>	<b>0.2</b>
<b>Environmental Health Officers</b> – responsible for interventions, enforcement in all food premises and other related activities.	<b>1.3</b>	<b>1.1</b>	<b>0.2</b>
<b>Food &amp; Safety Officer</b> – responsible for interventions and enforcement in medium and low risk food premises and other related activities.	<b>1.4</b>	<b>1.2</b>	<b>0.2</b>
<b>Corporate health and safety officer</b>	<b>1.0</b>	<b>0.02</b>	<b>0.98</b>
<b>Admin Support</b> – functional support to the Team.	<b>1.5</b>	<b>1.3</b>	<b>0.2</b>
<b>Environmental Projects Co-ordinator</b> – responsible for promotional activities and events.	<b>0.4</b>	<b>0.3</b>	<b>0.1</b>
<b>Total FTE</b>	<b>7.0</b>	<b>4.92</b>	<b>1.94</b>

### 5.3 Estimation of Staff Resources Required for 2013/14

5.3.1 The following estimation of resources allocated to specific work activities has been based on time recording results, experience, projected inspection figures for 2013/14 and the Team performance Plan for the year. All calculations assume 1FTE = 220 working days. Estimates include revisits and travelling.

Food Hygiene & Health and Safety Interventions	2.0 FTE
Complaints and service requests	0.2 FTE
Formal action	0.2 FTE
Advice and enquiries	0.2 FTE
Sampling	0.2 FTE
Infectious Disease	0.1 FTE
Food Safety Incidents/Hazard Warnings	0.1 FTE
Health Promotion/Campaigns	0.25 FTE
Delivering Training	0.1 FTE
Primary Authority	0.05 FTE
Officer Training	0.15 FTE
Team management	0.3 FTE
Other	0.2 FTE
<b>Total</b>	<b>4.05 FTE</b>

## **5.4 Staff Development Plan**

- 5.4.1 The Council has achieved Investors in People status and places significant importance on the development and training of its staff to meet its business needs. During annual appraisals, training and development needs are identified for all employees. Priority is given to the need to ensure continuing professional competence in technical and professional areas of work. The Service will ensure that officers receive regular training to maintain and improve their competency. During 2013/14 all officers involved in food interventions will receive a minimum of 10 hours continuing professional development as required by the FSA Code of Practice.
- 5.4.2 The Food & Safety Team has a programme of in-house staff training sessions delivered as necessary to the team. In addition monthly Team Briefings disseminate information to ensure team awareness of issues relating to enforcement, progress with team targets and customer related issues e.g. results of monthly monitoring and a short technical briefing is usually delivered at these briefings.
- 5.4.3 The Kent Environmental Health Managers Food Group provides useful low-cost training in association with the Food Standards Agency.
- 5.4.4 Enforcement officers are encouraged to join a relevant professional body, the fees of which are reimbursed by the Council.
- 5.4.5 The HSE/ LACORS Regulatory Development Needs Analysis Tool (RDNA Tool), a web based programme of learning, development and benchmarking, to support the maintenance of officers' core health and safety competencies. This tool has recently been extended to other core areas of Environmental Health including food safety. Officers will complete the necessary tools as appropriate to their level of competence.

5.4.6 The Food and Safety Team have monthly team briefings to disseminate information to ensure team awareness of issues relating to enforcement, progress with team targets and customer related issues e.g. results of business surveys. In-house training sessions are organised as required.

5.4.7 The Kent Environmental Health Managers - Health & Safety Group provides useful low-cost training in association with the HSE.

5.4.8 Enforcement officers are encouraged to join a relevant professional body, the fees of which are reimbursed by the Council.

## **6. Quality Assessment**

6.1 The Food & Safety Team has reviewed its Quality Assurance system covering its enforcement activities in Food Safety. The Quality Assurance system defines what work the team will undertake, how the work will be done and the nature and timing of management monitoring. The documented system covers critical areas of work and has regard to LGR and FSA guidance and Statutory Codes of Practice and Section 18 of the Health and Safety at Work etc. Act 1974.

6.2 The areas covered by the quality assurance system include:

- food inspections;
- health and safety inspections and re-visits;
- accident investigations;
- institution of formal enforcement action;
- food poisoning investigations;
- food sampling;

- food hazard warnings/incidents;
- food complaints; and
- administration of the National Food Hygiene Rating Scheme and the Healthy Eating Award.

6.3 The Food & Safety Team Manager is responsible for maintaining the quality assurance system and monitoring compliance with procedures. This role aims to ensure that uniformity of approach to enforcement work is adopted in the team. The Chief Environmental Health Officer and the Food & Safety Team Manager have monthly meetings to review systems and team performance, the results of which are fed into monthly team briefings. The Environmental Health & Housing Service Management Team reviews the number of food premises that are broadly compliant with food hygiene on a quarterly basis.

6.4 Performance monitoring is supported by the use of the Services computer software system “Uniform”. This database contains details of all commercial premises and records actions taken during visits. Management reports showing progress towards meeting team targets are an essential part of the team’s quality assurance system and are generated on a monthly or ad hoc basis. The maintenance of an accurate database is key to the efficient operation of the Service. The Food & Safety Team’s Quality Monitoring Procedure includes details of how the database is updated, which includes:

- information from programmed inspections;
- officer knowledge of changes in their district;
- collecting information from lists of planning applications;
- checking the “closed” premises database;
- an annual random selection and audit of a specified number of premises from the database;

- information from the registering and licensing of new premises;
- liaison with other statutory agencies; and
- undertaking premises surveys.

6.5 It is intended to participate as appropriate in bench marking, peer review and inter-authority auditing with the Kent Technical Groups as opportunities arise.

## **7. Review**

### **7.1 Review against the Service Plan**

A review of this Plan and the Food & Safety Team's Performance Plan will be undertaken annually. Details of the Team's performance against the targets set in the Food & Safety Team's 2013/14 Performance Plan can be found at **Appendix 5**.

### **7.2 Areas for Improvement**

A number of improvement actions have been identified in the Food & Safety Team's 2014/15 Performance Plan (**Appendix 1**), which will be carried out during the year. Achievement of these improvements will be monitored by Service Managers and where there are significant deviations from targets; reports will be made to the Local Environmental Management Advisory Board and Cabinet.

7.3 The food safety inspection function was subject to an internal audit in November 2013 and awarded an audit opinion of 'Green'. Areas for improvement primarily focused on the revision to this service plan and corporate enforcement policy which are in the process of being finalised.

# FOOD AND SAFETY TEAM PERFORMANCE PLAN 2014/15

## Council's Key Priorities

- Continued delivery of priority services and a financially viable Council
- A clean, smart, well maintained and sustainable Borough.
- Healthy living opportunities and community well-being
- Children and young people who are safe, involved, with access to positive activities.
- Low levels of crime, anti-social behaviour and fear of crime
- A continuing supply of homes, including affordable housing to buy and rent, and prevention of homelessness
- Sustainable regeneration of Tonbridge town centre and economic development in communities across the Borough



Activity	Description	Target
<p>A. Undertake inspections of commercial premises, for which the local authority is the enforcing authority, and institute informal and/or legal action in accordance with the Service's Enforcement Policy.</p>	<ol style="list-style-type: none"> <li>1. Undertake an annual review of the accuracy of the team's commercial database.</li> <li>2. Review and develop as appropriate the team's quality assurance procedures to reflect changes in legislation and guidance from FSA, HSE, BRDO using a risk assessment approach.</li> <li>3. Continue to develop and deliver initiatives such inspections, seminars and coaching visits to ensure effective and efficient enforcement.</li> <li>4. Incorporate an appropriate range of interventions for broadly compliant category C food premises, category D food premises and low risk health and safety premises.</li> <li>5. <b>Inspect all 'high risk' (categories A, B and non-broadly compliant Category C) food premises for hygiene on schedule.</b></li> <li>6. Maintain competence of authorised officers in accordance with FSA/CIEH CPD requirements.</li> <li>7. Promote and educate FBO's on FSA E.Coli guidance during routine inspections</li> <li>8. Participate in national, county and local sampling campaigns.</li> <li>9. Inspect high risk health and safety premises in accordance with the National Code.</li> <li>10. Participate in targeted health and safety work as a result of direction from the HSE e.g. management of legionella in evaporative condensers and cooling towers.</li> <li>11. Deliver training sessions for Turkish and other catering businesses with a hygiene rating of 3 or less.</li> <li>12. Undertake an awareness raising campaign concerning the maintenance of gas appliances in catering establishments.</li> </ol> <p><u>Encouraging healthy eating by:</u></p> <ol style="list-style-type: none"> <li>13. Implementing the revised Healthy Eating Award and promote it to catering businesses in the borough with particular emphasis on sandwich bars,</li> </ol>	<p><b>31/3/15</b></p> <p><b>5 new award holders by 31/3/15</b></p>

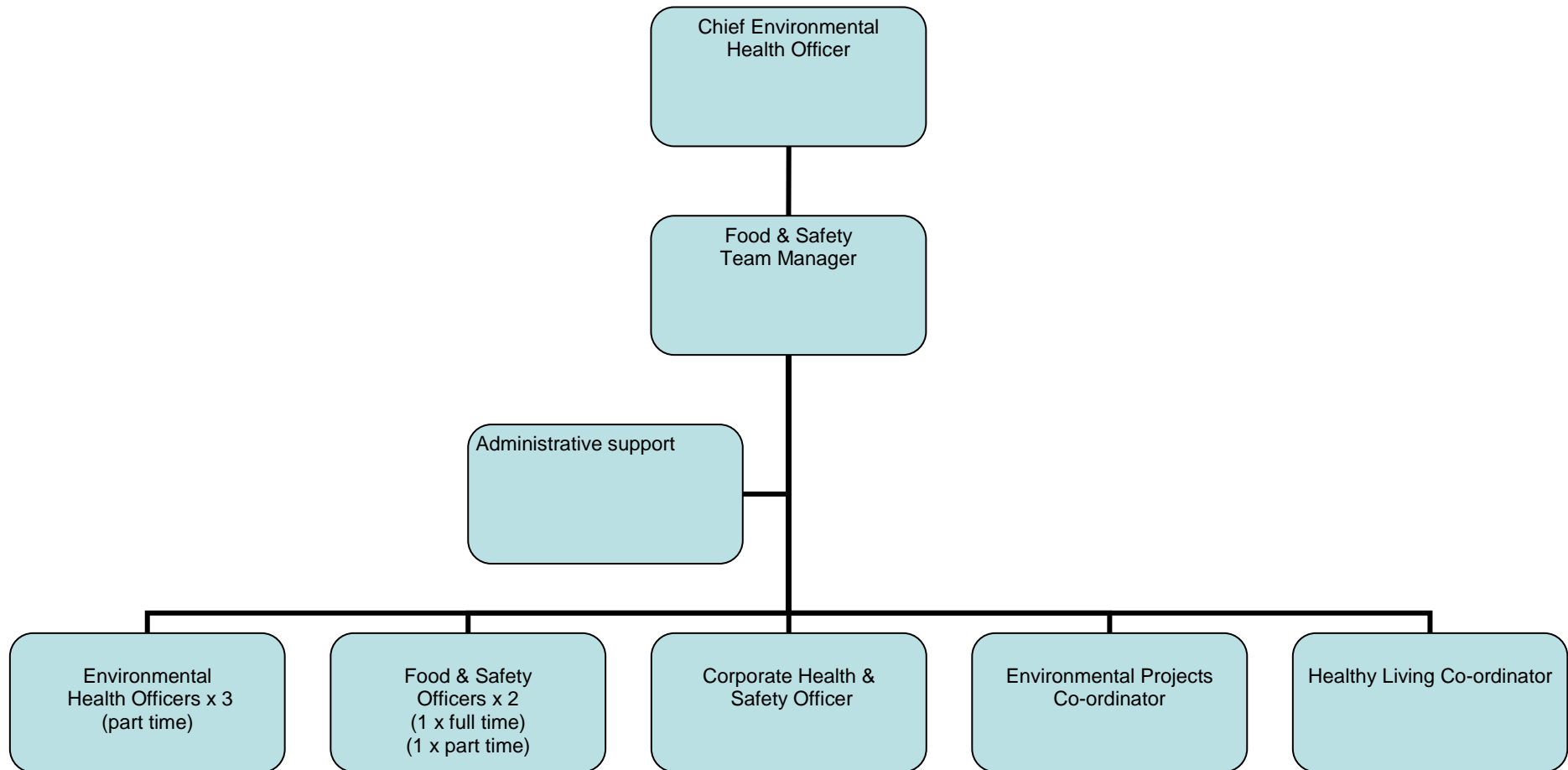
	pubs and restaurants.	
<p>B. Investigate complaints about commercial premises and at the conclusion of investigations institute informal/formal legal action as appropriate.</p>	<ol style="list-style-type: none"> <li>1. Respond to each complaint in a timescale that matches the perceived risk in compliance with quality assurance procedures and in accordance with the Service standard (within 5 working days).</li> <li>2. Food and Safety Team Manager to undertake monitoring of service requests.</li> <li>3. Remedy unacceptable risks and reduce the likelihood of recurrence, securing legal compliance where appropriate.</li> <li>4. Investigate all reportable workplace accidents and ill health in line with procedures based on HSE Accident Investigation Selection Criteria.</li> </ol>	<b>As per procedure</b>
<p>D. Facilitate provision of training services and provision of advice to local businesses to assist them to meet legislative requirements</p>	<ol style="list-style-type: none"> <li>A. Deliver, with West Kent College and other Local Authority partners, the annual training courses programme for businesses in the borough.</li> <li>B. Work with CIEH to co-ordinate the south-east Trainers Forum.</li> <li>C. Produce and deliver topical food and safety bulletins to targeted commercial premises.</li> <li>D. Provide advisory visits to new and existing businesses to support economic regeneration and growth.</li> </ol>	<b>On-going</b>
<p>D. Investigate cases of infectious disease with the community</p>	<ol style="list-style-type: none"> <li>1. Investigate cases of infectious diseases in line with KPHE guidelines.</li> </ol>	

<p>E. Monitor and advise on the standards of health and safety in Council occupied premises and report findings, including recommendations to management.</p>	<ol style="list-style-type: none"> <li>1. Produce the Annual Health &amp; Safety Report for 2013 including performance information relating to accidents and injuries to staff whilst at work.</li> <li>2. Evaluate the need for another external audit and discuss with CEHO/DHH</li> <li>3. Review the list of Risk assessment and codes of practice and decide which ones are to be removed.</li> <li>4. Update generic risk assessments and codes of practice as necessary.</li> <li>5. Liaise with Property services on the development of a high level asbestos management plan.</li> <li>6. Continue to maintain a positive relationship with the Unison representative on safety issues. Attend all JECC meetings.</li> <li>7. Ensure the Legionella OSG provides a confident, effective approach to the control of Legionella in our buildings.</li> <li>8. Continue to liaise with the Training Officer in the implementation of the e-learning Safety training package. Monitor effectiveness of training and report on key findings to CEHO and MT.</li> <li>9. Provide H&amp;S input and advice in connection with Events on Open Spaces Leisure Trust premises.</li> <li>10. Work with the Council's Procurement OSG to secure improvements to the vetting, appointment and monitoring of contractors.</li> <li>11. Report three-monthly on accident statistics and trends to CEHO and MT.</li> <li>12. Co-ordinate and monitor the Council's PVP register and associated procedures.</li> </ol>	<p><b>Completed 9/9/13</b></p> <p>Completed</p> <p>On-going</p> <p>March 2015</p> <p>On-going</p> <p>On-going</p> <p>On-going</p> <p>On-going</p> <p>Completed</p> <p>On-going</p> <p>On-going</p>
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13. Ensure effective and efficient joint working and communication with Property Services to ensure appropriate standards are met in TMBC buildings. Quarterly liaison meetings established.

On-going

### ORGANISATIONAL CHART FOR THE FOOD AND SAFETY TEAM



## APPENDIX 3

### Food Safety Team Qualifications and Roles

<b>Job Title</b>	<b>Qualifications</b>	<b>Role within the Food Team</b>
Chief Environmental Health Officer V0006 (JH)	Certificate of Registration with the Environmental Health Officers Registration Board	Strategic management of the Council's food safety enforcement responsibilities
Food & Safety Team Manager DV0101 (MH)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Diploma	Day to day management of food safety enforcement Food Safety Inspector Trainer Quality Monitoring Lead on Flexible Warranting Scheme
Environmental Health Officer DV0108 (RT) Part time	Certificate of Registration with the Environmental Health Officers Registration Board	Food Safety Inspector
Environmental Health Officer Part time DV0106 (SA)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Diploma	Food Safety Inspector
Environmental Health Officer Part time DV0106 (DP)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Diploma	Food Safety Inspector Food Safety Trainer
Food & Safety Officer DV0109 (CM)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Certificate	Food Safety Inspector Lead on the Healthy Eating Award and Nutritional Training
Food & Safety Officer DV0104 (KO) Part time	Certificate of Registration with the Environmental Health Officers Registration Board	Food Safety Inspector
Administrative Manager (/MCL) DV0005		Co-ordination of IT system and administrative support to the team
Admin Assistants		Team Admin support
Environmental Projects Co-ordinator DV010 (TR)	Public Health Champions Development Programme	Develop proactive initiatives
Healthy Living Co-ordinator	BSc Nutrition Public Health Champions Development Programme	Develop and deliver healthy lifestyle initiatives

**APPENDIX 4**

**FINANCIAL ALLOCATION OF RESOURCES TO  
THE FOOD & SAFETY FUNCTION**

<b>Budget Heading</b>	<b>2014/15 Estimate</b>
<u>Expenditure</u>	
Employees' salaries and on costs	273,651
Third party payments	600
Central Departmental and Technical support services	
• Information technology expenses	18,100
• Central salaries and administration	14,150
• Departmental Administrative	130,600
• Supplies & Services	3,500
<b>Total expenditure</b>	<b><u>440,601</u></b>
<u>Income</u>	
• Court Costs	500
• Food Inspection (Condemned/Exported food)	2,000
• Training Courses	1,750
<b>Total income</b>	<b><u>4,250</u></b>
<b>Net expenditure</b>	<b><u>436,351</u></b>

**APPENDIX 5**

**FOOD AND SAFETY PERFORMANCE PLAN 2013/14 – MONITORING REPORT**

STANDARD/TARGET / IMPROVEMENT ACTION	PLAN REF	TARGET	ACHIEVEMENTS	INFORMATION SOURCE
<p><b>FOOD SAFETY</b>  <b>Inspect all A-D rated food premises for hygiene on schedule.</b></p> <p>Carry out appropriate interventions at low risk premises for food safety and health and safety, in accordance with initiatives identified in 1.2.5 of the plan.</p> <p>Develop initiatives such as partial inspections, seminars, coaching visits to ensure effective and efficient enforcement at low risk commercial premises, incorporating an appropriate range of interventions for broadly compliant C food premises, category D food premises and category C health and safety premises.</p> <p>Participate in national, county and local food sampling programmes</p> <p><b>KPI-330:</b> Percentage of food establishments broadly compliant with food hygiene law</p>	<p>1.2.1</p> <p>1.2.3</p> <p>1.2.5</p> <p>1.2.6</p>	<p>100%</p> <p>80%</p> <p>31/3/14</p> <p>On-going</p> <p>90%</p>	<p>96% completed. 4 high risk inspections missed.</p> <p>185 interventions made to low risk food premises</p> <p>2 training sessions held for 22 zero and 3 rated businesses</p> <p>221 samples taken</p> <p>221 samples collected</p> <p>93%</p>	<p>Uniform</p> <p>Uniform</p> <p>Performance report to LEMAB</p> <p>Sampling results spreadsheet</p> <p>Uniform</p>
<p><b>100% of responses (not simply acknowledgements) to service requests within 5 working days.</b></p> <p>5% of complaint investigations to be checked by management review</p>	<p>2.1.1</p> <p>2.2.2</p>	<p>100%</p>	<p>99%</p>	<p>Uniform/Stats file</p> <p>Procedures</p>



100% pass rate on foundation courses.	3.1.1		95%	In house
90% pass rate on other courses.	3.1.1		N/A	WKC
Delegate satisfaction with courses.	3.1.1		N/A	WKC
Attend liaison meetings with the Kent, Surrey and Sussex Public Health England office.	4.1.1		Meetings held quarterly	Minutes
Complete the annual programme of inspections of Council buildings in respect of both safety and fire risks.	5.1.1		Completed	Corporate H&S officer records
<b>Produce the Health and Safety Officer's annual report, including performance related information on work related accidents, injuries and ill-health</b>	5.1.2		In progress	
Coordinate and monitor the Council's potentially violent person's register and associated procedures.	5.1.4		Accomplished	Corporate H&S officer records and intranet.
Ensure the effective ongoing enforcement of smoke-free legislation	6.1.2		Accomplished	Smokefree file / UNIFORM and
Update the Service's enforcement policy to meet statutory requirements and best practice as identified by the Better Regulation Office	8.1.1		In progress	Envcom files

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## TONBRIDGE & MALLING BOROUGH COUNCIL

### LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

2 September 2014

#### Report of the Director of Street Scene & Leisure

#### Part 1- Public

#### Matters for Information

### 1 WASTE & STREET SCENE SERVICES UPDATE

#### 1.1 DVLA Changes to Taxing of Vehicles

- 1.1.1 As of 1 October 2014, paper tax discs will no longer need to be displayed on a vehicle windscreen. To drive or keep a vehicle on the road, owners will still need to get their vehicle taxed, and will receive a reminder from the DVLA when the tax is due to expire. Also as of 1 October, when you buy a vehicle any remaining tax will no longer transfer with the vehicle. Instead you will need to get a new tax before you can use the vehicle. Any surplus tax at date of transfer will be refunded to the vehicle's seller once details of the transfer or ownership have been received.
- 1.1.2 The impact of these changes for Local Authorities is expected to be minimal. This is because Waste Collection Authorities have a duty and powers to deal with Abandoned Vehicles, rather than those that are simply untaxed. The DVLA are responsible for dealing with untaxed vehicles, and the Police for uninsured and dangerously parked vehicles.
- 1.1.3 When determining whether or not we consider a vehicle to be "abandoned", the tax status is only one of several criteria that may be taken into account. In addition to the tax status, the condition and roadworthiness of the vehicle, how long it has been in position without moving and whether it contains waste are all part of the assessment in determining whether a vehicle is "abandoned".
- 1.1.4 However, untaxed vehicles remain a source of concern and irritation for private landowners such as Parish & Town Councils, as well as members of the public. Prior to 1 October it is easy to tell if a vehicle is taxed, if the tax disc is displayed in the windscreen. Following 1 October, this will not be possible and may generate additional enquiries to the Waste & Street Scene team.
- 1.1.5 In order to address this issue the DVLA are providing a search facility on their website which enables landowners and members of the public to check if a vehicle is taxed: <https://www.gov.uk/check-vehicle-tax>. All that is needed is the registration and the make of the vehicle. The result will indicate not only if the vehicle is taxed, but when it expires/expired. If the vehicle is not taxed, the

landowner or member of the public can then report it to the DVLA, also via their website: <https://www.gov.uk/report-untaxed-vehicle>. These facilities will hopefully reduce the number of reports received by Waste & Street Scene Services, where vehicles are not actually abandoned but simply untaxed (or not displaying a tax disc after 1 October).

## **1.2 Love Where You Live**

1.2.1 The LWYL campaign was launched nationally by Keep Britain Tidy in September 2011. The campaign aims to:

- inspire and enable everyone to take action to reduce littering and improve the quality of local places;
- engage with people to change their behaviour and drive local action by fostering pride and understanding;
- raise the profile of the importance of caring for local places to improve individuals' quality of life; and
- encourage, support and bring together Leaders, Government, business, media and civil society to improve the cleanliness of the country.

1.2.2 Since the beginning of the national campaign, this Council has been an ambassador for Keep Britain Tidy, ensuring a wide variety of support in our communities and helping to improve the local environment.

1.2.3 Highways Litter campaign - 'Love Kent, Hate Litter': During this successful Kent-wide campaign that ran throughout June, the Council supported 28 related initiatives. These included Bash the Trash events with the Wateringbury Church Group and Fete Association; the 17<sup>th</sup> Tonbridge Air Scouts; Ditton Cubs, Beavers & Scouts; Brampton Field Residents Association; East Peckham with Kent Police; Snodland Coffee and Chat Group; The Beat Project Trench and Longmead Community Celebrations and Big Tidy Up. Tonbridge Canoe Club received their Gold "Love Where You Live" Award from the Deputy Mayor for their invaluable help during the post-flooding clean up. A radio advert was created for Heart FM and promoted across the county for the whole month. There was a strong social media presence with over 1 million people engaging and interacting with the campaign message.

1.2.4 In July, the Snodland Goes Cleaner group launched the 'Snodland Litter Code for Businesses'. Alan Keeley from Snodland Town Council with support from PCSO Kim Bashford and the Council recruited and signed up 34 businesses in the town. This is in addition to the original scheme already running in Larkfield, East Malling and Ditton, which between them have 25 businesses signed up. In June, the 5 businesses in Twisden Road, East Malling, received their certificates for maintaining 5 star standards outside of their premises consistently over a 6 month period.

1.2.5 In October we will be supporting Keep Britain Tidy as part of their diamond jubilee celebrations in partnership with Waitrose and John Lewis Partnership. The aim is to encourage groups to take part in as many big tidy ups across the country as possible. To mark this event, The Wombles will be coming out of retirement as part of the celebration of the Biggest Big Tidy Up. The Council will be working locally with Waitrose and the East Malling Wombles.

### **1.3 Responsible Dog Ownership**

1.3.1 The Council supported the national 'Big Scoop' campaign jointly with Dogs Trust and Keep Britain Tidy. The Cleaner Borough Team, in partnership with parish councils, Kent Community Wardens, Police Community Support Officers and dog walking groups, visited 10 dog fouling 'hotspot' sites in Snodland, Wrotham, Wouldham, Hildenborough, Larkfield, East Malling, Hadlow, Tonbridge and Burham. On 12 and 13 June, they cleared the area of dog fouling, by 'bagging & flagging', speaking to dog walkers and other park users, handing out free dog bags and badges for supporters and visiting Burham Children's Centre. The areas visited actually had particularly low-levels of dog fouling, averaging just 12 deposits per location. This is a vast improvement based on statistics logged since we first started 'Bag & Flag' initiatives in 2008, with average improvement levels being between 80 and 90% cleaner.

1.3.2 Following The Big Scoop, Leybourne Parish Council specifically asked the Cleaner Borough Team to do a 'Bag & Flag' across the village in August. We collected 62 bags in total which were left in situ for 24 hours, to raise awareness of the problem. The feedback from the public, including many dog walkers, was very positive and supportive of the efforts. We continue to encourage residents to report anyone spotted allowing their dogs to foul and failing to clean up. Any information received will enable us to target patrols and follow up with enforcement action when possible.

1.3.3 The Cleaner Borough Team worked alongside Circle Housing Russet, The Beat Project and the Dogs Trust on 13 August in the Winterfield Estate, East Malling, to promote responsible dog ownership. Circle ran a photographic competition with residents and their pets to raise money for the Dogs Trust. We promoted the 'Yellow Dog' scheme and gave away 11 ribbons for dogs that need space; as well as a large quantity of poo bags. Two members of staff from the Dogs Trust micro-chipped sixteen dogs for free and gave away four discounted neutering vouchers. Twenty residents also took part in a Love Where You Live bash the trash event with Kent Community Warden, Mandy Harris.

1.3.4 We followed the event with another 'Responsible Dog Ownership' morning on 20 August with Wouldham Parish Council. We offered advice on the new dangerous dog legislation; barking; fouling; provided free micro-chipping and neutering vouchers and promoted positive dog behaviour through promotion of the 'Yellow Dog' scheme.

## **1.4 Kent Resource Partnership – Communications Project Group Update**

- 1.4.1 The Kent Resource Partnership (KRP) has provided funding to all Kent districts to enable them to promote resource & recycling messages over the next two years. TMBC will use this funding to promote our recycling services; maximise use of the current services; improve the quality of material collected, reduce the amount of waste in the black bin, and where possible increase income received for the various materials. A detailed programme of initiatives, branded as “Slim Your Bin”, is currently being worked up by officers and updates will be provided to future Advisory Boards.
- 1.4.2 In addition to the district-led communications activities, the KRP Communications Group will be assisting in the delivery of two national campaigns across Kent. The KRP has been instrumental in developing the national campaigns and the groups has had significant input into the messages being developed for them.
- 1.4.3 The “Pledge4plastics” campaign is due to be launched in the Autumn. A toolkit of resources will be made available to local authorities so that they can tailor-make local campaigns and initiatives. The overall thrust of this campaign, rather than focussing on collection methods as originally planned, aims to raise awareness of the different types of plastics that can be recycled. For example, many residents know that they can recycle plastic drinks bottles, but don’t know that a wider range of bottles can be recycled, such as bottles for washing up liquid, bleach, shampoo, etc, as well as some types of food containers. This campaign will assist TMBC in promoting our plastic bring site service, which now accepts a wider range of materials than previously.
- 1.4.4 The “Fresher For Longer” campaign is the result of a collaboration between the KRP and Marks & Spencer. A wider range of retailers are looking to adopt the campaign nationally, which will assist TMBC in raising awareness of food waste related issues. This will assist in reducing overall waste arisings from the black bin, and encouraging residents to use the green-lidded bin for any remaining food waste.

## **1.5 Legal Implications**

- 1.5.1 None

## **1.6 Financial and Value for Money Considerations**

- 1.6.1 The costs associated with these arrangements and initiatives are contained within existing budgets, with some supported by the Kent Resource Partnership and Veolia Environmental Services.

## **1.7 Risk Assessment**

- 1.7.1 The failure to provide effective and efficient front line and high profile services could result in criticism from residents and impinges directly on their view of the Council and their satisfaction with services delivered.

Background papers:

Nil

contact: David Campbell-  
Lenaghan

Robert Styles  
Director of Street Scene & Leisure

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## TONBRIDGE & MALLING BOROUGH COUNCIL

### LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

2 September 2014

#### Report of the Director of Street Scene & Leisure

#### Part 1- Public

#### Matters for Information

#### 1 STREET SCENE ACTION PLAN 2014/15 – UPDATE

##### Summary

This report updates Members on progress with a range of ‘street scene’ initiatives planned for implementation in 2014/15.

#### 1.1 Background

1.1.1 The appearance of our streets continues to be of great importance to our residents. Consequently, one of the Council’s Key Corporate Priorities is to provide “a clean, smart, well maintained and sustainable Borough”.

1.1.2 Street Scene is a cross-cutting theme which impacts on a range of our services and involves a number of partners, for example Kent Highways, Police, Social Landlords and the Environment Agency.

1.1.3 The Street Scene Action Plan 2014/15 was approved in March 2014 and sets out a range of initiatives which aim to improve local environmental quality. The involvement of a range of partners, who regularly attend the Street Scene Officer Study Group, provides a more considered and combined input to the initiatives we want to take forward.

1.1.4 **[Annex 1]** shows progress made in respect of the Action Plan.

#### 1.2 Legal Implications

1.2.1 None.

#### 1.3 Financial and Value for Money Considerations

1.3.1 Improvement actions included in the Street Scene Action Plan are funded within our budget or those of partner organisations. Officers continue to explore and seek opportunities for third party funding to supplement Street Scene activities.

## **1.4 Risk Assessment**

- 1.4.1 Ongoing improvements to Street Scene will improve the public and businesses perception of the Borough and the Council.

Background papers:

contact: Dennis Gardner

Nil

Robert Styles

Director of Street Scene & Leisure

## STREET SCENE ACTION PLAN 2014/15

WHAT WE WANT TO DO	LEAD OFFICERS	KEY ACTIONS	PROGRESS UPDATE
Reduce littering in the borough.	DG	<ul style="list-style-type: none"> <li>• Encourage and facilitate parish councils involvement in 'Love Where You Live' initiatives.</li> <li>• Develop and implement a dynamic litter enforcement programme which tackles areas of concern.</li> <li>• Assist Community Groups to introduce Voluntary Litter Codes.</li> <li>• Refresh the Street Monitors Scheme.</li> <li>• Participate in the Kent Resource Partnerships Spring Clean Kent Month initiative.</li> </ul>	<ul style="list-style-type: none"> <li>• Involvement in a range of "Bash the Trash" &amp; "Bag &amp; Flag" events.</li> <li>• Targeted enforcement carried out at a number of locations (incl Tonbridge Station; Racecourse Sportsground).</li> <li>• Litter code introduced at Larkfield and now Snodland.</li> <li>• New Street Monitor guidance booklet being developed.</li> <li>• TMBC were lead council on the June Kent litter month.</li> </ul>
Reduce Fly Tipping	DG	<ul style="list-style-type: none"> <li>• Work with Police colleagues to catch and disrupt persons engaged in fly tipping</li> <li>• Focus resources on known hot spot areas.</li> <li>• Prosecute offenders when evidence is appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>• Multi agency work "waste Duty of Care" targeted at waste carrier offences.</li> <li>• Ongoing work with Clean Kent Team resulting in a number of enforcement actions.</li> </ul>
Run multi-agency operations to target 'hot spot' areas.	AF	<ul style="list-style-type: none"> <li>• With key partners undertake Environmental Visual Audits (EVAs) in areas known to have significant street scene issues.</li> </ul>	<ul style="list-style-type: none"> <li>• EVAs carried out in Trench &amp; Oakdene Café area.</li> </ul>
Work with the appropriate Community Rehabilitation Company to fully utilise the Community Payback Scheme.	AF	<ul style="list-style-type: none"> <li>• Target resources in line with both TMBC and CRC priorities.</li> </ul>	<ul style="list-style-type: none"> <li>• Management of Community Payback currently being reviewed by Probation Service.</li> </ul>
Youth Forum	DL	<ul style="list-style-type: none"> <li>• Engage the Forum in identifying opportunities and projects to improve the street scene environment.</li> </ul>	<ul style="list-style-type: none"> <li>• "fixers" project are now evaluating social media options to publicise initiatives.</li> </ul>

WHAT WE WANT TO DO	LEAD OFFICERS	KEY ACTIONS	PROGRESS UPDATE
Improving Street Clutter – Tonbridge Centre	AE	<ul style="list-style-type: none"> <li>• Progress schedule of works and carry out targeted street scene improvements.</li> <li>• Work with KHS to secure appropriate and well maintained street scene.</li> </ul>	<p>Works are progressing on- site completion by Summer 2014, including:</p> <ul style="list-style-type: none"> <li>• Removal of old &amp; obsolete signage</li> <li>• Painting of street furniture</li> <li>• Tonbridge High Street lighting scheme</li> </ul>
Borough wide – Improvement Programme for Existing Car Parks	AE	<ul style="list-style-type: none"> <li>• Identify potential car parks for improvement, to include surfacing, white lining, lighting and signage.</li> <li>• Progress a schedule of works to improve car parks.</li> </ul>	<ul style="list-style-type: none"> <li>• Bradford Street car park refurbishment completed summer 2014.</li> <li>• Other car park works will be programmed and carried forward to 2015/16.</li> </ul>
Town Lock Enhancement Scheme	SDM	<ul style="list-style-type: none"> <li>• Complete detailed design.</li> <li>• Procure services etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Value Engineering project being undertaken.</li> </ul>
St. Phillips Church, Tonbridge	DL	<ul style="list-style-type: none"> <li>• In partnership with the Church, create a new community garden/play area in consultation with local residents.</li> </ul>	<ul style="list-style-type: none"> <li>• Installation of the new toddler area - completed Spring 2014.</li> </ul>
KCC Highway Schemes (New Item)	MS	<ul style="list-style-type: none"> <li>• Provide details of a range of Highway Services improvements (including the use of Highway Member Fund on Street Scene related improvements where appropriate).</li> </ul>	<ul style="list-style-type: none"> <li>• New roundabout installation at junction of A20 with Seven Mile Lane completed.</li> <li>• New footway alongside Discovery School, Kings Hill completed.</li> <li>• Improved lighting to pedestrian crossing Pembury Rd, Tonbridge completed.</li> <li>• Planned footway</li> </ul>

WHAT WE WANT TO DO	LEAD OFFICERS	KEY ACTIONS	PROGRESS UPDATE
			improvements High Street Tonbridge (from outside no. 35 to junction with Bordyke). <ul style="list-style-type: none"> <li>• Carriageway resurfacing completed at a number of locations.</li> <li>• Replacement of Golden Green Bridge completed.</li> </ul>
Conservation and Improvement of the Built Environment	LJP	<ul style="list-style-type: none"> <li>• Implement the Character Area Appraisals Supplementary Planning Document.</li> </ul>	<ul style="list-style-type: none"> <li>• Opportunities pursued when presented via planning applications.</li> <li>• Ongoing assessments have proved useful in steering developers towards “Good Practice”.</li> </ul>
Tonbridge Racecourse Sportsground	DL	<ul style="list-style-type: none"> <li>• Investigate drainage options in liaison with the Environment Agency.</li> </ul>	<ul style="list-style-type: none"> <li>• EA to check progress with works at Percy’s Pipe.</li> </ul>
Tonbridge Farm Sportsground	DL	<ul style="list-style-type: none"> <li>• Investigate the provision of public toilet facilities where not already provided.</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing liaison taking place with Tonbridge Angels Football Club.</li> </ul>
Country Parks	DL	<ul style="list-style-type: none"> <li>• Investigate opportunities to link in with KCC’s Explore Kent App.</li> </ul>	<ul style="list-style-type: none"> <li>• Being developed - anticipated completion January 2015.</li> </ul>
Tonbridge Memorial Garden	DL	<ul style="list-style-type: none"> <li>• Refurbish Memorial Garden</li> </ul>	<ul style="list-style-type: none"> <li>• Due to be completed late summer 2014, with formal opening Sept 2014.</li> </ul>
Haysden Country Park & Leybourne Lakes Country Park	DL	<ul style="list-style-type: none"> <li>• Develop a site specific Management Plan for Haysden in accordance with the Green Flag standards.</li> <li>• Maintain Green Flag status.</li> </ul>	<ul style="list-style-type: none"> <li>• Management Plan for Haysden out to public consultation.</li> <li>• Green Flag status confirmed</li> </ul>

WHAT WE WANT TO DO	LEAD OFFICERS	KEY ACTIONS	PROGRESS UPDATE
			for Leybourne Lakes CP & Haysden CP.
Taddington Valley	DL	<ul style="list-style-type: none"> <li>Engagement of volunteers to assist with site management including, litter clearance and woodland management.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing discussions with Woodland Management Scheme to improve a number of sites.</li> </ul>
Improve the appearance of the councils recycling bring sites	DG	<ul style="list-style-type: none"> <li>Produce and implement a refurbishment programme including provision at sites of new information boards, direction signs and replace old containers.</li> </ul>	<ul style="list-style-type: none"> <li>Site assessments underway with site specific locations being prioritised for completion by March 2015.</li> </ul>

**Key to Lead Officers:**

DG: Dennis Gardner

AF: Alison Finch

SDM: Steve Medlock

AE: Andy Edwards

DL: Darren Lanes

LJP: Lindsay Pearson

MS: Mark Simmons

## TONBRIDGE & MALLING BOROUGH COUNCIL

### LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

2 September 2014

#### Report of the Director of Planning, Housing and Environmental Health

#### Part 1- Public

#### Matters for Information

### 1 ENVIRONMENTAL PROTECTION TEAM UPDATE

#### Summary

This report provides an update on a range of Environmental Protection issues.

#### 1.1 Responding to Complaints

1.1.1 The main focus of the work of the Environmental Protection Team (EPT) is in responding to complaints from members of the public on a variety of pollution issues. The summer months are inevitably the time of year that an increased number of complaints are recorded, particularly noise complaints. This summer has been no exception and Members might like to be aware that there has been an increase in the number of diary sheets being returned which unfortunately means that the original problem remains unresolved, despite the alleged 'offender' having been asked to address the problem. As a consequence, officers become involved in more detailed investigations, including site visits, to monitor potential nuisance or the installation of noise recording equipment. EPT officers have continued to investigate complaints of odour in Tonbridge as reported elsewhere on this agenda.

#### 1.2 M20 Noise Barriers

1.2.1 Following the report to the last meeting of this Board on 27<sup>th</sup> May, a meeting was arranged with a representative of the Highways Agency (HA).

1.2.2 The HA officers agreed to the following actions:

- to check and report when the M20 J4-5 resurfacing is next due;
- to ask the Smart Motorways team to provide details of how they are assessing candidate sites, including how they will be assessing noise and other similar implications; and
- draw up a timetable and scoping for noise impact studies of Willow Road and Station Road for circulation by the end of August.

- 1.2.3 We expect to be updated sometime in the next few weeks and will inform Members and the MP as appropriate.

### **1.3 Dangerous Dogs Legislation**

- 1.3.1 The Anti-social Behaviour, Crime and Policing Act, which came into force on 13 May 2014 includes amendments to the Dangerous Dogs Act 1991.
- 1.3.2 The most significant change is that it is now illegal for dogs to be ‘out of control in any place in England or Wales (whether or not a public place)’. This amendment extends the law to cover incidents on private property, that is, in an individual’s home or in any area of their garden, whereas previously the law was restricted to dogs being ‘out of control in a public place.’
- 1.3.3 The implication of this amendment means all visitors to a private property, including postal workers and utility providers have the protection of the law should they feel afraid, threatened or are bitten. The enforcement position is that the Police take the lead, with support from our Dog Warden, in cases of dangerous dogs, including dogs that are out of control or that have bitten a person. Dog on dog attacks are dealt with by the Council with our Dog Warden taking the lead in any investigation that follows a reported incident.
- 1.3.4 Members may recall that officers have a Memorandum of Understanding (MOU) in place with the Police, in respect of addressing the shared duties and responsibilities for both organisations, in investigating issues relating to dangerous dogs. As a result of the recent changes to the legislation, revisions will be required to the MOU and these will be reported at a future meeting of this Board.

### **1.4 Hop Farm Music Festival**

- 1.4.1 The Hop Farm Music Festival was held on the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> July. The event was attended by approximately 5,500 people and passed off without incident. Officers monitored music noise over the Festival, the outcome of which established that the relevant noise conditions attached to the Premises Licence were being complied with throughout the event. On a positive note the Council did not receive any noise complaints throughout the course of the event.

### **1.5 Blaise Farm**

- 1.5.1 At the most recent meeting of the Liaison Group, it was reported that:
- work on the Anaerobic Digester (AD) plant is progressing. With respect to the gas which will be generated from the AD plant, it is now proposed that this gas will be injected with propane, to boost its calorific value, which will then be fed directly into the National Grid;



- odour complaints continue to be recorded by the Environment Agency and New Earth Solutions (NES) at Blaise Farm with 18 being recorded between January and July 2014, compared to 43 for the same period in 2013
- one odour complaint was received by TMBC, at the end of July, which was referred to the EA and NES for investigation.

## **1.6 Private Water Supplies**

- 1.6.1 The provisions of the Private Water Supply Regulations allow for the owner of a dwelling, which is served by its own private water supply, to request that the supply be monitored and tested by the Council, for which there is a charge.
- 1.6.2 Such a request was received by the EPT, earlier this year, from the new owner of a property who was concerned about the quality of water from their private supply. Officers carried out a risk assessment of the supply and took samples of the water for analysis, which indicated both chemical and microbiological contamination of the supply.
- 1.6.3 Subsequently a notice was served requiring the owners to carry out works to prevent contamination and I understand that these works are nearing completion.

## **1.7 Legal Implications**

- 1.7.1 The work detailed in this report has been carried out to comply with the Team's relevant statutory duties.

## **1.8 Financial and Value for Money Considerations**

- 1.8.1 The work detailed in this report is carried out within approved budgets.

## **1.9 Risk Assessment**

- 1.9.1 The broad principles of risk assessment are applied to all areas outlined in the report and assist in determining priorities and resources allocated to each aspect.

Background papers:

Nil

contact: Jane Heeley  
Jacqui Rands

Steve Humphrey

Director of Planning, Housing and Environmental Health

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## TONBRIDGE & MALLING BOROUGH COUNCIL

### LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

2 September 2014

#### Report of the Director of Planning, Housing and Environmental Health

#### Part 1- Public

#### Matters for Information

#### 1 FOOD AND SAFETY TEAM UPDATE

##### Summary

**This report provides an update on the work of the Food and Safety Team and changes in Food Standards Agency policy.**

#### 1.1 **Free coaching for takeaway businesses with a hygiene rating of between zero and two.**

1.1.1 The Food Standards Agency (FSA) made available over 100 hundred free coaching sessions available in Kent to help improve hygiene standards in takeaway premises with a hygiene rating of between zero and two. The Food and Safety Team nominated eleven businesses that met the criteria, ten of which accepted the offer of help.

1.1.2 The FSA appointed NSF, a national food safety consultancy, to deliver the coaching sessions to food business operators (FBOs), which took place in June in the form of a one-to-one food safety coaching session, held at the business premises. The session was aimed at the FBO, head chef, or person in charge of food safety at the business. Translated sessions were provided for two local businesses.

1.1.3 The coaching was based on the 4C's; Cross-contamination, Cleaning, Chilling and Cooking and included a series of practical videos and a hand washing and cleaning demonstration. The session also focused on the businesses' food safety management system. Feedback reports were provided for each business.

1.1.4 In due course, officers will re-visit a number of these businesses to provide feedback to the FSA on the impact of the coaching sessions in improving hygiene standards. This will take place when all coaching visits are completed across Kent.

1.1.5 I see this initiative as a modest but helpful contribution to aligning our core regulatory role with objectives of assisting local business contributing to economic vitality.

## **1.2 Food Sampling Update**

- 1.2.1 The practice of serving food on surfaces other than plates, such as wooden boards and slates, is an increasing trend in restaurants and public houses. The platters are not always suitable for washing in a dishwasher and therefore have to be washed by hand. It is recognised that wooden surfaces will gradually become scored as they are used, making them more difficult to clean effectively. Moreover, if platters are stacked on top of each other after washing, they may not dry sufficiently quickly, leading to opportunities for any remaining bacteria to multiply.
- 1.2.2 As a result of these concerns, a national sampling campaign started in April, specifically looking at the effectiveness of cleaning and storing these platters and to ensure that the risks around them have been properly managed.
- 1.2.3 Officers have, to date, submitted 30 swabs and half of the results have been unsatisfactory. Officers have been advising the businesses involved regarding cleaning and disinfection of the boards and re-sampling.

## **1.3 Changes to the National Food Hygiene Rating Scheme**

- 1.3.1 The FSA have made some minor changes to the operation of the National Food Hygiene Rating Scheme to bring it in line with the statutory scheme operating in Wales.
- 1.3.2 Previously, businesses would be sent a certificate and window sticker showing their rating but businesses will now only be sent a window sticker. Display of this remains discretionary at the current time.
- 1.3.3 'Low-risk' establishments which are not generally recognised by consumers as being food businesses and certain establishments operating from private addresses (e.g. child-minders) will no longer be able to 'opt in' to the scheme.

## **1.4 Changes to the Food Law Code of Practice**

- 1.4.1 In April the FSA updated the Food Law Code of Practice. The Code is made under Section 40 of the Food Safety Act 1990 and concerns the enforcement of legislation by Food Authorities. Food Authorities are required to have regard to this Code when discharging their duties.
- 1.4.2 The primary revisions to the Code of Practice are intended to:
- 1) clarify and update the risk descriptors used to assign intervention frequencies at food establishments, which is intended to enhance consistency of approach by local authority officers;
  - 2) improve the focus and effectiveness of enforcement by redistributing the minimum intervention frequency in businesses compliant with food law and

with good management controls in place, which will allow local authorities to focus on those establishments that are persistently non-compliant; and

- 3) enable a single competent authority to take on all enforcement and control activities at certain establishments, where possible, thereby reducing the need for dual enforcement and burdens on both the regulator and relevant food businesses, for example, meat plants where the Food Standards Agency and local authorities may have an enforcement role.

## **1.5 Legal Implications**

- 1.5.1 The Council has a statutory duty to monitor food safety and health and safety of commercial premises within the Borough.
- 1.5.2 Regard to the FSA Food Law Code of Practice is a requirement of the Food Safety Act 1990 and associated regulations.

## **1.6 Financial and Value for Money Considerations**

- 1.6.1 The costs of sampling are met from existing budgets and the Public Health (England) sampling allowance.

## **1.7 Risk Assessment**

- 1.7.1 The work of the Food and Safety Team is conducted in accordance with the Service Enforcement Policy, FSA Food Law Code of Practice and associated guidance.

Background papers:

contact: Melanie Henbest

Nil

Steve Humphrey  
Director of Planning, Housing and Environmental Health

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**TONBRIDGE & MALLING BOROUGH COUNCIL**  
**LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD**

**2 September 2014**

**Joint Report of the Director of Planning, Housing and Environmental Health and  
Director of Street Scene and Leisure**

**Part 1- Public**

**Matters for Information**

**1 SERVICE OF STATUTORY NOTICES**

**The following notices have been served since the last Advisory Board.**

**1.1 Environmental Protection Act 1990**

**1.1.1 St Marys Walk, Burham, Kent. ME1 3SJ**

One Abatement notice relating to noise from amplified music.

**1.1.2 Drytec, Morley Road, Tonbridge, Kent. TN9 1RA.**

Three Notices relating to the likely occurrence of odour from the premises.

**1.2 Control of Pollution Act 1974**

**1.2.1 Tonbridge Racecourse Recreation Ground, New Wharf Road, Tonbridge, Kent. TN9 1DS.**

Prior Consent for works on construction sites.

**1.3 Food Safety & Hygiene (England) Regulations 2013**

**1.3.1 Kentfield Farm, Tower Hill, Offham, Kent ME19 5NH**

Failure to supply hot running water to the main washing up sink to enable cleaning and disinfection of work equipment.

**1.4 Street Scene**

**1.4.1 Enforcement notices since the previous Advisory Board report on 27 May 2014:**

**Fly-Tipping Incidents**

Five notices under section 108 of the EPA, requesting information from persons believed to be associated with fly-tipping incidents, have been issued.

Littering Offences

Forty eight Fixed Penalty Notices for littering offences at various locations around the borough have been issued.

**1.5 Legal Implications**

1.5.1 These notices were served in accordance with the provisions of the legislation under which they are served.

**1.6 Financial and Value for Money Considerations**

1.6.1 The Council will pursue the recovery of debts associated with works carried out in default. Debts not recovered will remain as a charge against the premises in the usual manner.

**1.7 Risk Assessment**

1.7.1 The notices are reasonable and proportionate enforcement action in accordance with the EHHS Enforcement Policy.

Background papers:

Nil

contact: Melanie Henbest  
David Campbell- Lenaghan  
Jacqui Rands

Steve Humphrey  
Director of Planning Housing and Environmental Health

Robert Styles  
Director of Street Scene &  
Leisure



# Agenda Item 12

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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# Agenda Item 13

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT  
INFORMATION**

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By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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# Agenda Item 15

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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