



TO COUNCILLOR:

E R Barr
G A Boulter
Mrs L M Broadley (Chair)
F S Broadley

M H Charlesworth
M L Darr (Vice-Chair)
R F Eaton
Mrs L Eaton JP

J Kaufman
Mrs L Kaufman
Mrs H E Loydall
R H Thakor

Dear Sir or Madam

I hereby **SUMMON** you to attend a meeting of the **LICENSING AND REGULATORY COMMITTEE** to be held at the **COUNCIL OFFICES, STATION ROAD, WIGSTON** on **THURSDAY, 4 APRIL 2019** at **6.30 PM** for the transaction of the business set out in the Agenda below.

Yours faithfully

Council Offices
Wigston
27 March 2019

Mrs Anne E Court
Chief Executive

<u>ITEM NO.</u>	<u>AGENDA</u>	<u>PAGE NO'S</u>
1.	Apologies for Absence	
2.	Appointment of Substitutes	
	To appoint substitute Members in accordance with Rule 4 of Part 4 of the Constitution.	
3.	Declarations of Interest	
	Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'.	
4.	Minutes of the Previous Meeting	1 - 3
	To read, confirm and sign the minutes of the previous meeting in accordance with Rule 17 of Part 4 of the Constitution.	
5.	Action List Arising from the Previous Meeting	4
	To read, confirm and note the Action List arising from the previous meeting.	
6.	Petitions and Deputations	
	To receive any Petitions and, or, Deputations in accordance with Rule 24 of Part 4 of the Constitution.	



7. Food Safety Service Plan (2019/20)

5 - 18

Report of the Environmental Health Officer

8. General Environmental Health & Licensing Update (Verbal Update)

Verbal update of the Regulatory Services Manager

a) Dog Warden Contract

b) "Stronger Together" Pest Control Service

c) Licensing Uniform Systems Upgrade

d) "Sam Says Stop" Campaign

9. Exclusion of the Press and Public

The press and public are likely to be excluded from the remainder of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972 (Exempt Information) during consideration of the item(s) below on the grounds that it involves the likely disclosure of exempt information, as defined in the respective paragraph(s) 1, 2 and 3 of Part 1 of Schedule 12A of the Act and, in all the circumstances, the public interest in maintaining the exempt item(s) outweighs the public interest in disclosing the information.

10. Environmental Health & Licensing Service Review Outcomes (Verbal Update)

Verbal update of the Head of Law & Governance / Monitoring Officer

For more information, please contact:

Licensing or Environmental Health

Oadby and Wigston Borough Council
Council Offices
Station Road, Wigston
Leicestershire
LE18 2DR

t: (0116) 257 2642 (Licensing)

e: licensing@oadby-wigston.gov.uk

t: (0116) 257 2590 (Environmental Health)

e: environmental.health@oadby-wigston.gov.uk

Agenda Item 4

**MINUTES OF THE MEETING OF THE LICENSING AND REGULATORY COMMITTEE HELD
AT THE COUNCIL OFFICES, STATION ROAD, WIGSTON ON THURSDAY, 31 JANUARY
2019 COMMENCING AT 6.30 PM**

PRESENT

Councillor Mrs L M Broadley (Chair)
Councillor M L Darr (Vice Chair)

COUNCILLORS

G A Boulter
F S Broadley
M H Charlesworth
R F Eaton
Mrs L Eaton JP
J Kaufman
Mrs L Kaufman
Mrs H E Loydall

OFFICERS IN ATTENDANCE

S J Ball (Senior Democratic Services Officer / Legal Officer)
T Cawthorne (Environmental Health & Licensing Team Leader)
D M Gill (Head of Law & Governance / Monitoring Officer)

21. APOLOGIES FOR ABSENCE

None.

22. DECLARATIONS OF INTEREST

Councillor M H Charlesworth declared a non-pecuniary interest with regard to item 7 of the agenda, insofar as he carries on a mobile food business registered with the Council.

23. MINUTES OF THE PREVIOUS MEETING

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the meeting of the previous Committee held on 11 October 2018 be taken as read, confirmed and signed.

24. ACTION LIST ARISING FROM THE PREVIOUS MEETING

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The Action List arising from the meeting of the previous Committee held on 11 October 2018 be read, confirmed and noted.

25. PETITIONS AND DEPUTATIONS

None.

26. ENVIRONMENTAL HEALTH UPDATE (Q3 2018/19)

The Committee gave consideration to the report (as set out at pages 2 – 5 of the agenda pack) which asked it to note the work undertaken by the Environmental Health Section during the third quarter of 2018/19.

The Committee was advised that there had been no increase in fly-tipping incidents over the past 12-months nor was there any evidence of any incident being directly attributable to/since the introduction of itemised charging for the disposal of non-household items at the Oadby Waste Site (as of April 2016).

No Fixed Penalty Notices were reported to have been issued under the Public Space Protection Order or for fly-tipping or littering during the third quarter. This was due to either being no known contraventions or a lack of evidence identifying those persons responsible. However, Officers were confident that the ongoing use of portable cameras in problem areas would assist in future detection and prevention.

The Committee was informed that the issues reported regarding accumulations of litter on/around privately-owned commercial premises in Wigston Town Centre continued to be relayed on to the relevant premises' management and/or owners who were being encouraged to undertake more regular monitoring and cleaning.

The Chair requested that drone and model aircraft usage be included as a standing item in all subsequent quarterly report updates to the Committee.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The contents of the report be noted.

27. LICENSING UPDATE (Q3 2018/19)

The Committee gave consideration to the report and appendix (as set out at pages 6 – 11 of the agenda pack) which asked it to note the work undertaken by the Licensing Section during the third quarter of 2018/19.

The Committee reiterated its concerns regarding the increasingly high number of combined Hackney Carriage / Private Hire (HC/PV) drivers' licence applications continuing to be received by/for a Council of a relatively small administrative area.

The Committee was advised that no limit on the number of HC/PV drivers' licences issued could be enforced as the Council was statutorily obliged to grant to any person a licence if it was satisfied that the applicant was a 'fit and proper person'. However, a number of measures to strengthen existing testing processes were to be introduced imminently in order to filter out a higher calibre of licenced drivers.

The Committee was also advised that the possible introduction of a saturation policy to limit the number of hackney carriage vehicles would be difficult to implement given the robust evidence-base needed to withstand any potential challenge.

The Chair requested that any matters pertinent to the Borough as raised at the Leicestershire & Rutland Licensing Forum be reported back to the Committee.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The contents of the report and appendix be noted.

28. EXCLUSION OF THE PRESS AND PUBLIC

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The press and public be excluded from the remainder of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972 (Exempt Information) during consideration of the item(s) below on the grounds that it involved the likely disclosure of exempt information, as defined in the respective paragraph(s) 1, 2 and 3 of Part 1 of Schedule 12A of the Act and, in all the circumstances, the public interest in maintaining the exempt item(s) outweighed the public interest in disclosing the information.

29. ENVIRONMENTAL HEALTH & LICENSING SERVICE REVIEW OUTCOMES (JANUARY 2019)

The Committee gave consideration to the report (as set out at pages 12 - 16) which asked it to note the Environmental Health and Licensing Service Review Outcomes for January 2019.

By affirmation of the meeting it was

UNANIMOUSLY RESOLVED THAT:

The contents of the report be noted.

THE MEETING CLOSED AT 7.58 PM



.....
Chair
.....

Thursday, 04 April 2019
.....

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Agenda Item 5

LICENSING AND REGULATORY COMMITTEE

ACTION LIST

Arising from the Meeting held on Thursday, 31 January 2019

No.	Minute Ref. / Item of Business	*Action Details / Action Due Date	Responsible Officer(s)' Initials	Action Status
1.	26. - Environmental Health Update (Q3 2018/19)	Drone and model aircraft usage be included as a standing item in all subsequent quarterly report updates to the Committee. <i>Due by Ongoing</i>	ToCa	Ongoing
2.	27. - Licensing Update (Q3 2018/19)	Any matters pertinent to the Borough as raised at the Leicestershire & Rutland Licensing Forum be reported back to the Committee. <i>Due by Ongoing</i>	ToCa MaGe	Ongoing

* | All actions listed are those which are informally raised by Members during the course of debate upon a given item of business which do not form part of - but may be additional, incidental or ancillary to - any motion(s) carried. These actions are for the attention of the responsible Officer(s).

Agenda Item 7



Licensing and Regulatory Committee	Thursday, 04 April 2019	Matter for Information
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Report Title: **Food Safety Service Plan (2019/20)**

Report Author: **Cheryll Stew (Environmental Health Officer)**

Purpose of Report:	To inform the Committee of the Food Safety Service Plan for 2019/20.
Report Summary:	The Food Safety Service Plan sets out the priorities for 2019/20.
Recommendation(s):	That the content of the report and appendix be noted.
Responsible Strategic Director, Head of Service and Officer Contact(s):	<p>David Gill (Head of Law & Governance / Monitoring Officer) (0116) 257 2626 david.gill@oadby-wigston.gov.uk</p> <p>Tony Cawthorne (Regulatory Services Manager) (0116) 2572670 tony.cawthorne@oadby-wigston.gov.uk</p> <p>Cheryll Stew (Environmental Health Officer) (0116) 2572691 cheryll.stew@oadby-wigston.gov.uk</p>
Corporate Priorities:	<p>Effective Service Provision (CP2) Wellbeing for All (CP5) Balanced Economic Development (CP3)</p>
Vision and Values:	<p>Accountability (V1) Teamwork (V3) Customer Focus (V5)</p>
Report Implications:-	
Legal:	The Food Safety Service Plan 2019/20 Enforcement Policy complies with the revised Food Law Code of Practice (England) 2017.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	<p>Key Supplier/Partnership Failure (CR2) Reputation Damage (CR4) Regulatory Governance (CR6)</p>
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications directly arising from this report.
Statutory Officers' Comments:-	

Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	Food Law Code of Practice (England) 2017
Appendices:	1. Food Safety Service Plan (2019/20)

1. Information

- 1.1 The Council is required to produce a Food Safety Service Plan ("the Service Plan") by the Food Standards Agency which sets out the priorities for how it can serve the Borough's community.
- 1.2 The Service Plan as attached at **Appendix 1** to this report sets out the priorities for 2019/20 that the Environmental Health Team will undertake during their work in the ensuing year.
- 1.3 The Food Safety Service Plan complies with the Food Law Code of Practice (England) 2017.



Oadby & Wigston
BOROUGH COUNCIL

Environmental Health Team

Service Plan for Food Safety Regulation

2019-2020

Introduction

The plan is based on the Food Standards Agency's Framework Agreement on Official Feed and Food Controls of April 2010.

Purpose of this plan

This Service Plan outlines how Oadby and Wigston Borough Council intends to fulfil its obligations as a food safety enforcing authority. It also demonstrates how the work of the Environmental Health Team links into the councils overall vision and aims for the Borough.

Aims and objectives

Oadby and Wigston Borough Council aims to:

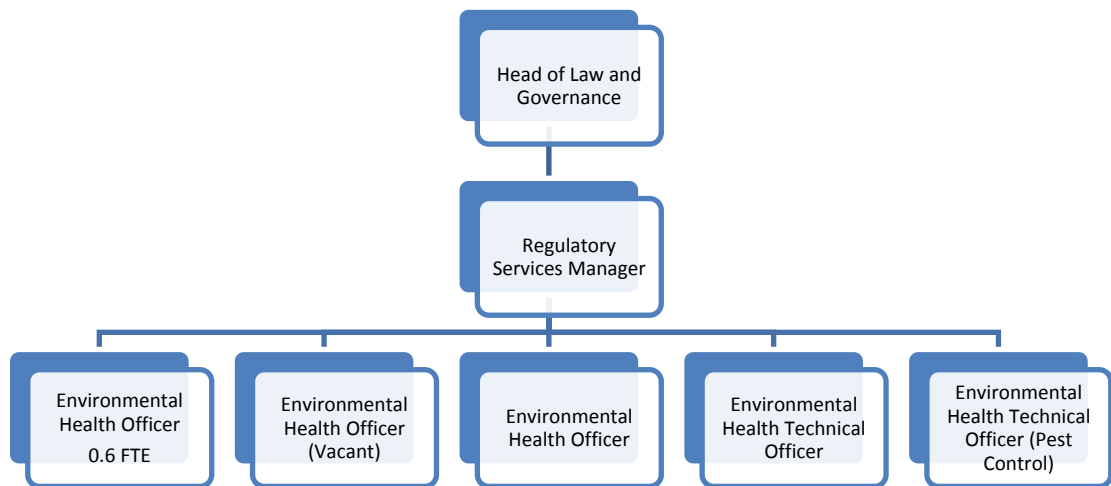
- Assist food businesses to comply with food safety legislation.
- Prevent ill-health and death arising from food related illness.

The Area

Oadby and Wigston Borough is a predominately urban area on the outskirts of Leicester. The food businesses are mainly small and locally based catering and retail. There are also a number of large supermarkets. The Borough is also home to several large food manufacturers; Charnwood Foods, Jacobs, Delifrance and Blackfriars Bakery all of whom distribute food nationally and in some cases, internationally.

The Environmental Health Team

The Food Safety service is located in the Environmental Health Team and lead by the Regulatory Services Manager. The Team is also responsible for private sector housing, environmental protection, health and safety, infectious disease control, pest control and general public health services. The Team is part of Law & Governance, led by the Head of Law & Governance. The team has undergone significant change during 2016-2018 and it has been necessary to bring in interim and contract staff to assist the Team in maintaining a service for the Borough and in meeting critical and statutory deadlines.



Environmental Health Officers (EHO's) are generic in their role and as such carry the full range of Food Safety interventions. The officers involved in the food safety functions, also deliver health and safety interventions, infectious disease control, animal and special treatment licensing, health promotion and advice for planning applications, as well as generic duties including private sector housing, air quality and general public health. The Regulatory Services Manager is responsible for all services and the management of the Environmental Health and Licensing teams and the delivery of services across the Borough. The division of activities between individual officers are allocated subject to their skills, competencies and personal development aspirations.

Liaison with other organisations

Oadby and Wigston Borough Council is represented on the following groups:

National Food Liaison Focus Group (NFLFG) which meets 3 times a year. The remit of the group is to consider current food safety issues and establish guidelines for Local Authorities to provide a consistent approach. The group provides an initial level of consultation for new Food Standards Agency Policies before wider National consultation. Regional representatives report to the group on current regional matters of interest and trends.

Leicestershire Food Liaison Group (LFLG), which meets 4 times a year. This group is attended by the Food Lead Officer and is a local coordination and best practice group with representatives from Trading Standards and Environmental Health representatives of Leicester City Council, Rutland County Council, Leicestershire County Council, the six additional district councils within the county, the Leicestershire Pathology Service of the University Hospitals of Leicester NHS Trust, the Birmingham HPA Food, Water and Environmental laboratory and the FSA regional coordinator.

The Environmental Health Team regularly liaises with and where appropriate supports the following organisations;

Food Standards Agency

Leicestershire Food Liaison Group

Public Health England

DEFRA

Health and Safety Executive

Leicestershire Trading Standards

Care Quality Commission

Primary Authorities designated by the Primary Authority Scheme

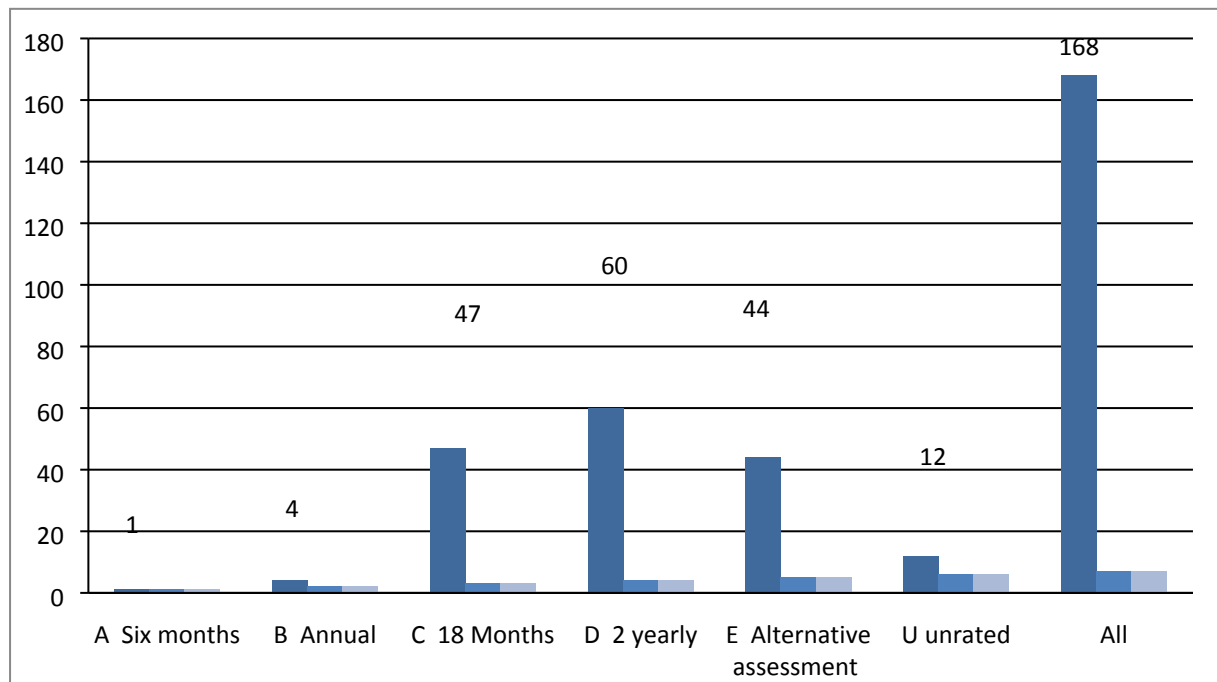
Any other organisation required to successfully deliver the services.

Scope of the Food Safety Service

Food Safety Services to be Delivered in 2019/20

Food Safety Inspection Programme

This is a statutory function and monitored by the Food Standards Agency. Inspections are carried out according to the risk criteria laid down in the Food Law Code of Practice. The table below shows the number of inspections due for April 2019-March 2020.



Unrated premises are newly registered but have not yet opened or been inspected. The team receives new food business registrations at a rate of 2-3 a month. Those businesses are contacted and offered initial advice and visited if appropriate. They receive a full inspection after opening.

Low risk premises (Category E) receive a self-assessment questionnaire every three years. A physical inspection will be carried out if the premises is still trading but fails to return a completed questionnaire or where the premises has started engaging in more high risk activities and need to be reassessed to determine their inspection frequency. Interventions for high risk (Category A-D) premises will be predominately by full inspection although other interventions such as a partial inspection in line with the Food Law Code of Practice will be used where the premises are broadly compliant with the legislation.

It is anticipated that the team may need to bring in interim and contract staff to assist the Team in meeting its statutory deadlines in relation to the food safety inspection programme for 2019 – 2020.

Broad Compliance in Oadby and Wigston

This is an indicator of the proportion of all food business establishments in the Borough which are broadly compliant with food hygiene law. Food establishments that do not require any enforcement related follow up to a food hygiene inspection are Broadly Compliant. Broad compliance is measured from the food hygiene risk score awarded to a food establishment following inspection. In total there are 396 food premises of which 93% are "broadly compliant" with the food hygiene requirements.

In addition to the routine intervention activity there will be a special project for premises that have poor hygiene and have a FHRS rating of 0-2 and therefore are not broadly compliant. These food businesses will receive regular revisits, coaching and advice but where this does not achieve the desired improvement formal action will be taken.

In addition from 1st April 2019 the team will begin charging businesses who want a follow up inspection to reassess their FHRS rating where they have fallen short of the rating they desire. The charge will be £150. It should be noted that this charge will not apply to any revisits carried out to assess compliance with food safety legislation.

The team from 1st April 2019 will begin publicising food hygiene ratings on the Council website. Although this information is freely available online at the Food Standards Agency, it is hoped that local publication will help to better inform residents of the ratings of businesses while assisting in driving up standards in poorly performing food premises.

Investigations of Complaints relating to Food and Food Premises

Complaints about food safety and food premises are received and investigated as necessary. These are demand led services but approximately 40 per year can be expected to be investigated. Investigations of food poisoning outbreaks or single cases are investigated in cooperation with Public Health England.

Food Sampling

Sampling of food is currently only being undertaken as part of an investigation however this will be reviewed in the course of the year when full permanent staffing is achieved. It is then anticipated that food sampling will be undertaken in conjunction with Public Health England and the Leicestershire Food Liaison Group.

A Lead Food Officer is appointed and this officer is responsible for the technical operation of the Service and is the point of contact for the Food Standards Agency

and Leicestershire Food Liaison Group for the exchange of information and good practice.

Food Safety Projects

The Team will also take part in the special Projects identified by the Leicestershire Food Liaison Group. **See Appendix 1.**

Public and Business Access to Support

The website content for the Environmental Health Team will this year be reviewed and revised to ensure it signposts service users appropriately and efficiently and provides useful and helpful content. The team will also be using for the first time, social media platforms Facebook and Twitter to publicise the service and increase awareness of food safety amongst the public and business owners.

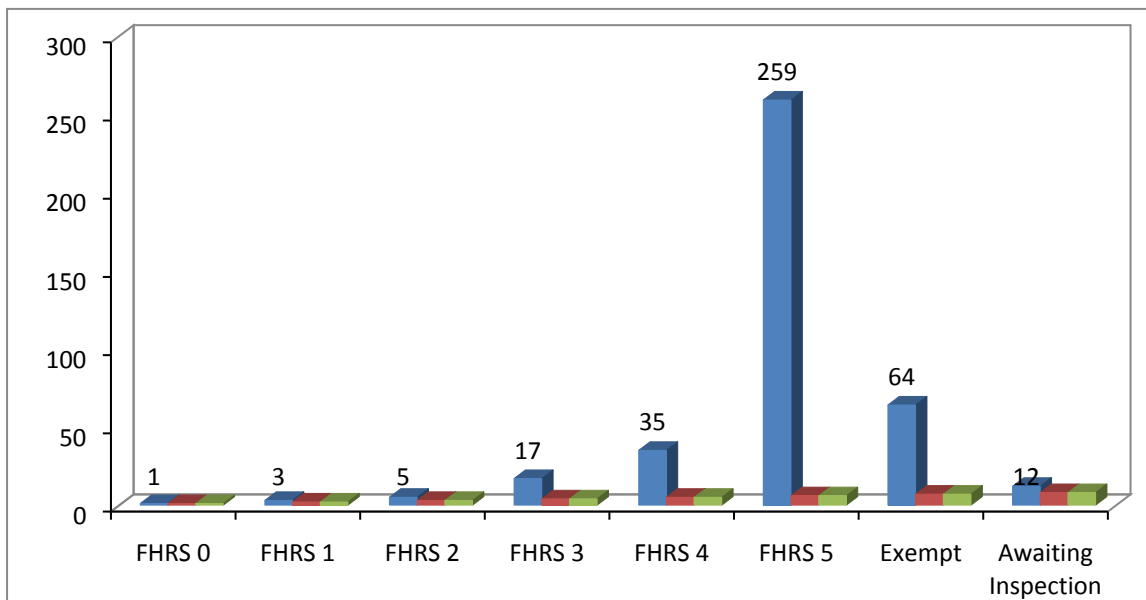
Businesses can now complete their food business registration online at the Oadby and Wigston Borough Council website.

The team has contributed various articles to Letter Box over 2018/19 and will continue to use this platform for raising public awareness in the Borough of the team and the services we offer.

Food Hygiene Ratings in Oadby and Wigston Borough

The Food Hygiene Rating Scheme helps the public choose where to eat out or shop for food by giving information about the hygiene standards in restaurants, pubs, cafés, takeaways, hotels and other places serving food, as well as supermarkets and other food shops. The rating is not awarded to all food establishments in the city. For example manufacturers and distributors and some very low risk establishments are not within the scheme. Following inspection all eligible food establishments are awarded a Food Hygiene Rating of 0 to 5. The requirement to display the rating is not mandatory, ratings are published online and establishments are encouraged to display the rating in a prominent position.

The table below shows the distribution in ratings as of 8th March 2019.



Competency, Training and Monitoring of Officers

Officers undergo an annual competency assessment in accordance with the Food Safety Code of Practice.

Each year development and training takes place to meet individual skill gaps identified in annual Appraisals and/or annual competency assessments and for the development of the service. Officers routinely attend Continuing Professional Development training to ensure they meet the Food Law Code of Practice CPD requirement and are required to undertake a minimum of 10 hours food training per annum.

Officers receive one shadowed food safety inspection annually to ensure consistency. The Regulatory Services Manager also carries out quarterly quality

monitoring of inspection follow up paperwork and database updating for each officer.

The Council has a Corporate Enforcement Policy underpinned by specific service area enforcement policies and officers have regard to these policies and national guidance when reaching enforcement decisions.

Summary

The Food Safety Regulatory Service is a statutory function. It contributes to the health and wellbeing of the residents and visitors to Oadby and Wigston. It also helps to improve business confidence and promote well performing businesses in the Borough. In the current environment it is expected that this plan will be reviewed and improved throughout the year in response to the changing regulatory and technical environment.

APPENDIX 1

Key Priority Theme	Activity	Implementation Date	Completion/Review Date	Lead Responsibility
Performance	<u>Sampling</u> (a) Complete 2018/19 Programme	1 January 2019	31 March 2019	Food, Water & Environment Lab, London in conjunction with all Authorities
	(b) Commence 2019/20 Programme	1 April 2019	Review each meeting: Completion 31 March 2020	Food, Water & Environment Lab, London in conjunction with all Authorities
	(c) Draft Protocols for sampling subjects	2 months prior to sampling topic	31 March 2020	Food, Water & Environment Lab, London in conjunction with all Authorities
	(d) Raw Milk local sampling survey	1 January 2018	31 March 2019 (carried over from 2018 plan)	LA`s and Trading Standards In conjunction with Food, Water & Environment Lab, London
	<u>Peer Review / IAA</u> Desk top study of officer monitoring arrangements	1 January 2019	31 December 2019	All local authorities except Leicestershire County Council
	Report to FSA on Inter Authority Audit on the application of the national Food Hygiene Rating Scheme carried out in 2018.	1 January 2019	31 March 2019	All local authorities except Leicestershire County Council
	<u>Food Hygiene Promotion</u> All Local Authorities to support one food safety campaign.	1 January 2019	31 December 2019	All local authorities

Key Priority Theme	Activity	Implementation Date	Completion/Review Date	Lead Responsibility
	<u>Food Hygiene Rating Scheme</u> Continue to improve county consistency in the Food Standards Agency (FSA) Food Hygiene Rating Scheme	1 January 2019	31 December 2019	All local authorities except Leicestershire County Council
Inter-Agency Working	Invitation to two representatives of either Dairy Hygiene, Gang master Licensing Authority or FVO to attend a meeting To facilitate one joint project with Trading Standards Officers in the County.	1 January 2019 1 March 2019	31 December 2019 31 December 2019	Secretary Leicestershire County Council Trading Standards
Continuing Professional Development	<u>Facilitation of Courses</u> Arrange 2 courses for Enforcement Officers in the County. Jointly with Leicestershire Fire and Rescue Service facilitate a Fire Awareness session for enforcement Officers	1 January 2019 1 January 2019	31 December 2019 31 March 2019	Training Officer Training Officer