



Policy and Resources Committee – 10 March 2014

Food Law Enforcement Service Plan and Health and Safety Service Plans 2014/15, and updated Enforcement Policy

Purpose of report

Annual Council approval of a Food Law Enforcement Service Plan and a Health and Safety Service Plan are requirements of the Food Standards Agency and the Health and Safety Commission respectively. These plans are produced from the frameworks provided by these Agencies.

There is also an update to the Environmental Services Enforcement Policy that requires approval.

Attachment(s)

Appendix 1 – Food Safety and Health and Safety Service Plan 2014/15

Appendix 2 – Environmental Services Enforcement Policy – Appendix F

1.0 Background

- 1.1 The Food Law Enforcement Plan and Health and Safety Service Plan are statutorily required and, whilst separate from the Environmental Services Service Plan and Team Plans, contribute towards their aims and objectives. The Service Plan is included at Appendix 1.
- 1.2 The Council's Constitution (Article 4.02) requires Council approval of the Food Law Enforcement Service Plan.
- 1.3 The Health and Safety (Enforcing Authority) Regulations 1998 – Section 18 requirements place a duty on the Council to monitor and enforce the requirements of the Health & Safety at Work etc. Act, 1974 on premises identified under the above Regulations.

2.0 Statutory Plans

- 2.1 The Food Safety Service has a challenging year ahead to improve food safety and deal with the number of new and growing businesses. The health and safety service will focus on risk-based projects including legionella and slips, trips and falls.

3.0 Enforcement Policy Update

- 3.1 The Environmental Services Enforcement Policy was agreed by Policy and Resources Committee on 2 December 2013 (minute 272 refers) with an acknowledgement at the time that this was a live document that would be subject to update as legislation, guidance, best practice and case law arose. As a consequence of new guidance and best practice], changes are proposed to Appendix F of the policy, regarding waste, litter and dog control. This appendix is attached as Appendix 2.

4.0 Equality and Diversity Implications

4.1 There are no equality and diversity implications arising from the proposals.

5.0 Legal Implications

5.1 There are no legal implications arising from the proposals.

6.0 Risk Management

6.1 There are no identified risks arising from the proposals.

7.0 Financial Implications

7.1 There are no financial implications arising from the proposals.

8.0 Corporate Outcomes

8.1 The Corporate Outcomes affected by this report are:

- Good Quality of Life – Safe, by having effective policies concerning food safety and health & safety
- Effective Management, by ensuring compliance with relevant legislation


9.0 Recommendation

9.1 The Committee is recommended to resolve to recommend to Council that the Food Safety and the Health and Safety Service Plan 2014/15 be approved by Council.

(Reason: To ensure that the Council complies with its legal obligations in respect of food safety and health and safety)

9.2 The Committee is recommended to approve the changes to Appendix F of the Environmental Services Enforcement Policy.

(Reason: To ensure that the Council complies with its legal obligations in respect of environmental crime)

Legal	Power: Food Safety Act 1990 and the Health and Safety at Work etc. Act 1974.				
	Other considerations:				
Background Papers: Health and Safety Commission – “Section 18” guidance Food Safety Act Codes of Practice Food Standards Agency Framework Agreement					
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Date: 10 February 2014					
CFO 28/02/14		MO		CX	

(Committee Report Normal Rev. 22)



East
Northamptonshire
Council

Food Safety and Health and Safety Service Plan



2014/15

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Consultees

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Environmental Services	
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Links to other documents

Document	Link
Environmental Services Service Plan 2014/15	
Team Plan 2014/15	

Additional Comments to note

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Executive Summary

The Food Standards Agency and the Health and Safety Executive require annual service plans to be produced for both food and health and safety functions. This plan fulfills these statutory requirements.

A range of different interventions with businesses designed to improve food safety and health and safety are incorporated into this plan.

The plan explains the background to the food safety and health and safety regulatory services, identifies the scope of the service and the resources that have been allocated to meet the statutory requirements.

The Council is committed to improving health and safety and food safety outcomes from the interventions that it undertakes. We target these interventions on those stakeholders and duty holders that can most influence the reduction of health and safety and food safety risk with an emphasis on stopping those who seek to take economic advantage from non compliance with legislation. At all times we will give priority to those activities giving rise to the most serious risk and where the risks are most poorly controlled.

We also seek to engage with a variety of partners in the public and private sector in order to deliver this plan.

Regulation is often perceived to be a barrier to business development and growth, the key focus this year is to breakdown both actual and perceived barriers and support business development. This includes utilising the contact we have with businesses to help support and signpost them to other support networks.

This document is approved by CMT and Councilors and as such demonstrates our commitment to improving health and safety and food safety outcomes.

1. Overview of Key Service Challenges in 2014/15

- 1.1 The aim is to ensure a risk-based, proportionate and targeted approach to regulatory inspection and enforcement, whilst supporting businesses.
- 1.2 This year will see a food safety focus on those poor performing premises that are not broadly compliant and those highlighted as a risk in our red, amber and green matrix system.
- 1.3 The team will continue to develop its food sampling programme and its successful environmental sampling initiative to highlight problem premises and focus on improving their food safety standards.
- 1.4 The team will continue to support businesses especially at start up and growth to encourage growth.
- 1.5 The team will implement the 'Alternative Intervention Strategy' for food safety.
- 1.6 Northamptonshire Local Authorities have agreed a set of health and safety priorities that have been based on National and Regional data when establishing this years work plan.
- 1.7 The National Regulators Code of compliance will be delivered this year to ensure we meet the new requirements.
- 1.8 There will be a focus on slips, trips and falls particularly in the elderly to help reduce the need for acute care.
- 1.9 Following on from the recent legionella outbreaks nationally there will be a targeted approach for legionella controls in all relevant businesses.
- 1.10 The team will be exploring opportunities to develop a primary authority partnership this year through the BRDO scheme.
- 1.11 The Better Business Northamptonshire project will be a key focus this year and is aimed at breaking down both perceived and real barriers to business development.

2 Background

- 2.1. East Northamptonshire is a large rural district in the East Midlands made up of six towns and 55 villages with a population of 86,900 (estimated).



- 2.2. It is served by major road networks such as the A14, which continues to impact on the district by increasing the number of food businesses, in particular manufacturers. We have also seen an increase in smaller businesses and existing businesses diversifying.
- 2.3. For food safety and health and safety services, Members will receive reports through the Policy and Resources Committee and the service may also be reviewed by the Scrutiny Committee.

2.4. The Health Protection Team is structured as follows:



2.5. **Food** - The service inspects and audits food premises, takes food samples, provides advice, provides training, undertakes food poisoning investigations and education to food businesses and the public. Complaints about food and food businesses are investigated as are individual cases and outbreaks of food poisoning.

Health and Safety - The service undertakes a range of interventions with local businesses, investigates accidents, investigates complaints and provides advice and education to businesses and employees.

We will target our interventions on organisations and stakeholders that can influence risk reduction.

2.6. The officers involved in the food safety and health and safety functions, also deliver infectious disease control, licensing, health promotion and advice for planning applications. This team is also responsible through Northamptonshire Safety and Resilience Partnership (NNSRP), for corporate health and safety, emergency planning and business continuity which is distinct from the health and safety enforcement which is contained within this plan.

3. Links to other Strategies, Plans and Programmes

3.1. This service plan should be read in conjunction with the Environmental Services Service Plan, and the Health Protection Team Plan as these documents are integral to service delivery.

3.2. This plan supports the corporate plan in the following areas:

Clean - through the correct disposal of food waste, and the control of odour from food businesses.

Healthy - diet and nutrition is central to any strategy to prevent deaths from heart disease, diabetes and cancer. Food is a key marker of social inclusion and as such this plan has the potential to impact on reducing health inequalities. Reducing incidences of food poisoning has a positive impact on the community's health. There are various health promotion initiatives aimed at improving the health of the workforce.

Prosperous - by providing low cost training, business start up packs, business coaching, leaflets and advice, the service assists the economy in complying with legislation and encourages the provision of healthier choices through the heartbeat award. In addition, it tackles businesses which are not investing to the same degree as those who are responsible and diligent.

By making sure that businesses are compliant with regulation in a way that is consistent and intelligent and which avoids unnecessary burdens, we contribute significantly to the conditions for sustainable economic growth.

The Better Business Northamptonshire Project will be a key focus this year and will be breaking down the barriers regulation poses to business start up and growth both actual and perceived.

Safe – through the inspection, initiatives and investigation of complaints and accidents to ensure the safety of workers and those affected by work activities.

Good value for money – providing an efficient and effective service and low cost training opportunities.

High quality service delivery – providing a quality service to both businesses and consumers to ensure the provision of safe food and a safe working environment within the community.

Effective partnership working – working with other local authorities, Northamptonshire County Council, Trading Standards, County Council, BRDO, NEP, Knowledge Hub, Chamber of Commerce, local businesses, HSE, FSA, Serve and consumers.

3.3. This plan complements the following corporate strategies:

- Corporate Plan
- Performance Management Framework
- Licensing Policy Statement
- Sustainable Communities Strategy

3.4. This plan complements the following Regional and National Strategies:

- Health and Wellbeing Strategy
- Public Health Outcomes
- Choosing Health

It also supports the priorities identified by the local fora for health and wellbeing.

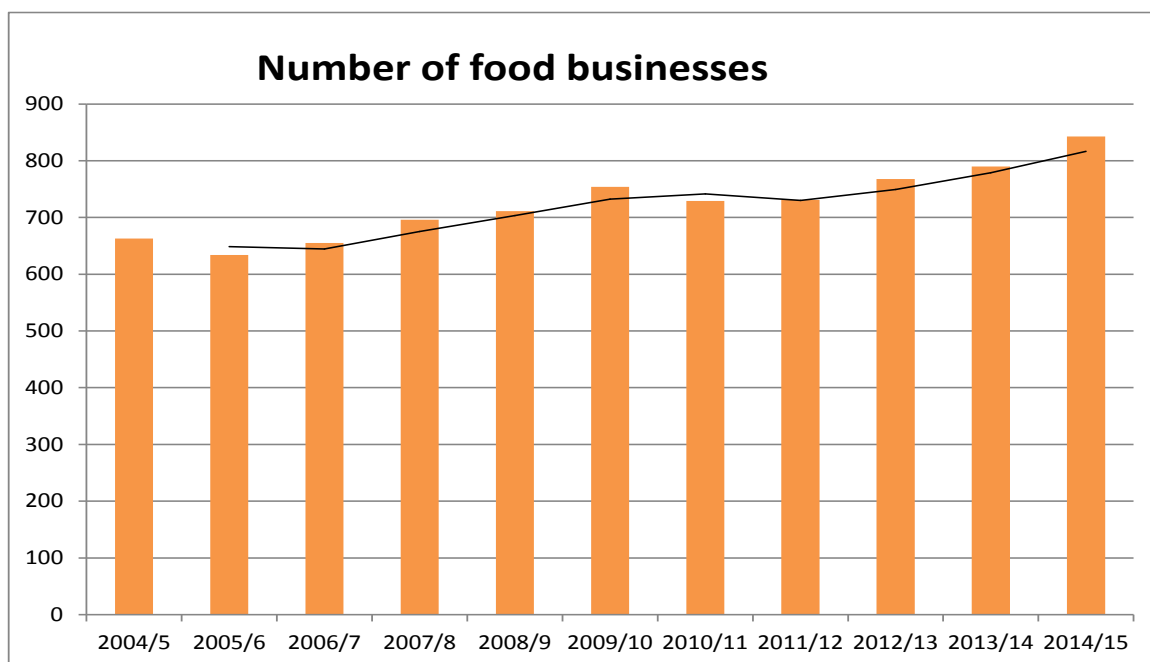
4.0 Service Specific Information - Food Safety

4.1 The team currently act as a Home Authority for Farrington Oils, Whitworths Limited and Tilleys Sweets Limited, are actively trying to engage with the Primary Authority Partnership scheme.

4.2 The current statistics for food businesses in East Northamptonshire are as follows:

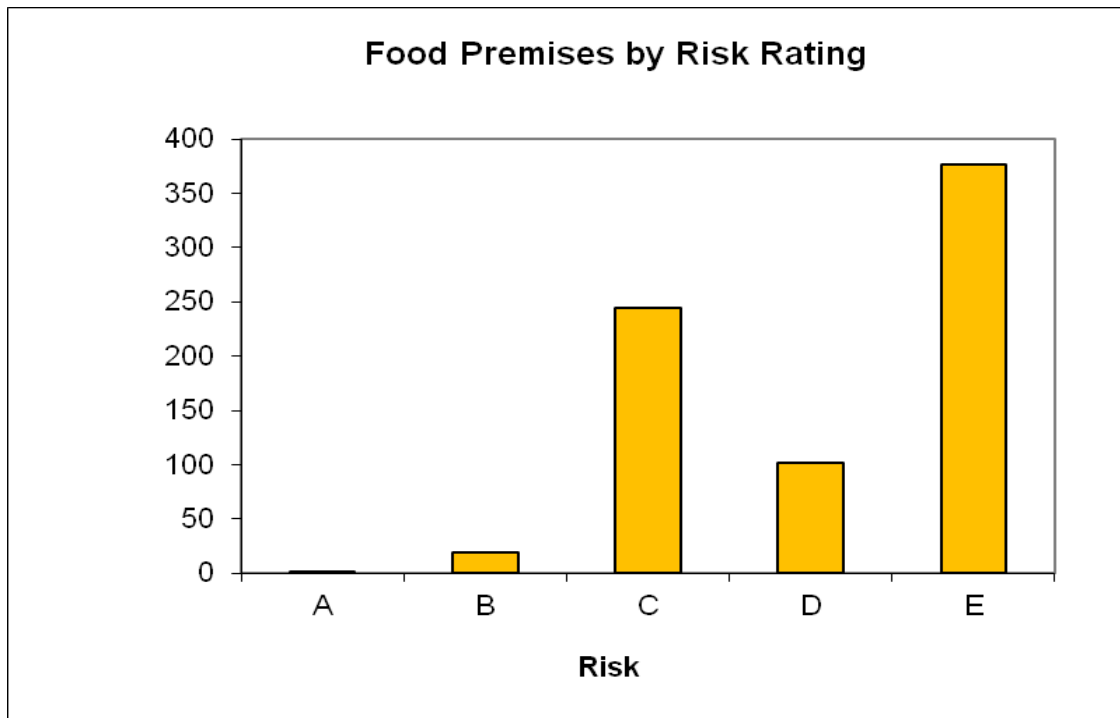
The total number of premises for food inspection is 843 an increase of 54. Of our food businesses 92% are rated as broadly compliant. In addition there is 1 Approved Premises (Polebrook Farm).

The graph below highlights the growing food business sector within East Northamptonshire over the last 10 years.

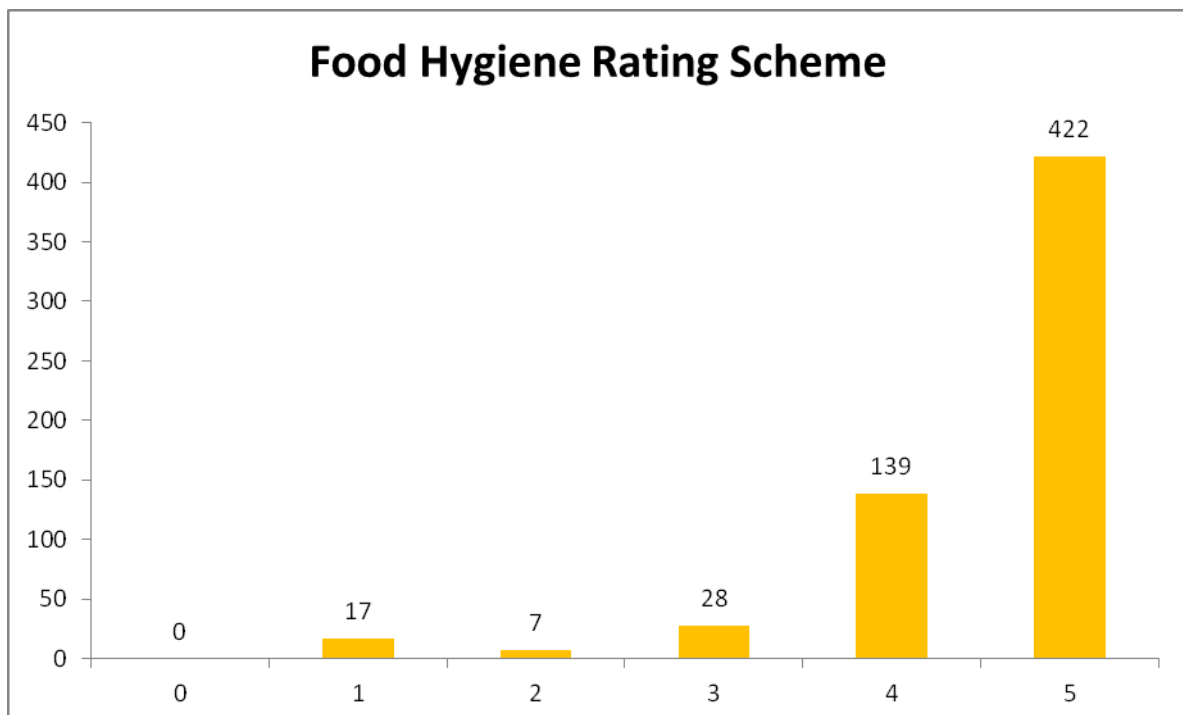


With this trend for growth and the support being offered to new and growing businesses it is likely that we will struggle to meet our inspection targets, particularly for the lower risk businesses. In the current climate it is unlikely we will secure any additional resources to help deal with the increasing demand for our services.

There are also other specialist premises in the district including a micro brewery, oil producer and a confectionary manufacturer. The following graph details the risk ratings for the premises within our district, A being highest risk and E being the lowest.



4.3 The food hygiene rating scheme gives each premises a numerical rating based on their food safety management systems, structure and confidence in management. The ratings range from 0 to 5, and are publicly available www.food.gov.uk/ratings. The following graph shows the ratings for our premises that are included within the scheme.

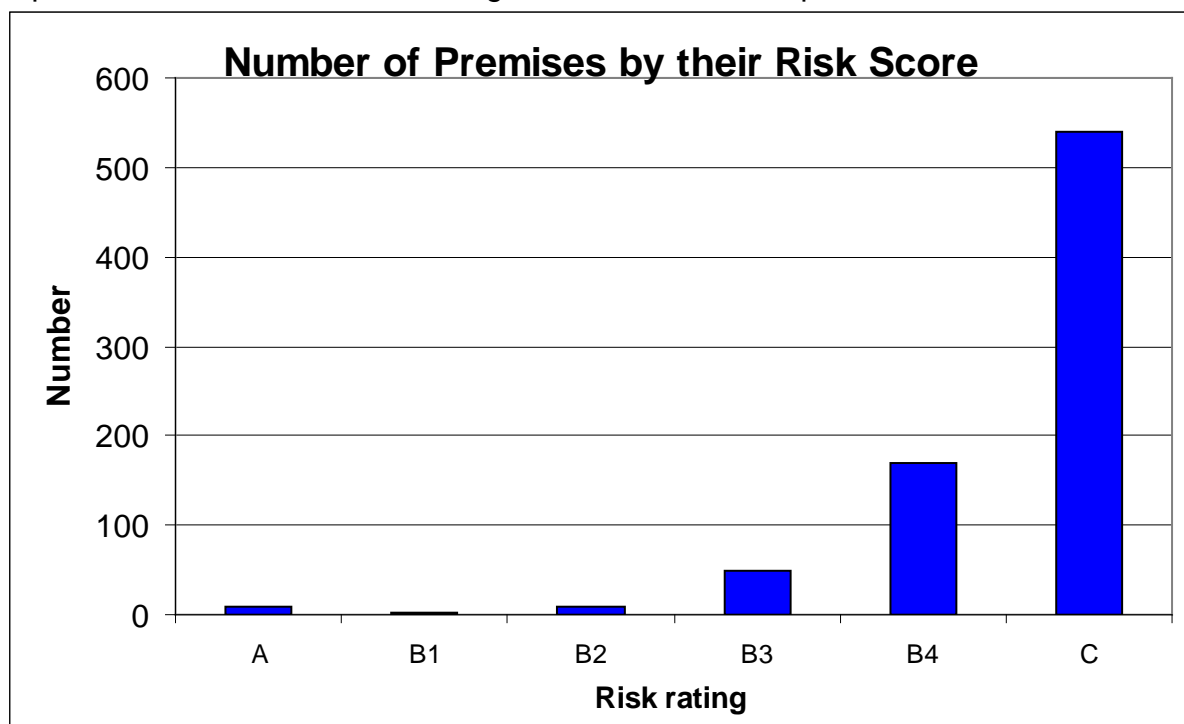


4.4 The service is delivered both in and out of normal office hours to ensure premises are inspected whilst they are operational. There is also a 24 hour call out system for emergencies. It is the policy for food inspections, unless in exceptional circumstances, to be carried out unannounced to allow the actual business operations to be observed.

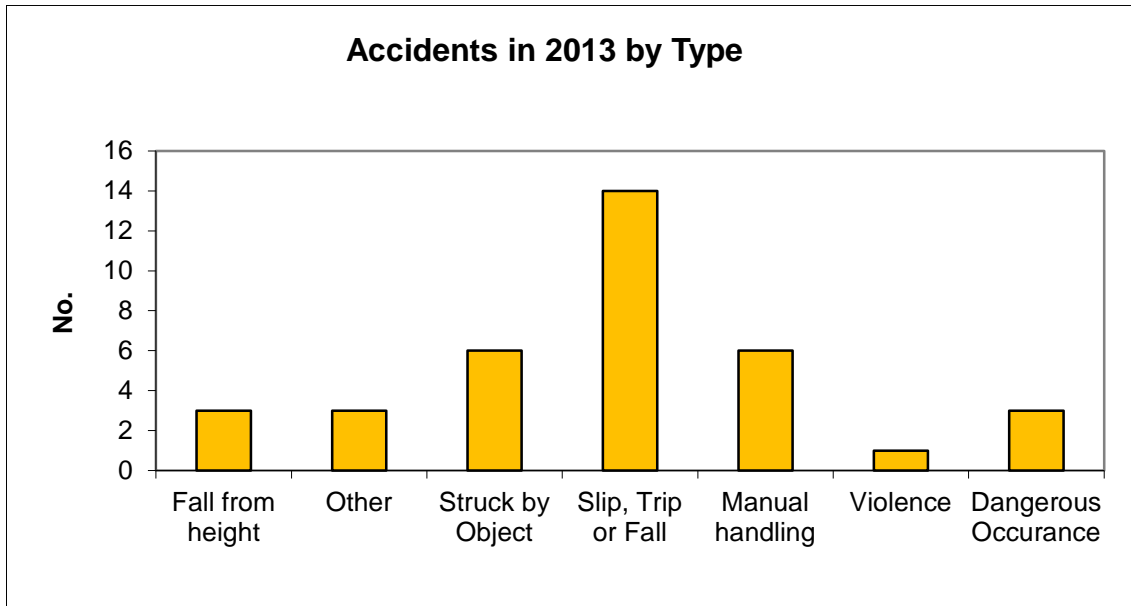
- 4.5. The rural nature of the district accounts for the high percentage of caterers due to the majority of villages having public houses and the continual growth of the catering industry. Seasonal slaughterhouses can impact on the number of inspections carried out in a year as they have irregular operating periods, as do many premises that only open in the summer for short periods of time. These premises opening times do not always coincide with programmed inspection dates. Also for the efficient use of resources interventions in the remoter areas for lower priority premises may take place when other premises in the same area require an intervention.
- 4.6 Environmental Services has a general enforcement policy. All enforcement action will be taken in line with this policy. In addition to this there are comprehensive procedures available to ensure consistency of service.

5.0 Service Specific Information - Health and Safety

- 5.1 The total number of businesses where health and safety is enforced by East Northamptonshire Council is currently around 1120. This is not an accurate figure as the statutory requirement to register with your local authority has been removed.
- 5.2 The graph below details the risk categories of the health and safety premises that the Health Protection team enforce, A being the highest risk and C being the lowest. These ratings will change category over the next year as a revised risk rating scheme is implemented. There are also a large number of unrated premises on the database.



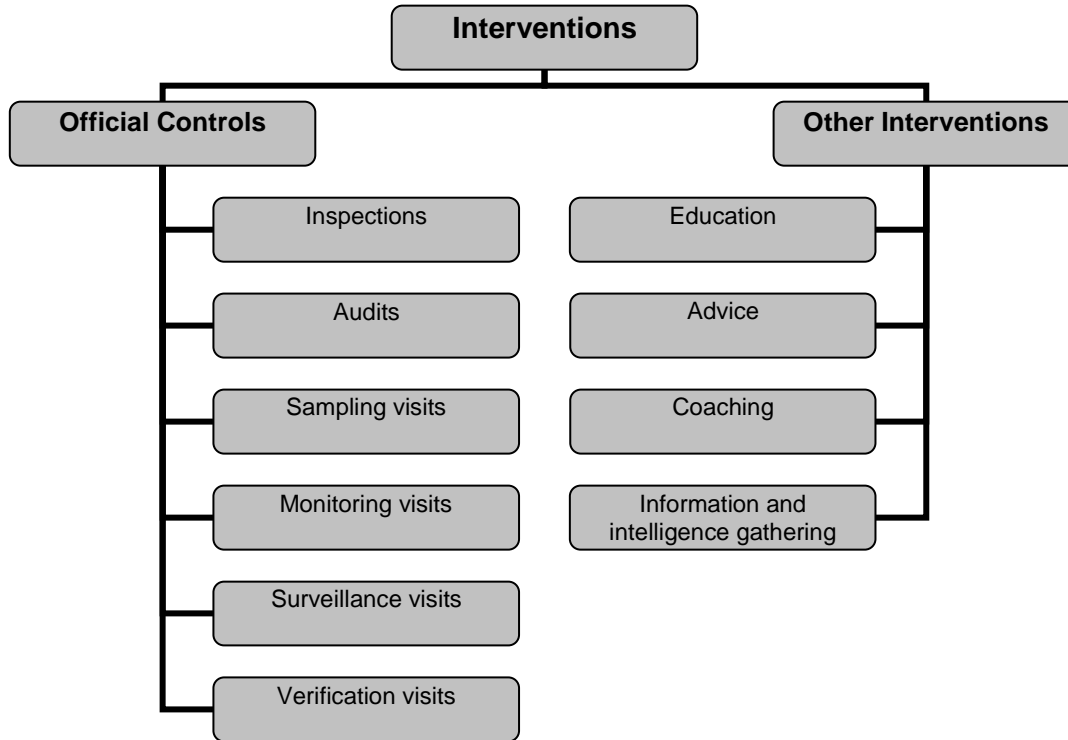
- 5.3 The service is delivered both in and out of normal office hours to ensure premises are inspected whilst operational. There is also a 24 hour call out system for emergencies.
- 5.4 Accidents are investigated following an incident investigation criteria that is applied nationally. In general terms serious accidents would be investigated but more minor accidents are recorded and used as local intelligence on the safety performance of individual companies/duty holders. They also help to plan interventions for the most common types of accident.



5.5 Environmental Services has a general enforcement policy and a specific health and safety enforcement policy. All enforcement action will be taken in line with these policies.

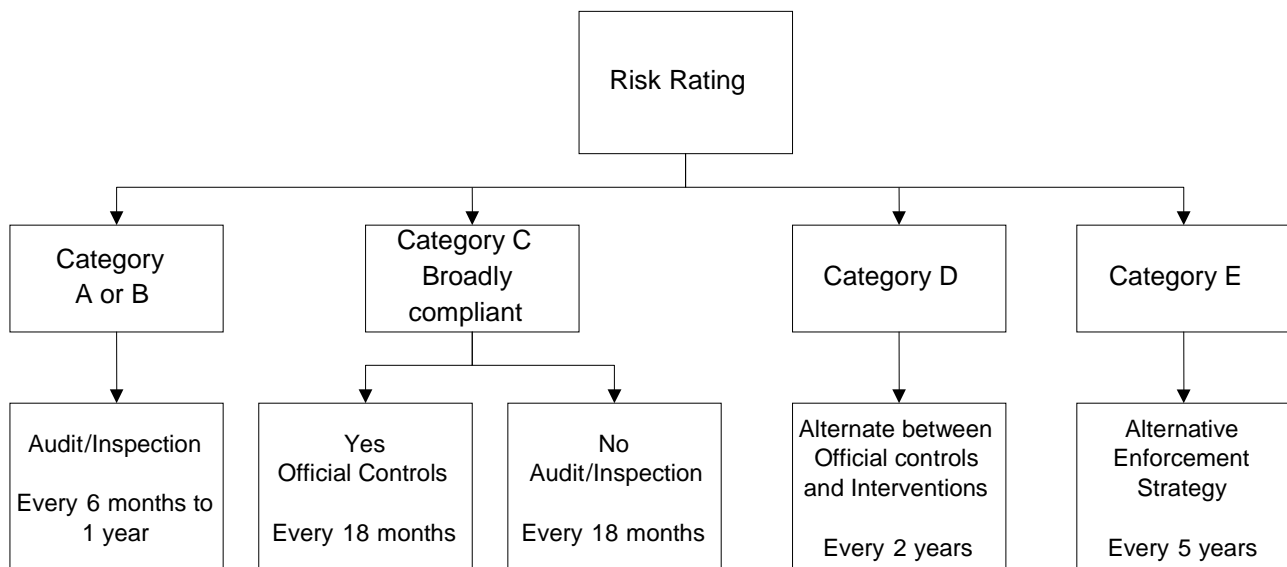
6.0 Service Delivery – Food Safety

6.1 For premises in the risk groups A-D there are a number of interventions that can be used. All of these interventions must take place on the premises concerned at the specified intervals.



For risk group E alternative strategies may be used such as surveys as such these do not require a visit to the premises.

6.2 Selection of Interventions- the diagram below illustrates the broad outline of the interventions that might be selected,



As a rural authority we strive to reduce the burden on businesses by carrying out other regulatory and improvement services for a business at the same time as the food safety service is delivered. This is in line with the “Hampton” principles of better regulation.

- 6.3. The following table shows the interventions that will need to be carried out in the year 2014/15. These figures include inspections outstanding from the previous year.

Risk Rating	Number of Interventions 11/12	Number of Interventions 12/13	Number of Interventions 13/14	Number of Interventions 14/15	Number of revisits
A	4	4	4	2	4
B	38	21	19	19	12
C	158	162	165	164	60
D	40	150	111	102	15
E	34	35	42	72	0
Unallocated	60	69	93	45	

The unallocated premises relate to some new premises that now require food registration as a result of legislative changes, such as childminders. Guidance will be produced nationally to detail the interventions required for these premises types.

We have had 71 new businesses start up this year which has affected our ability to undertake our routine inspections, if businesses continue to grow at this rate this may affect our ability to complete the above inspections. We do prioritise new businesses as they need support when setting up to ensure food safety compliance.

- 6.4. It is a target that 95% of the A-C interventions are completed. Interventions for the A, B, C and D categories have to be determined at the time of the previous visit to the business. These are as follows:-

A&B premises.

These premises will be inspected or audited, the exact intervention will be determined by the officer at the time of the visit.

Compliant C premises

Will receive either an audit or an inspection followed by programmed monitoring, surveillance or a verification intervention alternately.

Non compliant C premises

Alternate audit and inspection.

D Premises

They will receive focussed inspections or where it is appropriate a monitoring, surveillance or verification visit. These will alternate with advisory and education/coaching visits.

E Premises

In 2014/15 those due will receive a questionnaire to complete and return. Non returns will receive an advisory visit.

All premises will receive an advisory newsletter twice a year.

- 6.5. All new businesses will receive an advisory visit prior to starting their businesses to provide coaching on how to comply with food safety requirements with a focus on management systems. This appears to seriously affect how the businesses operate resulting in better hygiene and risk ratings. This is also an opportunity to signpost them to grants and support they can receive when starting a new business.
- 6.6. All food complaints are investigated. The authority receives approximately 25 complaints a year with respect to foodstuffs and food premises. In addition, 142 requests for advice are received from food businesses.
- 6.7. The Health Protection Team accepts home authority responsibility for all food businesses that have their head office in East Northamptonshire District. Currently this includes Whitworths and Tilleys Sweets and Fosters Foods. There is an operational procedure to deal with Home Authority enquiries. Approximately 15 home authority enquiries are expected to be received.
- 6.8. Advice and education for businesses, schools and individuals is provided on food safety. This is achieved through the provision of five Level 2 certificate food hygiene courses being run at the council offices, lectures and foundation food hygiene courses to schools/organisations and through direct requests from businesses. Requests from all sources are estimated to be 100.
- 6.9. The authority has a Sampling Policy and programme to which it adheres. The authority takes part in LGR, European, and Northamptonshire Food Liaison Groups sampling programmes. Sampling will also be targeted at local businesses identified in the district such as Home Authority premises and those where there are hygiene concerns. Sampling will take place prior to food inspections on a regular basis. This will result in approximately 120 samples being taken. All food samples are analysed by the Public Health Laboratory Service based in Birmingham; The Public Analyst, (Eurofins Scientific Laboratories) in London is used occasionally. The sampling plan will consist of both National and Locally identified sampling projects, at the time of writing the plan was not complete but will be included within this document.
- 6.10. Between the Health Protection Agency (HPA) and the Authority, there are formal arrangements in place to identify and investigate cases of food poisoning. All laboratory identified cases of food poisoning are sent directly to the authority for investigation. All incidents of food poisoning or alleged food poisoning are investigated with a view to tracing the source and preventing spread and reoccurrence. There was a significant increase in Food Poisoning last year which is thought to be due to foreign travel. It is estimated there will be 200 food poisoning cases and 3 potential outbreaks in the year 14/15.
- 6.11. The authority acts on all food alerts received in accordance with the food alert procedure and the FSA's Code of Practice. There is estimated to be approximately 40 food alerts in the year 14/15 although the number likely to require action will be fewer than 10.
- 6.12. The authority has local partnerships with the following organisations:
- The Northamptonshire Food Liaison Group
 - Northamptonshire Food Surveillance Group
 - Northamptonshire Trading Standards

- Public Health England
- Food Standards Agency (FSA)
- Commission for Social Care Inspection
- OFSTED.
- ACRE

- 6.13 Through these groups, particularly the Northamptonshire Food Liaison Group, there have been regular joint inspections with Trading Standards and joint training exercises.
- 6.14 The Council is part of a County group that organises the Heartbeat Award. We work in partnership with local schools to provide healthy food hygiene training as an extra curricular subject.
- 6.15. All relevant planning applications are considered by the team with respect to food safety. Advice on structures etc. is given to future businesses at this point. Copies of Licensing Act consultations are forwarded to the team.
- 6.16 The Health Protection Team carries out health promotion exercises covering food safety and nutritional promotion. This includes the provision of foundation food hygiene training, assisting businesses to obtain the Heartbeat Award, and to undertake activities in National Food Safety Week. We currently have 45 Heartbeat Award holders.
- 6.17 It is estimated that 40 officer hours will be spent on health promotional activities in 14/15.

7. Service Delivery – Health and Safety

- 7.1. The following action plan details interventions that have been agreed on a County basis for the year 14/15. The authority in brackets is that which will lead the project for the County in terms of establishing a consistent approach.

Priorities	Time Period
Healthy workplace	All Year
Asbestos awareness	All Year
Slips, Trips and Falls in the Nursing and Residential Sector	All Year
Hot and cold water systems	All Year
Legionella	All Year
Public Events	Summer Period
Gas safety	All Year
Workplace transport	All Year
Better Business Northamptonshire	All Year

Healthy Workplace – The development of an initiative to support the health and wellbeing agenda within workplaces utilizing our statutory contact.

Asbestos –The intention is to link with planning and building control to identify potential problem buildings and activities, to prevent exposure. More detail will follow on this project.

Slips and Trips- A specific project aimed at the elderly and reducing the need for them to access primary care. A seminar will be organised for homes and carers to identify good practice and shared learning, supported by NCC and public health.

Hot and Cold water systems – A project around scalding risks and management of these in shared facilities particularly around vulnerable people.

Legionella – An increase in cases of legionella and poor management practices will see a role out of an initiative aimed at those who manage facilities where legionella may be a risk.

Gas Safety – A project focusing on Tandoori Gas ovens and other gas supplied catering ovens. This has been identified as a National issue and high risk. Some preliminary work on this has seen three improvement notices served and has identified some high risk systems being used and worked on by unqualified engineers.

Workplace Transport – A continuation of the workplace transport projects from previous years, but with a focus on cages and working at height following a series of near misses and issues identified in 13/14.

Better Business Northamptonshire – This is a project aimed at reducing actual and perceived regulatory barriers to business growth and development.

- 7.2. These activities are co-ordinated at a County level. The time line has still to be produced detailing when each of the activities will be undertaken although these may vary slightly as the lead authorities carry out the detailed planning.
- 7.3 The Councils in Northamptonshire have determined co-ordinator leads and supports for each of these projects. The Health Protection Team will be leading on Gas safety, hot water systems and Better Business Northamptonshire.
- 7.4. The team will still inspect category A and B premises under the new risk rating scheme and other premises where it is felt necessary, this is in addition to the projects identified above.
- 7.5. Accident investigations are undertaken based on an assessment of the situation utilising the accident investigation criteria and 100% of complaints are investigated. The authority receives approximately 75 complaints with respect to health and safety issues and 30 accident reports.
- 7.6. Advice and education for businesses, schools and individuals is provided for health and safety on request. The Health Protection Team will produce a business newsletter bringing current health and safety matters to the attention of local businesses. The team has established links with Public Health, Health and Safety Executive and National Care Standards Commission to address health and safety issues.
- 7.7. The authority has local partnerships with the Northamptonshire Health and Safety Liaison Group, the Health and Safety Executive, CQC and OFSTED. We will also partner any other agency or organisation that will add value to our operational work
- 7.8. All relevant planning applications are considered by the team with respect to Health and Safety and advice is given to future businesses at this point, with the aim of designing out health and safety problems.
- 7.9 We will be linking with the health and wellbeing strategy and the priorities identified with respect to health workforces, which will include workplace accidents.

8. Resources

8.1. The current costings of the Food and Health and Safety Service are described below:

2014/15	Food Safety £	Health and Safety £
Support Costs	127,160	55,810
Salaries	96,280	65,580
Equipment	1,000	150
Sampling	100*	0
Health Promotion	1,300**	0
Training	7,800***	7,800***

*This figure does not include the allocation from the Public Health England

** £4,500 is recouped through the provision of the Level 2 Food Hygiene Course.

***This figure is for the department and is dependent on identified need and statutory requirements.

8.2. At the time of writing there are 1.90 Full Time Equivalent (FTE) officers for the food safety function. The above calculations can be broken down into officers as detailed below:

Health Protection Manager (EHO)	0.25 FTE
Senior Environmental Health Officer	0.45 FTE
Environmental Health Officer	0.25 FTE
Environmental Health Officer	0.60 FTE
Environmental Health Officer	0.35 FTE

8.3 At the time of writing there are 1.5 Full Time Equivalent (FTE) officers for health and safety. The above calculations can be broken down into officers as detailed below:

Health Protection Manager (EHO)	0.25 FTE
Senior Environmental Health Officer	0.30 FTE
Environmental Health Officer	0.15 FTE
Environmental Health Officer	0.20 FTE
Environmental Health Officer	0.40 FTE
Health Protection Officer	0.20 FTE

8.4. Officer training needs are identified during the PDR process and a training programme is developed once this process is complete. It is Council policy to ensure that officers involved in enforcing food safety legislation receive a minimum of 10 hours continuing professional development training as required by Food Standards Agency Code of Practice and practice guidance. This will be provided through a combination of commercial courses provided by the FSA, Five plus 1, Northamptonshire Food Liaison Group and internal training courses. It is the policy of the Council to ensure that officers involved in enforcing health and safety are competent in accordance with section 18 of HSWA. During the year officers will be assessed against the RDNA competency framework and this will be used as a tool to identify training needs against the performance plan.

9. Quality Assessment

A quality assessment of the service as measured by the businesses subject to regulation is carried out. This asks a statistically valid selection of businesses the question “Please indicate whether you agree or disagree..... that I felt the contact was helpful.... following your visit from Environmental Services “. The results of this are;

	Compliant Premises	Non Compliant Premises
Strongly agree	89%	85%
Agree	11%	15%
Neither Agree or Disagree	0%	0%

Compliant premises meet the regulatory standard, non-compliant do not.

10. Review

- 10.1 The food safety and health and safety function will continually monitor and review its performance against the food service plan and report serious deviations to the Policy and Resources Committee. The authority will annually review its performance and report against the Food Service Plan on the intranet after 1st April each year.

11. Outcomes and links to the corporate outcomes

11.1 The outcomes to be delivered by this strategy are:

- Compliance with the Food Standards Agency Framework agreement and Code of Practice
- Improved food safety in the District.
- Compliance with the Section 18 Guidance
- Improved Health and a reduction of workplace accidents in the District.

12. Glossary

CMT – Corporate Management Team
HSE – Health and Safety Executive
FSA – Food Standards Agency
RDNA – Regulators Development Needs Assessment
LGR – Local Government Regulation
HPA – Health Protection Agency
OFSTED - Office for Standards in Education, Children’s Services and Skills
ACRE – Association of
CQC – Care Quality Commission
PDR – Personal Development Review
HSWA - Health and Safety at Work Act

Appendix 1 Team Plan

Food safety

Outcome Code	Outcome	Measure	Target	By (date)	Owner	Actions
Team Plan	Compliance with the requirements of the Food Standards Agency	Compliance with intervention programme	Compliant	April 2015	JS	Carrying out the enforcement role of a Food Safety Authority in accordance with the approved codes of practice.
ENV02 NI 184	Food establishments in the area which are broadly compliant with food hygiene law	% of premises which are broadly compliant with food hygiene law i.e. those scoring below 30 on structure, systems and management.	92%	31.03.15	JS CJ AW AR RP	Undertaking food hygiene inspections in accordance with the inspection programme. Rating businesses through the inspection process.
Team Plan	Healthier choices in premises	Number of premises holding the 'Heartbeat' Award	44	31.03.15	CJ	Administering and promoting the Heartbeat Award
Team Plan	Safe food in the District	% of food samples that were unsatisfactory following intervention	<10%	31.03.15	RP	Sampling Programme Follow up of all sampling failures
Team Plan	Enhanced Customer Experience	% of people attending and passing CIEH Level 2 food safety and health and safety c	94%	31.03.15	AR CJ AW RP	6 training courses Evaluation form following courses
Team Plan	Reduction in infectious diseases	% of secondary cases (as a % of outbreaks investigated) of food poisoning determined once investigations are complete	0	31.03.15	AR	Infectious disease investigations.

Health and Safety

Outcome Code	Outcome	Measure	Target	By (date)	Owner	Actions
Team Plan	Reduced accidents and ill health at work	Number of premises reporting major workplace accidents in the year following an intervention	36	April 2015	JS CJ AW AR RP AN	<p>Encouraging safe working practices and inspecting workplaces, investigating accidents and enforcing legislation as appropriate</p> <p>Facilitate the provision of Health and safety training.</p> <p>Provide advice to businesses.</p> <p>To operate in accordance with the strategic programme</p>
NEW	Good Health and safety at work.	Establishments in the area which are broadly compliant with health and safety law	94%	April 2015	JS	Undertaking health and safety interventions in accordance with the health and safety service plan.
Team Plan	Safe environment for employees and visitors working in premises under ENC enforcement	% of premises inspected and found to have an unsafe working environment requiring statutory intervention.	60%	April 2015	JS CJ AW AR RP AN	<p>Interventions including inspections, seminars and publicity focusing on the identified priority areas of Workplace transport, dermatitis, Cancer, BACKS, Radon, smoking and asbestos.</p> <p>Promote a reduction of stress related issues within workplaces.</p> <p>Promote workplace smoking policies and smoking cessation services</p>
Team Plan	Compliance with statutory responsibilities	Compliance with section 18 requirements	100%	April 2015	JS/CJ	Carrying out the enforcement role of a Health and Safety Authority in accordance with the requirements of section 18.

Appendix Two – Environmental Services Enforcement Policy

Appendix F – Waste, Litter and Dog Control

F.1 In addition to the General Enforcement Policy the following section applies to waste enforcement specifically.

F.2 Transport of Controlled waste. Control of Pollution (Amendment) Act 1989

F.2.1 Section 5 of the act duly authorises Officers to stop any person appearing to him to be or to have been engaged in transporting controlled waste and require that person to produce his authority or, as the case may be, his employer's authority for transporting that waste. In addition Officers are able to search any vehicle that appears to him to be a vehicle which is being or has been used for transporting that waste.

F.2.2 For the purposes of this section a person's authority for transporting controlled waste is—

- (a) a certificate of registration as a carrier of controlled waste.
- (b) such evidence as may be prescribed that he is not required to be registered as a carrier of controlled waste.

F.2.3 Where an individual is found to be unable to produce the authority to transport controlled waste they will have committed an offence and may be subject to a summary conviction and a fine of up to £5000.

F.3 Transport of Controlled waste. Environmental Protection Act 1990

F.3.1 Section 33 of the act prohibits any individual to

- (a) deposit or knowingly cause or permit controlled waste in or on any land where the appropriate environmental permits are not in place.
- (b) cause waste to be submitted to an operation that is not carried out in accordance with an environmental permit
- (c) treat, keep or dispose of controlled waste in a manner likely to cause pollution of the environment or harm to human health.

F.3.2 It is also an offence to deposit controlled waste from a motor vehicle, where material is deposited from a motor vehicle the person who controls the vehicle or is in a position to control the use of the vehicle

shall be treated as knowingly deposited the waste where or not he gave any instructions for this to be done.

F.3.3 Where an individual is found to have committed an offence under this section they may be subject to a summary conviction and a fine of up to £50,000

F.3.4 Section 34 of the act makes it the duty of the person who produces, carries or keeps waste, or has control of waste produced to take all measures as are reasonable to;

- Prevent offences being committed under section 33
- Prevent any contravention of any environmental permit regarding the management of waste.
- Prevent the escape of waste from their control
- Ensure secure transfer of the waste using authorised persons.

F.3.5 Where an individual is found to have committed an offence under this section they may be subject to a summary conviction and a fine of up to £5000

Clean Neighbourhoods and Environment Act 2005

F.3.6 Pursuant to F.2.1, section 38 of the CNEA allows the Authority to anyone who is unable produce such evidence in accordance with the requirement to produce authority to transport controlled waste officers may give that person a notice offering him the opportunity of discharging any liability to conviction for an offence by payment of a fixed penalty of £300.

F.4 Waste Collection

Environmental Protection Act 1990

F.4.1 Section 46 of the act makes it the duty of an individual to comply with the individual requirements of the waste collection arrangements of the area.

An resident may be fined for failing to comply with those requirements following there being reasonable notice given to the resident of the requirements of the collection arrangements and a demonstrable effort has been made to ensure the resident has been adequately informed of those requirements.

F.5 Littering

Environmental Protection Act 1990

F.5.1 Section 87 of the act makes it an offence to throws down, drops or otherwise deposits any litter on relevant land.

F.5.2 Where an individual is found to have committed an offence under this section they may be subject to a summary conviction and a fine of up to £2000, or they may be offered an opportunity to discharge the liability by way of a fixed penalty notice of £75.

F.5.3 Section 92 of the act allows the authority to serve a 'litter clearing' notice to address accumulations of waste or litter which is considered detrimental to the amenity of the locality.

F.5.4 Section 93 of the act allows the authority to serve a 'street litter control notice' with a view to prevent accumulations of litter or refuse in and around any street or open land adjacent to any street, imposing requirements on occupiers of premises in relation to such accumulations.

F.6 Responsible Dog Ownership

Environmental Protection Act 1990

F.6.1 Section 149 of the act requires the Council to collect and detain any dog found in a public place. Any persons who claim ownership of a dog found to be straying will be required to pay any costs which have been incurred as a result of the collection and detention of that dog.

Environmental Protection (Stray Dogs) Regulations 1992

F.6.2 The Council will impose a fine for Stray dogs which will be payable by the owner upon return of the animal.

F.6.3 The Council will seek to recover costs of kennelling and any treatments which are required to ensure the wellbeing of animals collected as strays.

Clean Neighbourhoods and Environment Act 2005

F6.4 Where an individual is found to have committed an offence under this section they may be subject to a summary conviction and a fine of up to £2000, or they may be offered an opportunity to discharge the liability by way of a fixed penalty notice of £100.

F6.5 Section 55 of the act allows an authority to make a 'Dog Control Order' on relevant land, these orders can prohibit activity of the area upon which an order is imposed. The offences may relate the following;

- fouling of land by dogs and the removal of dog faeces;
- the keeping of dogs on leads;
- the exclusion of dogs from land;
- the number of dogs which a person may take on to any land.

F6.6 Where an individual is found to have committed an offence under this section they may be offered an opportunity to discharge the liability by way of a fixed penalty notice of £75.

Dogs (Fouling of the Land) Act 1996

F6.7 Section 3 of this act makes it an offence to allow an animal under their charge to foul and fails to remove the deposit from the land.

F.6.8 Where an individual is found to have committed an offence under this section they may be offered an opportunity to discharge the liability by way of a fixed penalty notice of £75.

F.7 Nuisance Vehicles

Refuse Disposal (Amenity) Act 1978

F7.1 Section 2 of this act makes it an offence to;

- abandon on any land in the open air, or on any other land forming part of the highway a motor vehicle or anything which formed part of a motor vehicle and was removed from it in the course of dismantling the vehicle on the land; or
- abandon anything other than a motor vehicle, which was brought to the land with the purpose of abandoning it there.

F.7.2 Where an individual is found to have committed an offence under this section they may be subject to a summary conviction and a fine of up to £2000, or they may be offered an opportunity to discharge the liability by way of a fixed penalty notice of £200.

Clean Neighbourhoods and Environment Act 2005

F.7.3 Section 3 of this act makes it an offence to leave two or more vehicles parked on the highway, which are advertised for sale.

F.7.4 Where an individual is found to have committed an offence under this section they may be subject to a summary conviction and a fine of up to £2000, or they may be offered an opportunity to discharge the liability by way of a fixed penalty notice of £100

F7.5 Section 4 of this act makes it an offence to carry out repairs, maintenance, or installation of accessories to a vehicle, where that action is for gain or reward and is not as part of emergency repairs to a vehicle which has broken down.

F7.6 Where an individual is found to have committed an offence under this section they may be subject to a summary conviction and a fine of up to £2000, or they may be offered an opportunity to discharge the liability by way of a fixed penalty notice of £100.

F.8 Graffiti or Flyposting

Anti-Social Behaviour Act 1993

- F8.1 Section 43 of the act allows an officer, where he has reason to believe that a person has committed an offence of graffiti or flyposting, to discharge the liability by way of a fixed penalty notice of £75