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All Members of the Council

My Ref: LCS-DLDS-DS-C-022
Your Ref:

Contact Rosalyn Patterson
Tel: 0191 4332088

Date: Wednesday, 16 May
2018

NOTICE OF COUNCIL MEETING

You are summoned to attend a meeting of Gateshead Metropolitan Borough Council to be held in the Council Chamber - Civic Centre, at **2.30 pm** on **Thursday, 24 May 2018** to transact the following business:-

- 1 To confirm the Minutes of the meetings held 22 March 2018 and 18 May 2018 (Pages 3 - 30)**
- 2 Official Announcements**
(announcements may be made by the Mayor, Leader of the Council or the Chief Executive)
- 3 Presentation by Komatsu - Techno Olympic Winners**
- 4 Petitions**
(to receive petitions submitted under Council Procedure Rule 10)
- 5 Questions from Members of the Public**
(to consider any questions submitted under Council Procedure Rule 7)
- 6 Provisional OSC Work Programmes 2018/19 (Pages 31 - 44)**

RECOMMENDATIONS FROM CABINET

- 7 Gateshead Goes Local - Community Led Local Development** (Pages 45 - 52)
Report of the Strategic Director, Communities and Environment
- 8 Annual Intervention Plans for the health & Safety and Food Control Services 2018/19** (Pages 53 - 84)
Report of the Strategic Director, Communities and Environment
- 9 Permission in Principle (PIP) on application** (Pages 85 - 94)
Report of the Strategic Directors, Corporate Services & Governance and Communities & Environment
- 10 Report from the Cabinet** (Pages 95 - 102)

MOTIONS AND QUESTIONS

- 11 Notice of Motion**
(to consider any notices of motion submitted in accordance with Council Procedure Rule 9.1)
- 12 Questions**
(to deal with any questions submitted in accordance with Council Procedure Rule 8.1)



Sheena Ramsey
Chief Executive

GATESHEAD METROPOLITAN BOROUGH COUNCIL

COUNCIL MEETING

Thursday, 22 March 2018

PRESENT: THE MAYOR COUNCILLOR P DILLON (CHAIR)

Councillors: A Thompson, J Adams, R Beadle, D Bradford, C Bradley, M Brain, L Caffrey, M Charlton, B Clelland, P Craig, S Craig, W Dick, S Dickie, K Dodds, C Donovan, A Douglas, D Duggan, John Eagle, K Ferdinand, P Foy, M Gannon, A Geddes, B Goldsworthy, J Graham, M Graham, T Graham, L Green, S Green, G Haley, M Hall, S Hawkins, M Henry, M Hood, L Kirton, J Lee, P Maughan, K McCartney, J McClurey, J McElroy, C McHatton, C McHugh, E McMaster, P McNally, M McNestry, P Mole, R Mullen, B Oliphant, C Ord, M Ord, I Patterson, S Ronchetti, C Davison, J Turnbull, J Wallace, N Weatherley and A Wheeler

APOLOGIES: Councillors: D Davidson, M Foy, M Goldsworthy, H Haran, J Simpson and L Twist

CL94 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 25 JANUARY 2018 AND 22 FEBRUARY 2018

COUNCIL RESOLVED - That the minutes of the Council meetings held on 25 January 2018 and 22 February 2018 be approved as a correct record.

CL95 OFFICIAL ANNOUNCEMENTS

Bronze Young Carer Awards

The Mayor announced that Brighton Avenue Primary School has become the first Primary School in Gateshead to be awarded the Bronze Young Carers Award. In recognition of this achievement the Mayor presented pupils and staff from Brighton Avenue Primary School with the award.

CL96 PRESENTATION BY SAGE GATESHEAD

Abigail Pogson, Managing Director of Sage Gateshead, attended the meeting and delivered a presentation on the work currently underway at Sage Gateshead.

CL97 PETITIONS

Councillor R Mullen submitted a petition on behalf of residents of Crossfield Park regarding closure of the footpath.

CL98 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions submitted by members of the public.

CL99 MEMBERSHIP OF THE CORPORATE PARENTING OVERVIEW AND SCRUTINY SUB COMMITTEE

Consideration was given to a report seeking approval to increase the size of the membership of the Corporate Parenting Overview and Scrutiny Sub-Committee.

- COUNCIL RESOLVED -
- (i) That the increase in the membership size of the Corporate Parenting Overview and Scrutiny Sub-Committee be approved.
 - (ii) That the revised membership of the Corporate Parenting Sub-Committee, as circulated prior to the meeting, be approved.

CL100 MAKING GATESHEAD A PLACE WHERE EVERYONE THRIVES

Consideration was given to a report seeking approval of a new strategic approach Making Gateshead a Place Where Everyone Thrives.

- COUNCIL RESOLVED -
- That 'Making Gateshead a Place Where Everyone Thrives' be approved as the new strategic approach, superseding the Council Plan 2015-2020.

CL101 CORPORATE SOCIAL RESPONSIBILITY

Consideration was given to a report seeking approval to adopt a Corporate Social Responsibility Pledge within procurement activity.

- COUNCIL RESOLVED -
- (i) That the Corporate Social Responsibility Pledge and implementation of the processes outlined within the attached report be approved.
 - (ii) That the Service Director, Corporate Commissioning and Procurement be

authorised, following consultation with the Leader of the Council and the Council's Procurement Champion, to make minor amendment and/or additions to the Corporate Social Responsibility Pledge.

CL102 CALENDAR OF MEETINGS 2018/19

Consideration was given to a report seeking approval of the proposed calendar of meetings for 2018/19.

- COUNCIL RESOLVED -
- (i) That the calendar of meetings 2018/19 be approved.
 - (ii) That as far as possible, meetings should not be held during school holidays.
 - (iii) That the Strategic Director, Corporate Services and Governance, following consultation with the Leader of the Council, be authorised to make any necessary amendments to the calendar of meetings.

CL103 REVIEW OF THE CONSTITUTION

Consideration was given to a report seeking approval of a number of amendments to the Constitution.

- COUNCIL RESOLVED -
- That the proposed changes to the Council's Constitution, as set out in Appendix 2, be approved.

CL104 LOCALISM ACT 2011 - PAY ACCOUNTABILITY PAY POLICY STATEMENT 2018-19

Consideration was given to a report seeking approval of a revised pay policy statement.

- COUNCIL RESOLVED -
- (i) That the draft policy be approved.
 - (ii) That delegated authority be granted to the Strategic Director, Corporate Services and Governance, to agree changes to the policy statement arising from the relevant national pay awards for 2018-19, following consultation with the Strategic Director, Corporate Resources and the Leader of the Council.

CL105 REVIEW OF FLEXTIME SCHEME

Consideration was given to a report seeking approval of changes to the Council's Flexitime Scheme.

COUNCIL RESOLVED - That the proposals outlined in the report be approved.

CL106 TREASURY POLICY STATEMENT AND TREASURY STRATEGY 2018/19 TO 2022/23

Consideration was given to a report seeking approval of the Treasury Policy Statement and Treasury Strategy for 2018/19 to 2022/23.

COUNCIL RESOLVED - That the Treasury Policy Statement and the Treasury Strategy, as set out in appendices 2 and 3 of the report, be approved.

CL107 COUNTER FRAUD AND CORRUPTION ARRANGEMENTS

Consideration was given to a report seeking approval of the proposed Counter Fraud and Corruption Strategy and the revised Council Counter Fraud and Corruption Policy.

COUNCIL RESOLVED - (i) That the Counter Fraud and Corruption Strategy and the Counter Fraud and Corruption Policy be approved.

(ii) That the Fraud Response Plan be noted.

CL108 REPORT FROM THE CABINET

The Leader of the Council reported on a number of key issues currently affecting the Council.

COUNCIL RESOLVED - That the information be noted.

CL109 NOTICE OF MOTION

There were no motions submitted.

CL110 QUESTIONS

The following question was received from Councillor J McClurey:

“How many trips abroad has the Leader and Deputy Leader conducted so far in 2018?

To which cities/regions did the trips take place, what were the purposes of the trips and what was the cost of each trip?”

Councillor M Gannon responded.

Mayor.....

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GATESHEAD METROPOLITAN BOROUGH COUNCIL

COUNCIL MEETING

18 May 2018

PRESENT: THE MAYOR COUNCILLOR J GREEN (CHAIR)

Councillors: J Adams, R Beadle, M Brain, Buckley, Burnett, L Caffrey, M Charlton, B Clelland, P Craig, S Craig, C Davison, W Dick, S Dickie, K Dodds, C Donovan, A Douglas, D Duggan, J Eagle, K Ferdinand, M Foy, P Foy, A Geddes, Geddes, Gibson, B Goldsworthy, M Goldsworthy, M Graham, T Graham, L Green, S Green, G Haley, M Hall, S Hawkins, M Henry, M Hood, Kelly, J Kielty, L Kirton, J Lee, K McCartney, J McClurey, K McClurey, J McElroy, C McHugh, E McMaster, P McNally, M McNestry, R Mullen, B Oliphant, C Ord, M Ord, Oxberry, I Patterson, S Ronchetti, J Simpson, J Turnbull, J Wallace, N Weatherley and A Wheeler

APOLOGIES: Councillors D Bradford, C Bradley, M Gannon, H Haran, P Maughan and K Wood

CL1 REGENT COURT

The Deputy Leader gave an update on the fire which broke out in Regent Court on 10 May 2018.

On behalf of the whole Council, she acknowledged and put on record the Council's thanks and appreciation to all employees of both The Gateshead Housing Company and the Council for their fantastic response and support to this challenging and difficult incident.

She also extended this to the Council's multi-agency partner organisations including all three emergency services, NHS England, Newcastle Gateshead Clinical Commissioning Group, The British Red Cross and Salvation Army, and Northern Gas Networks for their assistance.

CL2 ELECTION OF MAYOR

As required by Section 3 of the Local Government Act 1972, the Council proceeded to the election of the Mayor of the Metropolitan Borough of Gateshead for the ensuing municipal year.

Councillor K Dodds, seconded by Councillor M Brain, moved that Councillor J Green be elected Mayor of the Metropolitan Borough of Gateshead for the ensuing municipal year.

COUNCIL RESOLVED - That Councillor J Green be elected Mayor of the Metropolitan Borough of Gateshead for the ensuing

municipal year until acceptance of office by her successor.

Councillor J Green accepted the office of Mayor by making and subscribing the declaration required by law and expressed her thanks for the high honour accorded to her.

CL3 ELECTION OF DEPUTY MAYOR

The Mayor invited nominations for the office of Deputy Mayor as required by Section 5 of the Local Government Act 1972.

On the motion of Councillor T Graham, seconded by Councillor L Kirton:-

COUNCIL RESOLVED - That Councillor R Mullen be elected Deputy Mayor of the Metropolitan Borough of Gateshead for the ensuing municipal year until acceptance of office by her successor.

Councillor R Mullen accepted the office of Deputy Mayor by making and subscribing the declaration required by law and expressed her thanks for the high honour accorded to her.

CL4 APPOINTMENT OF LEADER

On the motion of Councillor M Brain, duly seconded:-

COUNCIL RESOLVED - That Councillor M Gannon be appointed as Leader of the Council for a four year period until the date of the annual meeting after the municipal elections in 2022.

CL5 VOTE OF THANKS FOR THE WORK OF THE RETIRING MAYOR AND MAYORESS AND RETIRING DEPUTY MAYOR

On the motion of Councillor C Donovan, seconded by Councillor J Wallace:-

COUNCIL RESOLVED - That the Council conveys its appreciation for the work of Councillor P Dillon, Ms S Dillon and Councillor J Green for the performance of the many duties expected of them as Mayor, Mayoress and Deputy Mayor respectively.

CL6 ELECTION OF COUNCILLORS

The Chief Executive reported that the following Councillors were elected on 3 May 2018 to represent the wards indicated for a term of four years (except where indicated).

Ward	Elected	
No 1 Crawcrook and Greenside	Hugh Kelly	Labour
No 2 Ryton, Crookhill and Stella	Christopher Buckley*	Labour
	Freda Geddes	Labour
No 3 Chopwell and Rowlands Gill	Lynne Caffrey	Labour
No 4 Winlaton and High Spen	Marilyn Charlton	Labour
No 5 Blaydon	Kathryn Ferdinand	Labour
No 6 Whickham North	Peter Craig	Liberal Democrat Focus Team
No 7 Whickham South and Sunniside	Marilynn Ord	Liberal Democrat
No 8 Dunston Hill and Whickham East	Kevin McClurey	Liberal Democrat
No 9 Dunston and Teams	Dot Burnett	Labour
No 10 Lobley Hill and Bensham	Kevin Dodds	Labour
No 11 Saltwell	John Adams	Labour
No 12 Low Fell	Susan Craig	Liberal Democrat Focus Team
No 13 Chowdene	Maureen Goldsworthy	Labour
No 14 Bridges	Angela Douglas	Labour
No 15 Deckham	Martin Gannon	Labour
No 16 High Fell	Judith Gibson	Labour
No 17 Felling	Bill Dick	Labour
No 18 Windy Nook and Whitehills	Thomas Graham	Labour
No 19 Pelaw and Heworth	Rosy Oxberry	Labour
No 20 Wardley and Leam Lane	Anne Wheeler	Labour
No 21 Lamesley	Mary Foy	Labour
No 22 Birtley	Paul Foy	Labour

*Christopher Buckley has been elected for a 2 year term as Councillor for Ryton, Crookhill and Stella Ward.

COUNCIL RESOLVED - That the information be noted.

CL7 APPOINTMENT OF DEPUTY LEADER AND CABINET

The Deputy Leader announced, in accordance with the Executive Arrangements, that the Leader had appointed his Cabinet members, including the Deputy Leader, Councillor Catherine Donovan.

COUNCIL RESOLVED - That the information be noted.

CL8 ALLOCATION OF SEATS

On the motion of Councillor C Donovan, duly seconded:

COUNCIL RESOLVED - That in accordance with Sections 15 and 16 of the Local Government and Housing Act 1989, the allocation of seats on those bodies to which the Act applies, to the various political groups represented on the Council, as set out in the attached schedule (Appendix 1b(i)) be approved.

CL9 APPOINTMENTS TO COMMITTEES OF THE COUNCIL AND OTHER BODIES EXERCISING NON EXECUTIVE FUNCTIONS

(i) Labour Group Nominations

Councillor C Donovan, duly seconded, moved that the members listed at Appendix 1b(ii) to these minutes be appointed to the Planning and Development, Licensing, Regulatory, Appeals, Rights of Way, Personnel Appeals, Special Appointments, Contracts, Audit and Standards and Accounts Committees, Pensions and Pay Discretions Sub-Committee; the Health and Wellbeing Board; the Overview and Scrutiny Committees; the Northumbria Police and Crime Panel; Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee; the Honours Advisory Group and outside bodies dealing with functions that are not wholly an executive responsibility for the municipal year 2018/19.

COUNCIL RESOLVED - (i) That the nominations of the Labour Group listed at Appendix 1b(ii) to these minutes be agreed.

(ii) That the Chief Executive be authorised, following consultation with the Leader of the Council, to agree any further necessary changes to the list of annual appointments.

(ii) Liberal Democrat Nominations

On the motion of Councillor J Wallace, duly seconded:-

COUNCIL RESOLVED - That the members listed at Appendix 1b(iii) to these minutes be appointed to the Planning and Development, Licensing, Regulatory, Appeals, Rights of Way, Personnel Appeals, Special Appointments, Contracts, Audit and Standards and Accounts Committees; Pensions and Pay Discretions Sub-Committee; the Health and Wellbeing Board; Overview and Scrutiny Committees; the Honours Advisory Group; the Northumbria Police and Crime Panel and Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee for the municipal year 2018/19.

CL10 APPOINTMENT OF CHAIRS AND VICE CHAIRS

On the motion of Councillor C Donovan, duly seconded:-

COUNCIL RESOLVED - That the chair and vice-chairs of the bodies listed in Annex 1A to Part 3 of the Constitution and of the Overview and Scrutiny Committees for the municipal year 2018/19 as listed at Appendix 1b(iv) to these minutes be approved.

Mayor.....

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Appendix 1b(i)

GATESHEAD METROPOLITAN BOROUGH COUNCIL

ANNUAL COUNCIL MEETING

18 MAY 2018

Proposed Allocation of Seats on Bodies to which Political Balance Requirements Apply.

1. Bodies dealing with non-executive functions (Annex 1A of the Constitution)

	Labour Group Cabinet	Non-Cabinet	Liberal Democrat Group	Total
Planning and Development Committee	-	19	4	23
Licensing and Regulatory Committees	-	12	3	15
Appeals Committee	-	18	4	22
Rights of Way Committee	-	6	1	7
Personnel Appeals Committee	3	5	2	10
Special Appointments Committee	6	6	3	15
Contracts Committee	3	1	1	5
Audit and Standards Committee	2	4	1	7
Accounts Committee	2	-	1	3
Pensions and Pay Discretions Sub-Committee	2	2	1	5

2. Overview and Scrutiny Committees

	Labour Group Cabinet	Non-Cabinet	Liberal Democrat Group	Total
Families	-	15	3	18
Care, Health and Wellbeing	-	15	3	18
Communities and Place	-	15	3	18
Corporate Resources	-	15	3	18
Corporate Parenting Sub	-	12	3	15
Community Safety Sub	-	7	2	9

COUNCIL APPOINTMENTS 2018/19

LABOUR APPOINTMENTS

ANNUAL COUNCIL MEETING

18 MAY 2018

Gateshead Council Labour Group nominations to Council and other bodies for the municipal year 2018/19

DECISION MAKING BODIES OF THE COUNCIL

Planning and Development Committee

Councillors D Burnett
 L Caffrey
 S Dickie
 K Ferdinand
 A Geddes
 B Goldsworthy (Chair)
 M Hall
 M Henry
 M Hood (Vice Chair)
 L Kirton
 J Lee
 K McCartney
 C McHugh
 E McMaster
 R Oxberry
 J Turnbull
 N Weatherley
 A Wheeler
 K Wood

Licensing and Regulatory Committees (same membership for both Committees)

Councillors D Bradford
 M Charlton
 W Dick
 K Dodds (Chair)
 J Gibson
 B Goldsworthy
 J Green (Vice Chair)
 H Kelly
 J Kielty
 R Mullen
 B Oliphant
 N Weatherley

Rights of Way Committee

Councillors D Bradford
 C Bradley (Vice Chair)
 A Geddes
 A Wheeler
 K Wood (Chair)
 Vacancy

Appeals Committee

Councillors C Bradley
 C Buckley
 B Clelland (Vice Chair)
 C Davison
 S Dickie
 F Geddes
 B Goldsworthy
 M Goldsworthy (Chair)
 M Graham
 T Graham
 J Green
 S Green
 H Haran
 J Kielty
 E McMaster
 P McNally
 S Ronchetti
 J Simpson

Personnel Appeals Committee

Councillors M Charlton
 C Donovan (Vice Chair)
 M Gannon (Chair)
 M Hall
 M Hood
 J Turnbull
 2 Vacancies

Pensions and Pay Discretions Sub Committee

Councillor M Charlton
 C Donovan (Vice Chair)
 M Gannon (Chair)
 M Hall

Special Appointments Committee

Councillors M Brain
 L Caffrey

K Dodds
C Donovan (Vice Chair)
A Douglas
P Foy
M Gannon (Chair)
L Green
H Haran
M McNestry
K Wood
Vacancy

Contracts Committee

Councillors C Donovan (Vice Chair)
J Eagle
M Gannon (Chair)
L Green

Audit and Standards Committee

Councillors J Green
L Green
H Haran (Chair)
J McElroy
J Turnbull (Vice Chair)
Weatherley

Accounts Committee

Councillors C Donovan
M Gannon

Substitute M Foy

Health and Wellbeing Board

Councillor L Caffrey (Chair)
P Foy (Vice Chair)
M Graham
The Leader of the Council
Cabinet Member for Health and Wellbeing
Cabinet Member for Adult Social Care
Cabinet Member for Children and Young People

OVERVIEW AND SCRUTINY COMMITTEES

Families OSC

Councillors D Bradford
C Buckley
L Caffrey

B Clelland
C Davison
A Geddes
M Hall (Vice Chair)
L Kirton
K McCartney
C McHugh
E McMaster
R Mullen
B Oliphant (Chair)
R Oxberry
S Ronchetti

Corporate Parenting Sub

Councillors D Bradford
 B Clelland
 C Davison
 A Geddes
 M Hall (Vice Chair)
 L Kirton
 K McCartney
 C McHugh
 E McMaster
 B Oliphant (Chair)
 R Oxberry
 S Ronchetti

Care, Health and Wellbeing OSC

Councillors C Bradley
 M Charlton (Vice Chair)
 W Dick
 K Ferdinand
 J Gibson
 B Goldsworthy
 M Goldsworthy
 S Green (Chair)
 M Hall
 M Hood
 J Lee
 P McNally
 R Mullen
 J Simpson
 A Wheeler

Communities and Place OSC

Councillors D Burnett
 B Clelland
 S Dickie
 K Dodds

F Geddes
M Graham
T Graham (Vice Chair)
M Hood
H Haran
H Kelly
J Simpson
J Turnbull
N Weatherley (Chair)
A Wheeler
Vacancy

Community Safety Sub

Councillors S Dickie
K Dodds
T Graham (Vice Chair)
H Haran
J Turnbull
N Weatherley (Chair)
A Wheeler

Corporate Resources OSC

Councillors D Bradford
L Caffrey
M Charlton
W Dick (Vice Chair)
J Eagle (Chair)
P Foy
T Graham
J Green
S Green
M Hall
M Henry
J Kielty
B Oliphant
N Weatherley
K Wood

OTHER BODIES OF THE COUNCIL

Honours Advisory Group

Councillors M Brain
L Caffrey
K Dodds
C Donovan (Vice Chair)
P Foy
M Gannon (Chair)
B Oliphant

JOINT COMMITTEES AND JOINT AUTHORITIES

Northumbria Police and Crime Panel

Councillors A Douglas

Substitutes: M Gannon

Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee

Councillors: L Caffrey
M Hall

Substitutes: M Charlton
P Foy

OUTSIDE BODIES

Local Government Association General Assembly

Councillors C Donovan
M Gannon
B Goldsworthy
Vacancy

SIGOMA

Councillor M Gannon

Executive Committee

Councillor M Gannon

MAJOR REGIONAL AND LOCAL BODIES

North East Combined Authority

Councillor M Gannon

Substitute C Donovan

Transport North East Committee

Councillors S Green
J McElroy

Substitute M Brain

Transport North East (Tyne and Wear) Sub Committee

Councillor J McElroy

Substitute M Brain

Overview and Scrutiny Committee

Councillors J Eagle
N Weatherley

Substitute T Graham
B Oliphant

Governance Committee

Councillor H Haran

Substitute J Turnbull

Economic Development and Regeneration Advisory Board

Councillor J Adams

Substitute M Brain

Leaders' and Elected Mayors Group

Councillor M Gannon

Substitute C Donovan

Collaborative Procurement Sub Committee

Councillor J Eagle

Resources Task and Finish Group

Councillor M Gannon

Culture Partnership Board

Councillor A Douglas

Pensions Committee – South Tyneside MBC

Councillor B Goldsworthy

Substitute G Haley

Regional Employers' Organisation

Councillors M Brain
 L Caffrey
 M Henry

GATESHEAD METROPOLITAN BOROUGH COUNCIL

ANNUAL COUNCIL MEETING

18 MAY 2018

Gateshead Council Liberal Democrat Group nominations to Council and other bodies for the municipal year 2018/19

DECISION MAKING BODIES OF THE COUNCIL

Planning and Development Committee

Councillors S Craig
J McClurey
C Ord
I Patterson

Licensing and Regulatory Committees (same membership for both Committees)

Councillors D Duggan
K McClurey
M Ord

Rights of Way Committee

Councillor M Ord

Appeals Committee

Councillors P Maughan
K McClurey
C Ord
M Ord

Personnel Appeals Committee

Councillors R Beadle
M Ord

Pensions and Pay Discretions Sub Committee

Councillor R Beadle

Special Appointments Committee

Councillors R Beadle
J McClurey
J Wallace

Contracts Committee

Councillor J Wallace

Audit and Standards Committee

Councillor J McClurey

Accounts Committee

Councillor J Wallace

Substitute: R Beadle

Health and Wellbeing Board

Councillor Beadle

OVERVIEW AND SCRUTINY COMMITTEES

Families

Councillors P Craig
S Craig
M Ord

Corporate Parenting Sub

Councillors P Craig
S Craig
M Ord

Care, Health and Wellbeing

Councillors P Maughan
I Patterson
J Wallace

Communities and Place

Councillors S Hawkins
J McClurey
K McClurey

Community Safety Sub

Councillors S Hawkins
J McClurey

Corporate Resources

Councillors R Beadle
 D Duggan
 J Wallace (Vice Chair)

OTHER BODIES OF THE COUNCIL

Honours Advisory Group

Councillors C Ord
 J Wallace

JOINT COMMITTEES AND JOINT AUTHORITIES

Northumbria Police and Crime Panel

Councillor S Hawkins

Substitute: P Craig

Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee

Councillors P Maughan

Substitutes: R Beadle

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GATESHEAD METROPOLITAN BOROUGH COUNCIL

ANNUAL COUNCIL MEETING

18 MAY 2018

**Nominations for the chairs and vice-chairs of the bodies listed
in Annex 1A to Part 3 of the Constitution and of the Overview and
Scrutiny Committees**

Planning and Development Committee

Chair	Councillor B Goldsworthy
Vice-Chair	Councillor M Hood

Licensing and Regulatory Committees

Chair	Councillor K Dodds
Vice-Chair	Councillor J Green

Appeals Committee

Chair	Councillor M Goldsworthy
Vice-Chair	Councillor B Clelland

Personnel Appeals Committee

Chair	Councillor M Gannon
Vice-Chair	Councillor C Donovan

Audit and Standards Committee

Chair	Councillor H Haran
Vice Chair	Councillor J Turnbull

Special Appointments Committee

Chair	Councillor M Gannon
Vice-Chair	Councillor C Donovan

Contracts Committee

Chair	Councillor M Gannon
Vice-Chair	Councillor C Donovan

Accounts Committee

Chair	Councillor M Gannon
Vice-Chair	Councillor C Donovan

Rights of Way Committee

Chair	K Wood
Vice-Chair	C Bradley

Health and Wellbeing Board

Chair	Councillor L Caffrey
Vice Chair	Councillor P Foy

Pensions and Discretions Sub Committee

Chair	Councillor M Gannon
Vice-Chair	Councillor C Donovan

Overview and Scrutiny Committees

Families

Chair	Councillor B Oliphant
Vice-Chair	Councillor M Hall

Care, Health and Wellbeing

Chair	Councillor S Green
Vice-Chair	Councillor M Charlton

Communities and Place

Chair	Councillor N Weatherley
Vice-Chair	Councillor T Graham

Corporate Resources

Chair	Councillor J Eagle
Vice-Chairs	Councillor W Dick
	Councillor J Wallace

Corporate Parenting Sub Committee

Chair	Councillor B Oliphant
Vice-Chair	Councillor M Hall

Community Safety Sub Committee

Chair	Councillor N Weatherley
Vice Chair	Councillor T Graham



COUNCIL MEETING

24 May 2018

GATESHEAD METROPOLITAN BOROUGH COUNCIL

Sheena Ramsey, Chief Executive

PROVISIONAL WORK PROGRAMMES

Purpose of the Report

1. This report asks the Council to approve its Overview and Scrutiny Committees provisional work programmes for 2018 -19.

Proposal

2. Corporate Resources, Communities and Place, Families and Care, Health and Wellbeing Overview and Scrutiny Committees and Community Safety Sub and Corporate Parenting Sub OSCs have considered and agreed their work programmes at their respective meetings held on 26 and 27 March and 16,17,19 and 23 April 2018.
3. Each Committee endorses a provisional work programme for 2018/19 based on the Council's policy framework and these are set out in Appendix 1. The Council's constitution requires that these work programmes are agreed on an annual basis by the Council.
4. These programmes are provisional for a number of reasons:

Firstly, as Cabinet has not had the opportunity to fully review its current work programme and there may be further issues which it may wish to refer to Overview and Scrutiny Committees for consideration.

Secondly, the work programmes do not take into account any new policy issues which may be identified during the year which Cabinet may refer to Overview and Scrutiny.

In addition, the programmes do not as yet include issues identified by councillors of the respective Committees during the year as a result of ongoing scrutiny of decisions, councillor calls for action and call-in.

Revisions to the work programmes of the respective Committees are therefore likely to occur from time to time and will be reported back to those Committees as and when appropriate.

Recommendation

5. The Council is recommended to approve the provisional work programmes for the Overview and Scrutiny Committees for 2018/2019.

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Corporate Resources OSC 2018/2019	
25 June 18	<ul style="list-style-type: none"> • Constitution/role/remit • The Council Plan – Year End Assessment and Performance Delivery 2017-18 • Sickness Absence / Health of the Workforce Update • Gateshead Fund Update • Adhoc Policy Issue - Consult OSC on refresh of Corporate Asset Strategy
10 Sept 18	<ul style="list-style-type: none"> • OSC Review – Scoping Report - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • Tackling Social Exclusion • Resilience and Emergency Planning PerformanceFramework - Progress Update • OSC Work Programme
15 Oct 18	<ul style="list-style-type: none"> • OSC Review – Evidence Gathering - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • Implementation of Gateshead Volunteers Plan – Annual Report • Support to Voluntary and Community Sector – Progress Update • Implementation of Workforce Strategy – Progress Update • OSC Work Programme
3 Dec 18	<ul style="list-style-type: none"> • OSC Review – Evidence Gathering - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • The Council Plan – Six Monthly Assessment of Performance and Delivery 2018-19 • Sickness Absence / Health of the Workforce Update • Corporate Asset Management – Delivery and Performance Report • Annual Health and Safety Performance Report • OSC Work Programme
21 Jan 19	<ul style="list-style-type: none"> • OSC Review – Evidence Gathering - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • Corporate Complaints Procedure - Annual Report 2017-18 • OSC Work Programme
4 March 19	<ul style="list-style-type: none"> • OSC Review – Interim Report - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • Information Governance Report • Welfare Reform – Progress Update • OSC Work Programme
1 April 19	<ul style="list-style-type: none"> • OSC Review – Final Report - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • Resilience and Emergency Planning Performance Framework - Progress Update • Freedom of Information - Annual Report 2017 • Support to Voluntary and Community Sector – Progress Update • OSC Work Programme Review

Issues to Slot in

- PSP Performance Monitoring
- Gateshead Communities Together Annual Update
- Tackling Social Exclusion
- Consult OSC on Refresh of Workforce Strategy and Plan

Communities & Place OSC 2018/19 Work Programme	
18 June 2018	<ul style="list-style-type: none"> • Constitution / role and remit • The Council Plan – Year End Assessment and Performance Delivery 2017-18 • OSC Review of the Council and Partner's Approach to Roads and Highways – Final Report • OSC Review - Work to address skill shortages and increase employment opportunities - Scoping Report and Evidence Gathering • Work Programme
17 Sept 2018	<ul style="list-style-type: none"> • OSC Review – Work to address skill shortages and increase employment opportunities - Evidence Gathering • OSC Review of the Council's and Partner's Approach to Roads and Highways – Monitoring Report • GO Gateshead Sport and Leisure – Progress Update • Work Programme
29 Oct 2018	<ul style="list-style-type: none"> • OSC Review – Work to address skill shortages and increase employment opportunities - Evidence Gathering • Work Programme
10 Dec 2018	<ul style="list-style-type: none"> • OSC Review – Work to address skill shortages and increase employment opportunities -Evidence Gathering - • The Council Plan – Six Monthly Assessment of Performance and Delivery 2018 -19 • Work Programme
28 Jan 2019	<ul style="list-style-type: none"> • OSC Review –Work to address skill shortages and increase employment opportunities - Evidence Gathering • Managing the Environment – waste/litter/dog fouling - Progress Update • Work Programme
11 March 2019	<ul style="list-style-type: none"> • OSC Review –Work to address skill shortages and increase employment opportunities - Evidence Gathering • The Flood and Water Management Act 2010: Annual Progress Report • Beamish - Annual Update • Management of Highways – potholes /traffic lights/street lights – Progress Update • Work Programme

29 April 2019	<ul style="list-style-type: none"> • OSC Review – Work to address skill shortages and increase employment opportunities - Final Report • OSC Review of the Council's and Partner's Approach to Roads and Highways – Monitoring Report • Annual Report of the Gateshead Housing Customer Scrutiny Panel • Annual Work Programme Review
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Issue to slot in

- **Postal Provision**
- **Air Quality Issues.**

Care, Health & Well-being OSC 2018/2019	
19 June 18	<ul style="list-style-type: none"> • Constitution (to note) • Role and Remit (to note) • The Council Plan – Year End Assessment and Performance Delivery 2017-18 • OSC Review – Helping People to Stay at Home Safely – Scoping Report
18 Sept 18	<ul style="list-style-type: none"> • OSC Review – Helping People to Stay at Home Safely - Evidence Gathering • Monitoring - OSC Review of work to Address Harms caused by Tobacco • Social Services Annual Report on Complaints and Representations – Adults • Annual Report of Local Adult Safeguarding Board and Business Plans –(Chair of Board to attend) • Work Programme
30 Oct 18	<ul style="list-style-type: none"> • OSC Review – Helping People to Stay at Home Safely - Evidence Gathering • Health and Social Care Integration • Gateshead Healthwatch Interim Report • Work programme
11 Dec 18	<ul style="list-style-type: none"> • OSC Review – Helping People to Stay at Home Safely - Evidence Gathering • The Council Plan – Six Monthly Assessment of Performance and Delivery 2018-19 (incl LSAB update) • Health & Well-Being Board Progress Update • Work Programme
22 Jan 19	<ul style="list-style-type: none"> • OSC Review – Helping People to Stay at Home Safely - Evidence Gathering • Work Programme
5 Mar 19	<ul style="list-style-type: none"> • OSC Review – Helping People to Stay at Home Safely - Interim Report • Gateshead Healthwatch • Health and Social Care Integration • Work Programme
23 April 19	<ul style="list-style-type: none"> • OSC Review – Helping People to Stay at Home Safely - Final Report • Monitoring - OSC Review of Work to Address Harms caused by Tobacco • Health and Well-Being Board – Progress Update • OSC Work Programme Review

Issues to slot in

- Deciding Together Delivering Together – Progress Update / Potential Consultation?
- Impact of any health transformations on adult services.
- Quality Accounts - Gateshead Health NHS Trust and NTW NHS Foundation Trust and South Tyneside NHS Foundation Trust
- STP Updates - as appropriate.

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APPENDIX 1

Families OSC 2018-19	
14 June 18	<ul style="list-style-type: none"> • Constitution (to note) • Role and remit (to note) • The Council Plan – Year End Assessment and Performance Delivery 2017-18 • Review of Obesity (across the life course) - Scoping report • How Adult and Children's Services are working Together – Progress Update. • CAMHS – Progress Update • Work Programme
13 Sept 18	<ul style="list-style-type: none"> • OSC Review of Obesity (across the life course) - Evidence Gathering • Annual Report on Complaints and Representations – Children • Ofsted Inspections/School Data – Progress Update • Monitoring – OSC Review of Children on the Edge of Care • School Exclusions – Performance Update • Work Programme
18 Oct 18	<ul style="list-style-type: none"> • OSC Review of Obesity (across the life course) - Evidence Gathering • Early Help – Progress Update • Tackling the Toxic Trio (domestic abuse/substance misuse and neglect) – Case Study • Safeguarding Children - LSCB Annual Report and Plans • Work Programme.
6 Dec 18	<ul style="list-style-type: none"> • OSC Review of Obesity (across the life course) – Evidence Gathering • The Council Plan – Six Monthly Assessment and Performance Delivery 2018-19 • Provision of School Meals (with a particular focus on provision of meals to children of families transitioning to Universal Credit/ families struggling to meet the cost of school meals). • CAMHS- Progress Update • Work Programme
31 Jan 19	<ul style="list-style-type: none"> • Ofsted – Annual Report • Home to School Transport – Progress Update • SEN Progression – Progress Update • How the Council is meeting the needs of children and young people with learning disabilities – Progress Update • Work Programme
7 March 19	<ul style="list-style-type: none"> • OSC Review of Obesity (across the life course) – Interim Report • Annual Conversation with Head Teachers of Special Schools • School Exclusions – Performance Update • Work Programme
4 April 19	<ul style="list-style-type: none"> • OSC Review of Obesity (across the life course) – Final Report • Liaison with Gateshead Youth Assembly • Monitoring - OSC Review of Children on the Edge of Care • Early Help – Progress Update • LSCB Emerging Priorities

- | | |
|--|---|
| | <ul style="list-style-type: none">• OSC Work Programme Review |
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Issues to slot in:

- Secondary Academies Performance – Progress Update (s)
- Recruitment and Retention of Social Workers – Progress Update
- Best Start in Life – Outcome of Pilot Self- Assessment (highlighted in 2017-18 and deferred to 2018-19 work programme).
- Progress update – Foetal Alcohol Spectrum Disorder

Community Safety Sub OSC Work Programme 2018-19	
26 June 2018	<ul style="list-style-type: none"> • Constitution • Role and Remit • The Council Plan – Year End Assessment and Performance Delivery 2017-18/Five Year Targets • Safer Gateshead Partnership Plan 2018-19 • Work Programme
16 Oct 2018	<ul style="list-style-type: none"> • Implementation of Safer Gateshead Priorities – progress update • Prevent – Progress update on Action Plan • Progress Update – Domestic Abuse including MATAC • Work Programme
29 Jan 2019	<ul style="list-style-type: none"> • The Council Plan – performance • Progress Update on Families Gateshead • Consultation on Strategic Assessment Priorities • Work Programme
26 March 2019	<ul style="list-style-type: none"> • Implementation of Safer Gateshead Priorities – end of year performance • Prevent – End of Year Performance / Update on Action Plan • Safer Gateshead Draft Priorities 2019-20 • Work Programme

Issues to slot in:-

- Drug Related Deaths – Annual Report and Audit Findings
- Serious Violence and Domestic Homicide – Progress Update
- Approach to encouraging the reporting of discrimination/hate crimes
- Approach to educating communities / raising awareness of differences amongst individuals / race/cultures

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APPENDIX 1

Corporate Parenting OSC 2018/19	
12 July 18	<ul style="list-style-type: none"> • Fostering Service Annual Report • Regulation 44 Report • Adoption Annual Report 2018 • Permanence Planning (Adoption) – Case Study • Care Leavers Offer – Quality and Impact
11 October 18	<ul style="list-style-type: none"> • Young People's Presentation • Performance Overview • Health of LAC Annual report • Work Programme • Regulation 44 Report
17 January 19	<ul style="list-style-type: none"> • Missing from Care Annual Report • Education Annual Report (incl focus on employment / training / apprenticeships) • Work Programme • Regulation 44 Report
28 March 19	<ul style="list-style-type: none"> • Young People's presentation • Performance Overview • Care Leavers Offer – Quality and Impact • Work Programme • Regulation 44 Report

Issues to slot in:

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COUNCIL MEETING

24 May 2018

GATESHEAD GOES LOCAL – COMMUNITY LED LOCAL DEVELOPMENT

Sheena Ramsey, Chief Executive

EXECUTIVE SUMMARY

1. The purpose of this report is to seek approval to grant delegated authority to the Service Director, Economic Development to confirm Community Led Local Development (CLLD) grants awards following approval by the Local Action Group (LAG).
2. The Council in 2017 secured £2.2m of European Regional Development Fund (ERDF) and European Social Fund (ESF) to support projects over a five year period to March 2022. This allows the LAG to award grants of between £10,000 and £100,000. Gateshead Council has agreed to be the Accountable Body for the project.
3. As Accountable Body the Council is acting as a vehicle to transfer funds directly to projects. Further delegation to the Service Director, Economic Development is considered appropriate for CLLD grant awards as it will allow the project to be more responsive to emerging opportunities. It is proposed that delegated authority be given following consultation with the Cabinet Member for Economy, following approval by the LAG.
4. The Cabinet has considered the facts and issues arising from the report including alternative options and took all relevant advice before formulating their recommendation.

RECOMMENDATION

5. It is recommended that Council amend the Constitution to include the proposed delegation to the Service Director, Economic Development to approve CLLD grant awards, following consultation with the Cabinet Member for Economy.

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TITLE OF REPORT: **Gateshead Goes Local – Community Led Local Development**

REPORT OF: **Paul Dowling, Strategic Director, Communities & Environment**

Purpose of the Report

1. Cabinet is asked to grant delegated authority to the Service Director, Economic Development to confirm Community Led Local Development (CLLD) grants awards following approval by the Local Action Group (LAG);

Background

2. The North East LEP allocated £7.0m European Social Fund (ESF) and £3.6m European Regional Development Fund (ERDF) for CLLD in Northumberland and Tyne and Wear as part of its European Structural and Investment Funding programme (ESIF).
3. CLLD targets deprived communities and seeks to help those furthest from the labour market move towards employment or enterprise. The approach will help address barriers such as health issues, childcare / adult care dependency.
4. One of the key differences between CLLD and other EU programmes is the role of local people and organisations in deciding the priorities to be supported. In addition to determining the strategic approach via a Local Development Strategy (LDS) a management group called a Local Action Group (LAG) of residents and public, private and third sector partners has been established and will make funding decisions on projects to help address the issues identified in the LDS.
5. In 2017 the Council secured £2.2m of ERDF and ESF funds to support projects over a five year period to March 2022. This will allow the LAG to award grants of between £10,000 and £100,000 to projects with a value of up to £200,000. Project applicants will be required to provide at least 50% match funding for ESF projects and 40% for ERDF initiatives. Gateshead Council has agreed to be the Accountable Body for the project.

Proposal

6. As Accountable Body the Council is acting as a vehicle to transfer funds directly to projects rather than benefiting directly from the grant.
7. The Service Director, Economic Development currently has delegated authority to award grants for a number of specific schemes. A further delegation is considered appropriate for CLLD grant awards as it will allow the project to be more responsive to emerging opportunities and not undermine the role of the LAG.

8. It is proposed that delegated authority be given to the Service Director, Economic Development to approve CLLD grant awards, following consultation with the Cabinet Member for Economy, following approval by the LAG. This proposal will not result in any fundamental change to the way in which the project will be delivered or managed, as previously agreed by Cabinet.

Recommendations

9. Cabinet is requested to recommend the Council to amend the Constitution to include the proposed delegation to the Service Director, Economic Development to approve CLLD grant awards, following consultation with the Cabinet Member for Economy.

For the following reasons:

- (i) To support the successful implementation of the Gateshead Goes Local CLLD project.
- (ii) To allow CLLD to be responsive to emerging opportunities and to not undermine the role of the LAG.
- (iii) To support the Gateshead Thrive agenda and Vision 2030.

CONTACT: Yvonne Gill

extension: 3159

Policy Context

1. CLLD supports the objectives of Gateshead Thrive and Vision 2030 as it seeks to provide help to people living in disadvantaged areas to overcome barriers, moving them closer to work, training and self-employment and promote enterprise. In doing so it will help overcome health inequalities, promote wellbeing, social justice and enhance social mobility.
2. As part of North East Local Enterprise Partnership's (NELEP) European Structural Investment Fund programme it will help deliver key objectives of the North East Strategic Economic Plan, increasing participation in the labour market and the number of people in work.
3. CLLD seeks to work with local people and organisations to promote local solutions to address economic disadvantage and involve local people in making decisions regarding the needs of the local community. Being in work is recognised as contributing to better health. By moving people towards and into work, this programme will help address issues such as high levels of ill health, including mental health, addressing key priorities around improving life chances and wellbeing through being in work.

Background

4. In November 2016, Cabinet agreed to provide match funding of £277,345 over five years from the Economic Growth Reserve Fund to support the operation of the CLLD project and to help with the administration of a Local Action Group (LAG) established to oversee the initiative. Approval was also granted for the Council to act as the Accountable Body for the LAG.
5. CLLD is unique in that it is the only programme within NELEP's European Strategic Investment Programme to align funds to support delivery of both enterprise and employment objectives.
6. In 2017 the Council secured £2.2m of ERDF and ESF funds to support projects over a five year period to March 2022. This will allow the LAG to award grants of between £10,000 and £100,000 to projects with a value of up to £200,000. Project applicants will be required to provide at least 50% match funding for ESF projects and 40% for ERDF initiatives.
7. ESF Funding will support two local objectives and will help to 1700 of the borough's most disadvantaged residents to access
 - a) Pathways to Employment and Enterprise – assisting them to move towards employment, self-employment, education and training. It is expected projects will offer training and support including wellbeing and family interventions
 - b) Aspirations and Culture – raising personal expectations and ambitions through projects to promote entrepreneurialism and self-employment
8. ERDF funding will support three local objectives:

- a) Workplace Infrastructure – developing underutilised assets to provide employment space including development of small scale business accommodation and local enterprise hub. This could support the sustainability of community asset transfers.
 - b) Business Creation – projects aimed at supporting local people to develop enterprise skills and access pre-start up programmes leading to the creation of new businesses and social enterprises.
 - c) Business Growth – Business support projects which focus on the growth and sustainability of existing businesses helping them to grow and innovate and enable job creation.
9. Applications for funding will be considered and approved by the LAG.
 10. It is proposed that delegated authority be given to the Service Director, Economic Development to approve CLLD grant awards, following consultation with the Cabinet member for Economy, following approval by the LAG.
 11. This proposal will not result in any fundamental changes to the way in which the project will be delivered or managed, as previously agreed by Cabinet and the Department for Communities and Local Government and Department of Work & Pensions.
 12. Measures will be taken to ensure that any aid awarded is compliant with EU and State Aid regulations to protect the Council from legal challenge. The award of financial assistance will be conditioned to ensure economic and social benefits are maximised and subject to claw-back provisions, to protect the Council from financial loss. The Council has extensive experience of administering aid in this way.

Consultation

13. The Cabinet Members for Economy have been consulted and support the proposal.

Alternative Options

14. An alternative option would be for all applications to be presented to Cabinet, following consideration by the LAG, on an individual basis. This making the project less responsive to emerging opportunities and undermining the role of the LAG.

Implications of Recommended Option

15. **Resources:**
 - a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that any grant funding provided to projects through the CLLD project will be met from EU funding secured and will not result in any additional cost to the Council.
 - b) **Human Resources Implications** – None
 - c) **Property Implications** – None

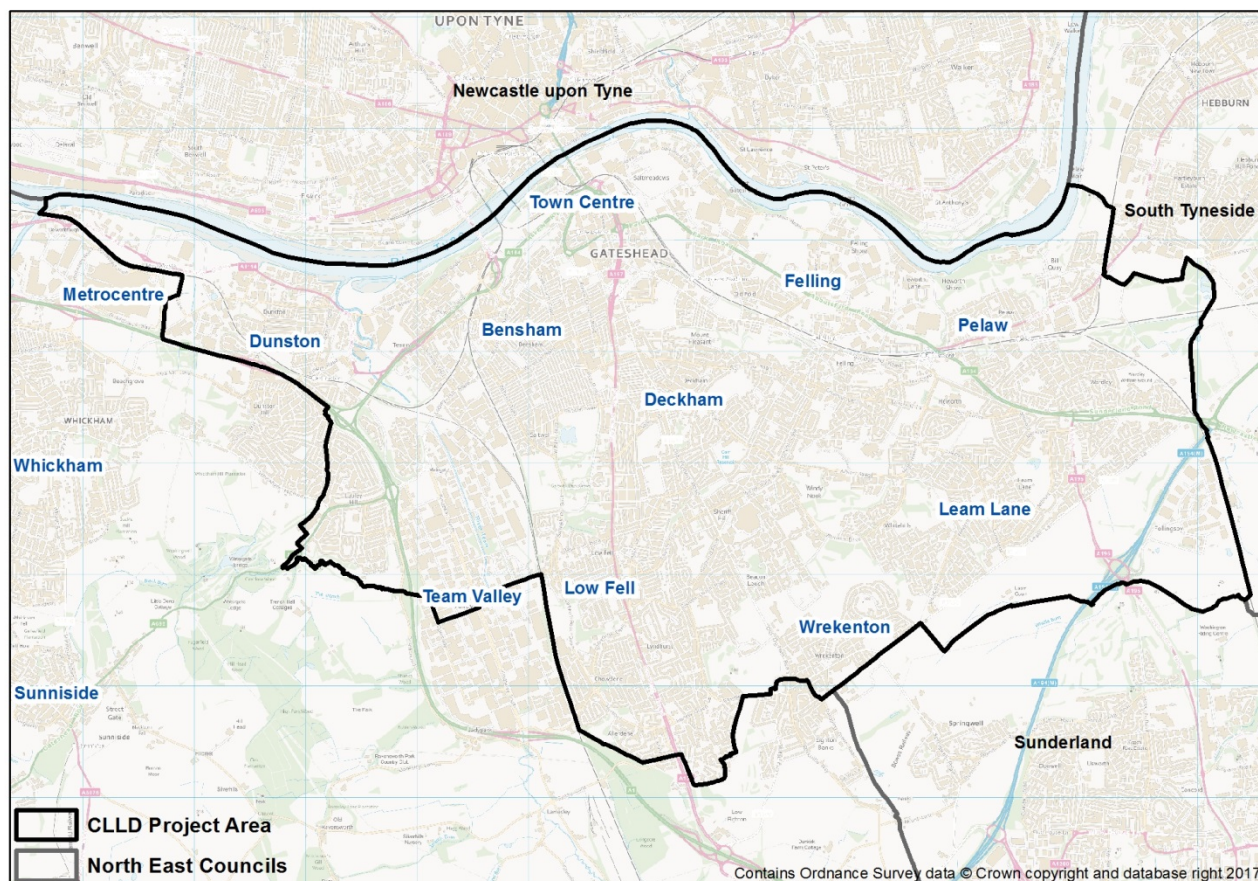
- 16. **Risk Management Implication** – Measures will be taken to ensure that any aid awarded is compliant with EU and State Aid Regulations to protect the Council from legal challenge. The award of financial assistance will be conditioned to ensure economic and social benefits are maximised; and subject to claw-back provisions to protect the Council from financial loss.
- 14. **Equality and Diversity Implications** – None
- 15. **Crime and Disorder Implications** – None
- 16. **Health Implications** – None
- 17. **Sustainability Implications** – None
- 18. **Human Rights Implications** – None
- 19. **Area and Ward Implications** – This project will have a direct impact on the 12 wards highlighted in Appendix 2.

Background Information

- 20. Cabinet Report: Community Led Local Development – Accountable Body Status and Matched Funding, 29 November 2016. Minute number C123.

Area and Wards

Community Led Local Development (CLLD) covers the following wards of Gateshead: Dunston and Teams, Bridges, Felling, Pelaw and Heworth, Wardley and Leam Lane, Windy Nook and Whitehills, High Fell, Chowdene, Low Fell, Deckham, Saltwell and Lobley Hill and Bensham.





COUNCIL MEETING

24 May 2018

2018 – 2019 STATUTORY INTERVENTION PLAN FOR THE FOOD CONTROL AND HEALTH AND SAFETY SERVICES

Sheena Ramsey, Chief Executive

EXECUTIVE SUMMARY

1. The purpose of this report is to seek approval of the Intervention Plan for the Food Control and Health and Safety services for 2018 – 2019.
2. It is a statutory requirement that the Intervention Plan for these services are considered and approved at an appropriate level on an annual basis.
3. The Cabinet has considered the facts and issues arising from the report including alternative options and took all relevant advice before formulating their recommendation.

RECOMMENDATION

4. It is recommended that Council approves the Intervention Plan for 2018 – 2019.

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TITLE OF REPORT: 2018 - 2019 Statutory Intervention Plan for the Food Control and Health & Safety services

REPORT OF: Paul Dowling, Strategic Director, Communities and Environment

Purpose of the Report

1. The report asks Cabinet to consider and recommend the Council to approve the Intervention Plan for the Food Control and Health & Safety services for 2018 - 2019.

Background

2. It is a statutory requirement that the Intervention Plans for these services are considered and approved at an appropriate level on an annual basis.
3. The information required in the Health and Safety Service Intervention Plan is directed by the 'Section 18 Standard on Enforcement' of the Health and Safety at Work etc Act 1974.
4. The information required in the Food Control Service Intervention Plan is directed by the requirements of the Food Standards Agency (FSA) Framework Agreement on Feed and Food Controls by Local Authorities.

Proposal

5. It is proposed that the Intervention Plan for the period 1 April 2018 to 31 March 2019 be agreed. A summary of the Plan is attached at appendix 2 and the full Plan is attached at appendix 3.

Recommendations

6. Cabinet is asked to recommend the Council to agree the Intervention Plan for 2018 – 2019.

For the following reason:

To consider that effective and appropriate enforcement strategies and resources are allocated to deliver the mandatory duties placed on the Council as the enforcing authority for the regulation of businesses.

APPENDIX 1

Policy Context

1. The work of the Health and Safety Service is directly linked to 'Vision 2030' in particular through the Active and Healthy theme by promoting and maintaining good standards of occupational health, safety and welfare within the workplace environment.
2. The work of the Food Control Service is directly linked to 'Vision 2030' in particular through the Active and Healthy theme by ensuring the safety, hygiene and standards of food produced, supplied and consumed in Gateshead and by controlling food and water-borne illness. The service also helps in giving help and advice to small business leading to sustainable economic growth of small business.

Background

3. The Council is an Enforcing Authority under both food safety and health & safety law and has mandatory, statutory responsibilities to enforce the relevant legislation.
4. The Government's National Priorities (as identified in the Rogers Review 2007) include:
 - 'Improving health in the workplace' because of 'the high risks posed to individuals, their families, business and the costs to the economy'
 - 'The hygiene of businesses selling, distributing and manufacturing food and the safety and fitness of food in the premises' because of the high impact in terms of numbers of deaths and ill health caused by unhygienic food businesses and the high costs to the economy
5. Development, Transport and Public Protection considers the Government's Better Regulation agenda when planning and delivering its services

Consultation

6. The Cabinet Members for Environment and Transport and Adult Social Care & Health & Wellbeing have been consulted.

Alternative Options

7. The Plan is based on delivery of the minimum interventions required to meet the statutory responsibilities placed on the Council using the resources currently allocated to the services.
8. Failure to deliver the minimum interventions is not an option.
9. Delivery of a more comprehensive Intervention Plan would require additional resources.

Implications of Recommended Option

10. Resources

- a. **Financial Implications** – The Strategic Director, Corporate Resources, confirms that there are no additional financial implications arising from this report.
- b. **Human Resources Implications** - There are no human resource implications arising directly from this report.
- c. **Property Implications** - There are no property implications arising directly from this report

11. **Risk Management Implications** – Failure to deliver statutory responsibilities may result in government intervention.

12. **Equality and Diversity Implications** – An Equality Impact and Needs Assessment of these plans has indicated a neutral impact.

13. **Crime and Disorder Implications** – There are no crime and disorder implications arising directly from this report.

14. **Health Implications** - These statutory services have an important role in preventing ill health and harm and reducing health inequalities.

- The food service protects public health through the control of the spread of acute and chronic illness and by ensuring a safe, healthy and sustainable food chain.
- Enforcement of health and safety aims to prevent harm and ill health in the workplace. Tackling injuries and ill health at work benefits workers, businesses and society as a whole.

15. **Sustainability Implications** – There are no sustainability implications arising directly from this report.

16. **Human Rights Implications** – There are no human resource implications arising directly from this report.

17. **Area and Ward Implications** - This report affects all wards equally

Background material

- Section 18 ‘Standard on Enforcement’, Health and Safety at Work etc Act 1974.
- Framework Agreement on Food and Food Controls by Local Authorities, Food Standards Agency

EXECUTIVE SUMMARY

Despite reduced resources the Environmental Health Team of the Council still responds to over 800 accidents, food poisonings and complaints and undertakes over 1500 interventions in a wide range of premises in order to build stronger, healthier, prosperous and sustainable businesses.

The Food Standards Agency (FSA) as part of its national food safety framework agreement requires all Local Authorities to prepare a service plan which sets out how the official controls will be delivered.

The Health and Safety Code (The Code) requires Local Authorities to be transparent in their enforcement role. In order to achieve this we need to publish our intervention plan and report on our performance against that plan.

This plan sets out the overall aims of the Environmental Health Team and how the Council will deliver the food safety and health and safety enforcement functions in the financial year 2018/2019.

The plan describes the profile of businesses in the borough and the way in which this determines how the intervention programmes are planned.

It also describes the nature of service requests received and how they are managed and responded to within the service.

The resources allocated to deliver the service are set out for 2018/2019 and the ways in which business and customer satisfaction are monitored and maintained.

The plan includes a review of the work of the Environmental Health Team in 2017/2018 and the priorities and plans for the coming year.

Development and Public Protection

Service Plan for the Health & Safety and Food Control Services 2018/2019



Gateshead Council

Service Plan for the Health & Safety and Food Control Services 2018/2019

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Foreword

The work of the Environmental Health Team is governed by various Acts of Parliament, Official Government Guidance and reports. The main pieces of legislation covering the teams work are the Food Safety Act 1990 and the Health and Safety at Work etc. Act 1974. The team is also monitored by; and reports directly to the Food Standards Agency and the Health and Safety Executive. The following are some of the most recent reports that directly impact on the work of the team.

The Code

The National Local Authority Enforcement Code (The Code) relates to the health and safety service and was published in 2013 by the HSE. It has been developed in response to a recommendation by Professor Löfstedt, for the HSE to be given a stronger role in directing local enforcement of health and safety. It is also an outcome of the Red Tape Challenge on Health and Safety. It is designed to ensure that local authority (LA) health and safety regulators take a more consistent and proportionate approach to enforcement. Whilst the primary responsibility for managing health and safety risks lies with the business who creates the risk, LA health & safety regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to a wider public health agenda. The Code requires that LAs use the full range of regulatory interventions available to influence behaviours and the management of risk with proactive inspection utilised only for premises with higher risks or where intelligence suggests that risks are not being effectively managed. The Code provides direction to LAs on meeting these requirements, and reporting on compliance. The Code is mandatory for LAs to follow and provides suggestions for activities and sectors that are suitable for proactive inspection.

Regulating Our Future

The Food Standards Agency are currently looking at how we will enforce food safety legislation in the future. The review is wide ranging and far reaching and proposes some radical alternative ways of working. The approach they want to adopt has five principles: food businesses are responsible for producing food that is safe and what they say it is; food regulators decisions should be tailored proportionate and based on a clear picture of the food business; The regulator should take into account all available sources of information; Businesses doing the right thing for consumers should be recognised; and Businesses should meet the costs of Regulation. Gateshead are taking an active role in these discussions and have a member of staff attending one of several focus groups looking at aspects of the suggestions.

Elliott Review

Following the horse meat scandal early in 2013, the Government tasked Professor Elliott to review the various information, reviews and some of the evidence relating to the scandal. The report was published in September 2014 and impacts on how the service operates in the future. The report raises a number of recommendations that the Government are looking at implementing. The report recommends that consumers are put first and there is a zero-tolerance approach to food fraud. Intelligence about food fraud should be more widely shared. The report makes recommendations about the laboratory services and the value of sampling regimes. Independent auditing of the food industry is seen as valuable and should be encouraged, providing the audit has measures to identify and eliminate food fraud. The Government must support a co-ordinated approach to food law enforcement and look to creating a new food law crime unit. The Government must also have in place procedures for dealing with a serious food safety or food crime incident.

Food Law Code of Practice

The Food Law Code of Practice directs our activities within food safety enforcement. It sets out the levels of competence required to enforce food safety legislation and how we will risk rate food premises. The Food Law Code of Practice requires that we have a Lead Food Officer, who can advise everyone concerned with food safety enforcement. This includes advising management,

Councillors and officers on the requirements of the legislation and the Food Law Code of Practice. The competencies necessary to perform this role are laid out within the Food Law Code of Practice. This role is given to the Senior Environmental Health Officer within the team.

1. Introduction

1.1 This plan sets out how the Council will deliver the food safety and health and safety enforcement functions in the financial year 2018/19. The details concerning the time required for each element is in officer days. Each full-time officer has 220 days available for carrying out their duties.

1.2 In 2017/18 the Environmental Health Team of the Council responded to over 800 accidents, food poisonings and service requests down on last year's figure of 900. However, we undertook over 1500 interventions in a wide range of premises to build stronger, healthier, prosperous and sustainable businesses, an increase of 200 on previous years.

1.3 Nationally there are over a million cases of food poisoning each year, 20,000 hospitalisations and 500 deaths. This costs the economy £1.5 billion each year. In 2016/17 1.3 million workers suffered from work related ill health. 31.2 million working days were lost due to work related illness or injury, 137 workers were killed at work. Workplace ill health and injury cost society £14.9billion.

1.4 The Food Standards Agency (FSA) as part of its national food safety framework agreement requires all Local Authorities to prepare a service plan which sets out how the official controls will be delivered.

1.5 The Health and Safety Code (The Code) requires Local Authorities to be transparent in their enforcement role. To achieve this, we need to publish our intervention plan and report on our performance against that plan.

1.6 Gateshead Council is responsible for the enforcement of food safety legislation in approximately 1700 premises and health and safety law in approximately 3000 premises. Our food premises range from food manufacturers to retailers and restaurants, whilst health and safety covers the service industries including warehouses, retail premises, hotels and leisure facilities.

1.7 To ensure local transparency and accountability, to show the service's contribution to Vision 2030 and to meet the requirements of the FSA Framework Agreement this plan is approved by Members on behalf of Gateshead Council.

1.8 The plan highlights that the team does not have the necessary resources to complete all of the required works. The team will therefore prioritise work on a risk basis. Inspections will be targeted at high risk and poor performing businesses. For low risk businesses a system of alternative interventions will be used, including questionnaires, sampling visits, monitoring checks and checks by other teams during their visits. New food businesses will be asked to complete a questionnaire so that their initial visit can be prioritised. We will also examine the possibility of using contractors to undertake a number of food hygiene inspections.

2. Service Aims & Objectives

2.1 Aims

2.1.1 We aim to:

- Ensure that food produced, sold or consumed in the borough is safe to eat and that businesses comply with food law;
- Protect the safety, health and welfare of people at work in Gateshead and to safeguard others who may be exposed to risks from the way that work is carried out; and
- Improve working conditions in the Borough through a programme of workplace inspections, self-assessment, and accident, incident and complaint investigations.

2.2 Objectives

2.2.1 To achieve these aims we have the following objectives:

- Deliver the official controls on food law as set out in the FSA Framework Agreement
- Ensure food is safe, fit to eat and free of contaminants
- Protect consumers from food fraud
- Improve compliance in food businesses using advice, guidance and when necessary enforcement
- Maintain an accurate database of food establishments
- Carry out a programme of food safety interventions at a frequency appropriate to risk
- Respond effectively to complaints
- Ensure that readily accessible advice and assistance is available to businesses and the public
- Carry out the annual sampling programmes for microbiological examination and compositional analysis, including participation in regional and national surveys
- Regularly survey imported food to prevent unsafe or illegal food from entering the market
- Approve establishments for handling products of animal origin as required
- Carry out surveillance of suspected and confirmed illness that has the potential to be food or water borne and implement control measures to prevent further illness
- Enforce a wide range of relevant health and safety legislation.
- Establish and maintain a planned inspection programme based on a risk-based priority planning system to select premises for inspection.
- Develop a range of campaigns and intervention programmes aimed at both specific business sectors and specific business risks to improve health and safety.
- Investigate notified accidents, incidents and cases of occupational ill-health in accordance with agreed protocols
- Advise, educate and assist businesses to comply with legal obligations and promote self-regulation using self-assessment tools.
- Administer and regulate statutory permission and registration regimes for specific work activities linked to health risks, such as
 - The Control of Asbestos at Work Regulations 2006
 - Gateshead Byelaws for the registration of practitioners and premises carrying on the practice of Acupuncture and the business of Tattooing, Semi-Permanent Skin-Colouring, Cosmetic Piercing and Electrolysis.
- Promote issues in the Government White Paper, 'Choosing Health' by improving working conditions to reduce the causes of ill-health related to work, promote the work environment as a source of better health and support 'Smoke Free Gateshead'
- Work closely with businesses including Workplace Health and Safety Representatives and Trade Union Representatives
- Support the principles of the Primary Authority Scheme to improve regulatory consistency and reduce burdens on business.

2.3 Links to the Making Gateshead a Place Where Everyone Thrives

2.3.1 **Thrive** The Environmental Health Team are actively involved in the Councils Thrive program and are looking at new ways of working and working with other teams to help all people in Gateshead thrive. All businesses and clients are treated equally and we work with businesses who wish to improve, so they become more successful.

2.4 Vision 2030

2.4.1 The work of the Food Service is directly linked to 'Vision 2030', Gateshead's Sustainable Community Strategy and the heart of an ambitious long-term plan developed by Gateshead Strategic Partnership following extensive consultation. The most relevant of the 'Six Big Ideas' within Vision 2030 to the team is '**Active and Healthy Gateshead**'.

2.4.2 What we eat can make a big difference to our health and the Food Service plays a key role in diet and nutrition by checking the accuracy of food composition and labelling through the sampling programme. This helps people to make healthy choices based on accurate product information. We can also help raise Gateshead's profile - for example, by making sure that restaurants and hotels meet the legal standards and produce safe food for visitors and residents.

2.4.3 Good health is fundamental to well-being and long life and the annual inspection programme helps to ensure that food safety standards are met and workplaces are safe and healthy. The web based Food Hygiene Rating Scheme places food hygiene information into the public domain and encourages people to eat at better food businesses and food business operators to achieve higher hygiene ratings

3. Background

3.0.1 The service is a statutory function enforcing food safety and health and safety legislation across Gateshead. With over 800 accidents, food poisonings and complaints per year to respond to and over 1500 interventions we are constantly looking for ways to improve our service and be more efficient.

3.1 Profile of the Local Authority

3.1.1 Gateshead Council is one of five historical Tyne and Wear borough councils. It has the largest area of 55 square miles and the 22 wards cover a mix of urban and rural environment with a population of approximately 200 000, with 64% being of employable age. The borough stretches for 13 miles along the south bank of the River Tyne.

3.1.2 Gateshead is an area with exciting new developments including progress toward a modern, vibrant town centre with the Trinity Square Development and further schemes include the redevelopment of Blaydon Centre, and new or replacement food stores at Birtley, Felling, Coatsworth Road and Ravensworth Road centres. Businesses in Gateshead currently provide approximately 100 000 jobs.

3.1.3 The Council adopted a Hot Food Takeaway Planning Supplementary Planning Document in June 2015. The SPD sets out the Council's priorities and objectives in relation to planning control of hot food takeaways. It elaborates upon existing and emerging policy in relation to health and wellbeing. Gateshead has a rate of 0.96 hot food takeaways per 1 000 population.

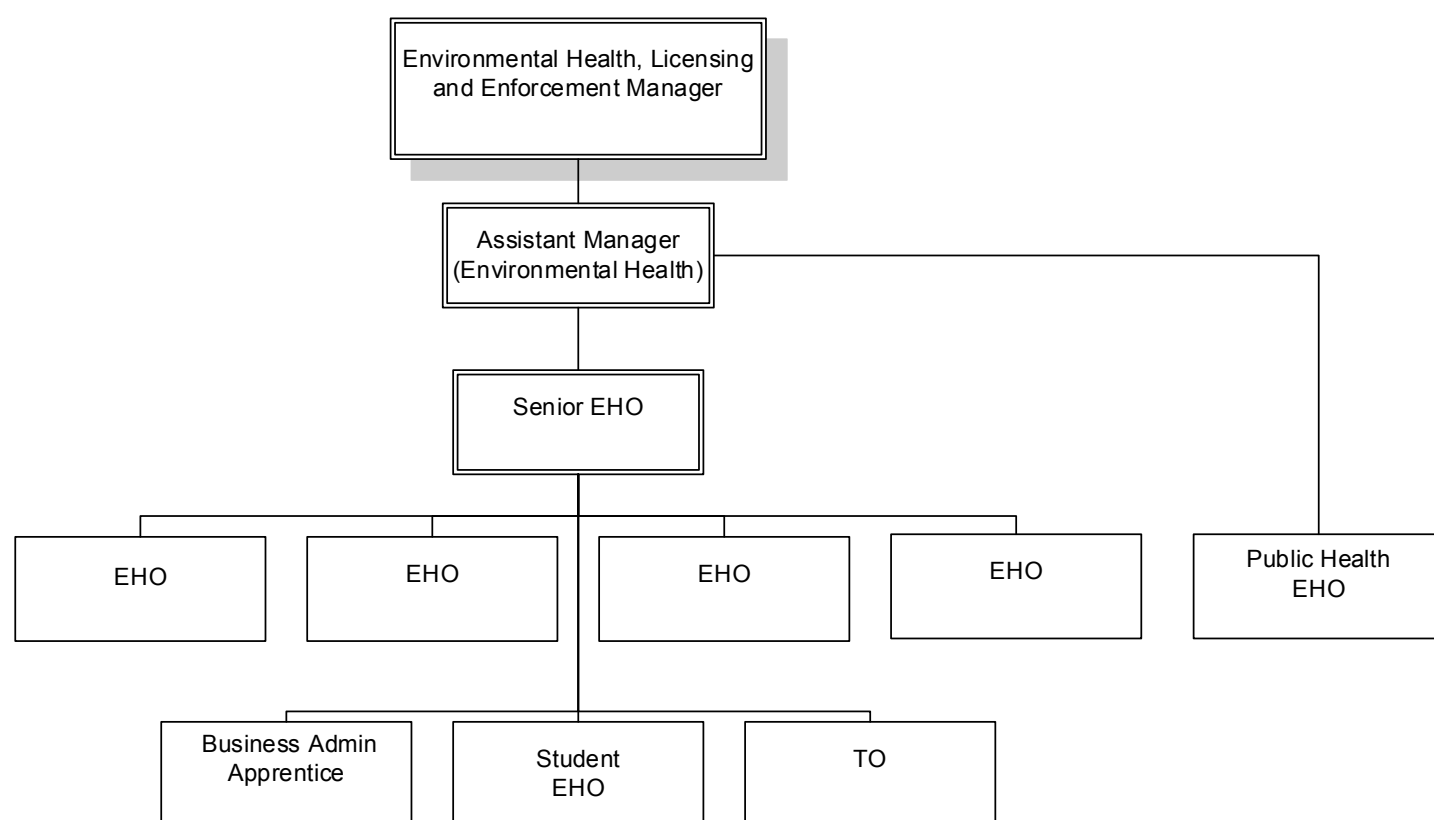
3.1.4 Gateshead also includes:

- The Metrocentre, one of Europe's largest indoor shopping and leisure complexes
- The Team Valley Trading Estate, home to over 650 companies and includes the Retail World shopping area
- Gateshead International Stadium
- Gateshead College

3.1.5 The Team is based at the Civic Centre in Gateshead with office hours being from 0830 to 1700 hours. Members of the Team voluntarily provide an unofficial out-of-hours service to carry out interventions and investigations that cannot be achieved during office hours.

3.1.6 The Council operates a 24 hour emergency response through Care Call, and Development, Transport & Public Protection has arrangements in place for Care Call to be able to contact a relevant officer in case of emergency outside normal office hours.

3.2 Organisational Structure



3.2.1 The team has recruited an extra EHO into the team. The team reports to the Environment & Transport Portfolio and Adult Social Care & Health and Wellbeing Portfolio. The Public Health EHO is a post funded by the Director of Public Health to deal with public health issues related to food safety and health and safety. The post also supports the Better Health at Work Award administered by the Public Health Team.

3.2.2 The team have been asked to report to the Councils Scrutiny Committee on the performance over the previous year.

3.2.3 The Food Standards Agency also carried out a desktop audit of the service and were concerned about the current level of staffing and the inability to meet targets.

3.3 Specialist Services

3.3.1 The Environmental Health Team works closely with the following specialist services:

- Public Analysts - Alan Richards, Public Analyst Scientific Services Ltd and Nigel Payne
- Infectious Disease Control – Public Health England
- Microbiology laboratory – Public Health England Food Water and Environment Laboratory York

3.4 Premises Profile

3.4.1 Health and Safety Premises

3.4.1.1 The Health and Safety (Enforcing Authority) Regulations allocates enforcement responsibilities between Local Authorities and the HSE. Premises profiles fluctuate throughout the year due to businesses opening / closing and changes in use. The service database is updated with any changes as they become evident. The last 12 months has seen an increase of 54 premises.

Local authority enforced business classifications	2017/18	2018/19	Change
Retail Shops	987	988	+1
Wholesale shops, warehouses and fuel storage	292	293	+1
Offices	529	528	-1
Catering, restaurants and bars	586	621	+35
Hotels, campsites and other short stay accommodation	35	35	0
Residential care homes	70	67	-3
Leisure and cultural services	116	120	+4
Consumer services and membership organisations	422	439	+17
Other premises	19	19	0
Total	3056	3110	+54

3.4.2 Food Premises

3.4.2.1 Local requirements include:

- 7 companies currently have approval for handling products of animal origin and Sprouting Seeds.
- Major retail, wholesaling, and warehousing complexes, including the Metrocentre and the Team Valley Trading Estate.
- Several large food producers including Kavli, Northumbrian Fine Foods, Dalziels, Beckleberry's and Its All Good.
- The Queen Elizabeth Hospital cook-chill production unit.
- Third country importers, including Traidcraft (specialising in fairly traded goods).
- Tsang Foods, Blackhall Mill Honey and Blaydon Honeybees are the 3 primary producers.
- Specific needs of various ethnic groups.

Type of Premises	2017/18	2018/19	Change
Primary Producer	1	3	+2
Manufacturers and Packers	57	33	-24
Importers/Exporters	4	4	0
Distributors and transporters	64	63	-1
Supermarket/Hypermarket	42	45	+3
Smaller retailers	299	324	+25
Retailers – Other	49	45	-4
Restaurants/café/canteen	270	302	+32
Hotel/Guest house	27	27	0
Pub/Club	202	204	+2
Takeaway	232	229	-3
Caring establishment	104	103	-1
School/College	91	91	0
Mobile food unit	82	107	+25
Restaurant and caterers - other	129	126	-3
Other	7	8	+1
TOTAL	1660	1714	+54

3.5 Client Profile

3.5.1 The client profile for the service is wide-ranging and varied, being based around all Local Authority enforced businesses and all food businesses.

3.5.2 Our clients include those who make a request for service (complaints or advice) about these, or proposed businesses. This will include owners, employees, managers, trade union/employee representatives, customers, residents and visitors. We appreciate the various and diverse needs of these people will affect how we work with them – issues such as language, experience, education, disability, age, time available can all make a difference.

3.5.3 Our database allows us to identify information about businesses that enables specifically targeted work. For example, we can group them by businesses classification/type, geographical area and business name.

3.5.4 We also respond to specific health and safety queries. For example, providing health and safety information and advice to students and other local authorities and investigate smoking complaints in ALL businesses and vehicles.

3.5.5 Our customers include Government departments, regulatory bodies such as Health and Safety Executive (HSE), Fire Authority, Northumbria Police, other teams within Gateshead Council, other local authorities and agencies such as Public Health England (PHE), Local Government Association

(LGA) and Chartered Institute of Environmental Health (CIEH). Some of these are also our partners. We also assist the Director of Public Health in achieving some of her targets with respect to infectious disease, smoking and the wider determinants of health.

4. Review of 2017/18

4.0.1 Below is a review of the work completed in 2017/18. Due to changes in working practices and coding of premises that occurred during the year it is not always possible to directly link the planned work with what has been carried out. Also many of the visits included visits to previously unrated premises. Many food premises now receive a joint intervention that includes both food and health and safety.

4.1 Health and Safety

Sector, premises type or specific cross sector activity	Planned activity or resource		Interventions Achieved	Comments
	Visits / contacts	Officer days		
Health and safety inspections	2	2	2	
Health and safety face to face interventions	183	26	47	Mainly included as joint food hygiene interventions and includes a number of take away premises
Health and safety none face to face interventions	1248	42	0	376 self assessment questionnaires were completed.
Accident investigations	32	38	48	
Health and safety service requests (Includes licensing Applications)	297	18	297	
Skin piercing applications	42	28	43	
Smokefree complaints	7	1	11	
Total	1811	155	448	

4.2 Food Safety

Activity	Planned	Officer Days	Achieved	Comments
Food Hygiene Interventions				
A	12	24	8	See paragraph 39 below.
B	33	33	33	
C	247	124	247	For most of the year the Technical Officer has been on long term sick leave.
D	487	66	70	
E	322	44	82	
Unrated	156	63	100	
Food Standards Interventions				
A	19	19	19	Standards interventions are normally undertaken at the same time as hygiene interventions.
B	604	245	103	

				However, where a sampling intervention is undertaken, the standards intervention is not carried out until the next inspection.
C	396	40	64	

4.2.1 A category food hygiene premises require 2 inspections per year, however, if at the first visit a premise is downgraded to a lower risk rating then it will not require the second inspection. This occurred in 4 premises during the year hence the fact that only 8 inspections were carried out.

4.2.2 It should be noted that during the year the sampling officer has been on long term sick leave and this has reduced the number of interventions that we were able to undertake. The following table shows the amount of enforcement action taken throughout the year.

Activity	Projected	Actual	Comments
Written warnings	331	301	These figures reflect our commitment to improving conditions within the poorest performing premises.
Hygiene Improvement Notices	24	11	
Hygiene Emergency Prohibition Notices	0	0	
Prosecutions	3	3	
Voluntary Closure	2	2	
Simple caution	2	2	
Voluntary surrender	19	9	
Condemnation	0	0	

4.3 Comment

4.3.1 Overall the figures reflect the need for extra resources. The team continues to perform at a high level and targets the poorest performers and highest risk premises, but as can be seen the number of food hygiene interventions to D category premises is very low. This category includes a large number of take away premises and some residential care homes and schools. It is imperative that these are visited and have an intervention to ensure the safety of some of our most vulnerable residents.

5. Service Delivery

5.1 Proactive Work

5.1.1 The intervention programme is continually monitored and reviewed by Lead Officers in the Team with the following factors being assessed:

- Most appropriate intervention for risks associated with a business
- Qualifications, experience and competency of the officer carrying out an intervention
- Additional intelligence that may be gathered during the year (food fraud, illegally imported food, accidents)
- Use of unscheduled interventions for increased risks or newly identified hazards
- New businesses added to the programme.

5.1.1 Health and Safety

5.1.1.1 HELA LAC 67/2 (rev 7) provides guidance for priority planning of inspections through a risk based system. The LAC no longer requires a risk assessment of premises to be carried out, however to assist in prioritising interventions Gateshead Council will continue to use the previous system of risk rating where officers score premises based on four risk elements and assign a rating value to each of these elements:

- Confidence in management
- Health performance
- Safety performance
- Welfare standards

5.1.1.2 The Health and Safety Executive no longer require a risk based rating system, however we find this useful for planning purposes and will continue to utilise the previous risk rating system. Premises will only receive a face to face intervention if there is a reason to do so and they are due an intervention based on the following categories. The system then categorizes the risk the premises pose as high (A), medium (B1/B2) or low (C). We will undertake an inspection of A rated premises at least once per year and B1 rated premises will receive an intervention every 2 years. We have decided an intervention frequency not less than 3 yearly for B2 and 5 yearly for C category premises. This considers the number of premises in these categories, the resources available for delivering the service plan and local/ historical knowledge of the premises database.

5.1.1.3 All intervention visits contain an element of smokefree enforcement and officers will check for compliance with the legislation.

5.1.1.4 The types of interventions for all premises are directed by the [Code](#) and HELA circular [67/2](#). Broadly these fall into two groups, proactive and reactive. The two groups include several different options and include:

Proactive interventions:

- Partnership
- Motivating senior managers
- Targeting the supply chain
- Design and supply
- Sector and industry wide initiatives
- Working with those at risk
- Education and awareness
- Inspection
- Intermediaries
- Best practice
- Recognising good performance

Reactive interventions:

- Incident and ill-health investigation
- Dealing with issues of concern that are raised and complaints

5.1.1.5 A traditional inspection is reserved for only a very small number of premises, so the majority of interventions will come from the other options. In 2018/19 we have 2 A rated premises. These are

small premises that had serious deficiencies at the last inspection. They will receive an inspection and their rating is expected to be lowered.

5.1.1.6 Low risk businesses are unlikely to be visited, but will receive a self-assessment questionnaire and written advice on how to improve their health and safety performance. These businesses will then be able to request an advisory visit if they so wish.

5.1.1.7 All other businesses will receive a face to face intervention from one of the above categories. The Code provides for national industry wide initiatives to promote safety in high risk areas. In 2018/19 we will take part in the following initiatives where appropriate: ill health at visitor attractions with animals, interaction of vehicles and pedestrians in warehouses, falls from height, occupational deafness at steel stockholders, occupational asthma at in-store bakeries, musculoskeletal disorders in residential care homes, unstable loads, crowd management, carbon monoxide poisoning, violence at work and fires and explosions caused by fireworks.

HSE Category	Rating score	Intervention frequency (set by LAC 67/2 rev 3; or Gateshead)	Total on database	Due in 2018/19	Time Required (Days)
A	5 or 6 on any risk	Inspect not less than once per year	2	2	2
B1	4 on any risk	Premises for intervention. Premises without an intervention within 18 months to be reviewed	2	1	1
B2	3 on any risk	Premises for intervention. Gateshead standard is an intervention not less than every 3 years	255	197	70
C	No score greater than 2	Assess premises, but suitable for non-inspection intervention methods\ techniques. Gateshead standard is an intervention not less than every 5 years	2561	1591	5
Unrated	Unknown	Gateshead standard is an intervention according to the perceived priority	290	290	44
Total			3110	2081	122

5.1.2 Food Safety

5.1.2.1 The food service uses the FSA's intervention rating scheme to determine the frequency that food premises should receive an intervention. This ensures that all premises are visited at an appropriate minimum interval determined by their risk rating.

5.1.2.2 Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment. They include, but are not restricted to:

- Inspections (full and/or partial) and audits
- Monitoring

- Verification and surveillance
- Sampling where the analysis/examination is carried out by an Official Laboratory.

5.1.2.3 The tables below show how many premises the Service has in each risk category on 1 April 2018, together with the projected number of interventions required during the financial year:

SA Risk Category	Minimum intervention frequency	No. on database	Projected interventions due 2018/19	Bought forward from 2017/18	Time Required (Days)
A	6 months	2	4	0	8
B	12 months	32	32	0	32
C	18 months	306	129	0	60
D	24 months	664	158	422	100
E	36 months	526	89	253	20
UNRATED		184	184	0	180
Total		1714	596	675	400

5.1.2.4 Unrated businesses are those that have not yet been inspected and therefore do not have a rating. New businesses are continually added to the programme throughout the year. 138 were added during 2017/18 with 33 of them receiving an inspection. A total of 85 new businesses were inspected during the year.

5.1.3 Food Standards

5.1.3.1 The table below shows the number of premises that the Council has on its database and the number of interventions required during the year.

FSA Risk Category	Minimum intervention frequency	No. on database	Projected interventions due 2018/19	Bought forward from 2017/18	Time Required (Days)
A	12 months	19	19	0	25
B	24 months	734	142	501	80
C	5 years	778	157	373	40
UNRATED		186	186	0	81
Total		1717	504	874	226

5.1.4 Feed Safety

6.1.4.1 As part of our ongoing commitment to reducing burdens on business, we have agreed with Trading Standards to undertake feed safety interventions at the same time we undertake food safety interventions. This should have limited impact on the work of the team, but will remove the need for a second officer to visit the premises to undertake a separate feed visit. The time for these has been factored in to food hygiene interventions.

5.2 Service Requests

5.2.1 The Council investigates requests for service from a wide customer base about various issues. We endeavour to provide comprehensive information and advice on health and safety and food safety when requested.

5.2.2 We have an internal policy, based on HSE and FSA guidance to determine whether requests for service will / may / will not be responded to. Our target is to respond to 100% of those requests for service that meet our selection criteria within two working days.

5.2.3 In 2017/18 we received the following number of requests for service:

Request Type	Number of Requests	Time Allocated 2018/19 (days)
Health and Safety	118	30
Licensing	115	21
Food Premises	72	60
Food Standards	98	100
Food Hygiene	91	42
Advice to Food Businesses	80	6
FHRS Rerating Request	5	5
Totals	499	264

5.3 Home Authority Principle and Primary Authority Principle

5.3.1 Gateshead Council fully supports the Home Authority Principle and the Primary Authority Partnership Scheme. The Home Authority Principle is where another Local Authority receives a complaint or has an issue with a producer in our area we will undertake the investigations at the producer on their behalf.

5.3.2 The Food Service is Home Authority for a number of producers and as such provides advice and investigates incidents on behalf of other Local Authorities.

5.3.3 Gateshead must abide by the relevant principles and guidance when it deals with any business that has a Primary Authority agreement. The Better Regulation Delivery Office website is regularly monitored to identify new primary authority partnerships and the premises database updated with relevant information. The Service does not have any Primary Authority agreements in place.

5.4 Food sampling

5.4.1 Food sampling is carried out in accordance with our procedures. The food and businesses sampled are determined by our intervention and sampling programmes and additional information received such as allegations of food poisoning, complaints, newly identified businesses, processes or hazards.

5.4.2 Annual sampling programmes are developed following consultation with the North East Food Sampling Group, the Public Analysts and Public Health England. The programmes support national food surveys (identified by FSA and Local Government Regulation) as well as regional and local priorities.

5.4.3 The time required includes the time taken for resamples and investigations of failed samples.

Samples taken	2016/17	2017/18	Time Allocated 2018/19 (days)
Microbiological examination	327	94	87
Analysis (composition/labelling)	66	73	25
Total	393	167	112

5.4.4 In 2017/18 the PHE Cross Regional Studies examined cooked meat products, bakeries, farm shops and school kitchens. In 2018/19 the studies will involve touch screens, milkshakes, minced meat and meat preparations and tattoo ink and water.

5.5 Control and investigation of outbreaks and food related infectious disease

5.5.1 The food service aims to safeguard the public through surveillance and investigation of food and water related infectious disease. The service works closely with Public Health England and follows agreed disease specific procedures and when relevant, Outbreak Control Plans.

5.5.2 Numbers of incidents notified to the service in previous years are shown in the table below:

Infectious disease	2015/16	2017/18	Time Allocated 2018/19 (days)
Investigated	146	99	25
Monitored	193	186	15
Outbreaks	2	2	45
Totals	341	287	85

5.6 Food safety incidents

5.6.1 The service regularly receives reports of food incidents from the FSA via e-mail and text. Action depends on the nature of the incident and will be dealt with in accordance with the FSA Code of Practice. The majority are for information only but Food Alerts for Action may require immediate action to remove the food hazard from the food chain. These Alerts can potentially have an impact on programmed interventions.

5.6.2 There are many product recalls received during the year, which officers need to be aware of. During the year 130 alerts were received including 1 alert for action. Alerts for information do not normally require any direct action, but officers need to be aware of the issues during inspections.

5.7 Statutory Notifications

5.7.1 A significant part of the health and safety workload is taken up with accident investigation. Certain injuries, dangerous occurrences and occupational diseases are reportable by businesses to the enforcing authority using RIDDOR. Incidents are selected for investigation in accordance with HSE Guidance, local and national priorities.

5.7.2 In 2017/18 we received 144 accident notifications and we investigated 48 of these. This was an increase on the previous year. That took a total of 40 officer days to carry out and a further 12 days to administer all notifications.

5.7.3 We will respond to notifications of defective lifting equipment within two working days or more promptly where appropriate, to ensure the risk of injury is minimised or eliminated.

5.7.4 The Council must be notified by licensed asbestos contractors about any asbestos stripping operation taking place in Council enforced premises. We will respond to all notifications in an appropriate timescale and liaise with the contractor to ensure that all work takes place according to legislative guidelines to minimise risk.

5.8 Registrations / Approvals

5.8.1 Byelaws require the registration of people and premises carrying out acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis.

5.8.2 The Council is required to maintain a register under the Local Government (Miscellaneous Provisions) Act 1982 and charges are made for registration of persons and premises used for each activity. In 2017/18 we processed 43 applications for skin piercing, taking a total of 35 officer days. The team have commenced a scheme targeting tattooists, with the aim of improving hygiene conditions in tattooist parlours.

5.8.3 We also maintain a public register of installations under the Notification of Cooling Towers and Evaporative Condensers Regulations 1992. This can be used as a source of information in the investigation of a suspected legionella outbreak or for planning initiatives to control Legionella.

5.8.4 Each of the premises that have received approved under food hygiene legislation, requires a visit and sampling intervention during the year to ensure they are still complying with their approval. We also receive a number of applications each year from businesses wishing to be approved. This year we received 2 new applications for approval.

5.9 Licensing Applications

6.9.1 The service is a statutory consultee under the Licensing Act 2003 and the Gambling Act 2005. The number of applications received is given in the table within section 3.2.1 showing the number of health and safety service requests received. The service responds to both premises licence applications and Temporary Event Notifications. We are also a consultee for street trading and market consents.

5.10 Business training and information

5.10.1 We will raise awareness with relevant businesses of legislative changes as they occur.

5.10.2 We encourage training courses for inspectors including those approved by the Chartered Institute of Environmental Health, FSA and the HSE.

5.10.3 We also help businesses assess their training needs and help them source appropriate training courses.

5.11 Liaison and Partnerships

5.11.1 The health and safety service has close and regular contact with the HSE via the North East Occupational Health and Safety Group. This results in shared priorities, and action plans with delivery through partnership working across the region. The HSE LA Partnership Officer attends and provides access to specialist services and shared resources. The group exists to promote uniformity,

consistency and a sharing of knowledge. It fully supports the development of the partnership between HSE and Local Authorities working together and represents the Tyne and Wear, Durham and Northumberland authorities. Opportunities for joint working on both a national and regional level are explored and developed. There is a sub group which looks at skin piercing activities and promotes consistency in enforcement across the region.

5.11.2 Wider liaison with other environmental health professionals is supported via links with the CIEH (initially through the North East Regional Management Board) and the Knowledge Hub website.

5.11.3 The Food Service works very closely with neighbouring councils through the North East Food Liaison Group. Representatives meet quarterly to promote uniformity and consistency on issues such as enforcement, competency and training. It provides a forum for the sharing of knowledge and experiences to improve good practice and consistency. There are 2 sub-groups, one for microbiological sampling and one for food standards. The microbiological group is chaired by the Services Assistant Manager. An EHO from Gateshead represents the wider region on the National Food Standards Focus Group.

5.11.4 The Service has close links with the Public Health England (PHE), Food, Water and Environment (FWE) Laboratory, now based in York. The PHE laboratory provides expert advice on microbiological issues associated with food poisoning, sampling and complaint investigation. Meetings are held regularly between the north east local authorities and key laboratory personnel to discuss practices, training and current issues.

5.11.5 The Service has formally appointed Public Analysts and has established close working links associated with sampling, chemical analysis and labelling. The North East Food Sampling Groups meet quarterly to discuss compositional and microbiological issues, and to arrange coordinated regional sampling targeting wider and emerging food safety issues.

5.11.6 We work in partnership with the NE Health Protection Unit of PHE concerning notification of infectious diseases, reporting and investigation of food or water borne illness and infection control.

5.11.7 There is regular contact with the FSA and this includes reporting food safety and fraud issues for the national database to assist in investigations by other organisations and the annual Local Authority Enforcement Management Scheme (LAEMS) return of data. Over the coming months the new Food Crime Unit will also become an important point of contact and we will be sharing information and intelligence with it.

5.11.8 Wider liaison with other environmental health professionals is supported via links with the CIEH and the Knowledge Hub website. The service also works closely with other services and groups within the council.

5.12 Events Advice

5.12.1 The team has taken responsibility for coordinating advice across Development, Transport and Public Protection with regards to planned events within the Borough. This includes attendance at Safety Advisory Groups and commenting on event plans. An events review panel has also been set up chaired by the teams Assistant Manager to look at how the Service responds to events. The panel also reviews recent events and coordinates the services responses to forthcoming events. The panel is also helping the Events Team to provide simple advice via the Councils website to help event organisers plan safer events.

5.12.2 Linked into this work is the requirement for the Sage Gateshead to obtain permission from the team for performances that use certain effects, such as pyrotechnic devices and lasers.

5.12.3 In the coming year we are involved in the review of events forming part of the Great exhibition of the North. This includes advising organisers as to their statutory requirements and assessing the safety of events. We are coordinating our activities with colleagues in Newcastle City Council to ensure an open, transparent and consistent approach.

5.13 Prosecutions / Simple Cautions

5.13.1 Prosecutions

5.13.1.1 Following a complaint about rats in Bimbis Fish and Chip Shop, Birtley, officers visited and identified a large infestation within food preparation rooms and only inadequate measures had been taken to eradicate the rats. The food business operator admitted that he was aware of the infestation. There appeared to have been little or no cleaning carried out for a number of days. The business was immediately closed using a Hygiene Emergency Prohibition Notice, which was confirmed by the Magistrates Court with the service of a Hygiene Emergency Prohibition Order. The premises remained closed for over a month. The husband and wife food business operators were prosecuted for 3 offences each: failing to keep a food premise clean, failing to put in place adequate pest control procedures and failing to protect food from contamination. The court accepted that the couple were in financial difficulties and had closed the business. The fines were £250 and £346 respectively and both were ordered to pay £150 costs each and £30 victim surcharge each.

5.13.1.2 An unannounced inspection of Westview Chinese Takeaway revealed serious food safety contraventions. The premise had not been cleaned in a number of days, possibly weeks. Throughout the premises there were significant accumulations of dirt, grease and food debris on preparation surfaces, equipment and under fixtures throughout the premises. It was also apparent that practices relating to temperature control were poor. Staff showed a very limited understanding of the steps required to reduce the risks to the high-risk foods. The food business owner agreed to voluntarily close the premise. It took three days of intensive cleaning for the premise to be allowed to reopen. The food business operator was found guilty of failing to keep the premise clean and failing to keep equipment which comes into contact with food clean. He was fined £589 for each offence, a £58 victim surcharge and £400 costs.

5.13.2 Simple Cautions

5.13.2.1 Following several attempts to get the owner of Wendy's Beauty and Nails to register for ear piercing, it was decided that more formal action was required. The owner of the business admitted under caution that they were not registered and had been contacted on several occasions. Only when they were interviewed under caution did they finally register. The act of registration is a technical formality and it was decided that it would not be in the courts best interest to proceed with a full prosecution, particularly as they had now registered, however, it was felt that formal action was required, so a simple caution was issued.

5.13.2.2 An unannounced visit to Pizza Cottage revealed that there were serious issues with the structure and general surfaces within the premise and these prevented effective cleaning. The premise had previously been given a food hygiene rating score of 1 and it was decided that there was little prospect of improvement. The food business operator admitted at an early stage the offence and proved that his business was struggling financially and he was in dispute with his landlord. He also gave assurances that he would improve the condition of the premise. It was decided to issue a simple caution for failing to keep the food premise clean and in good repair.

5.13.2.3 A complaint was received concerning rats found in the kitchen of a residential care home within the Borough. Officers visited and found an active infestation affecting the kitchen, which staff were aware of. The owners of the care home immediately closed the kitchen and undertook major

works to eradicate the infestation and refurbish the kitchen. It was identified that the rats were able to access the kitchen area from the sewers. An investigation carried out by Environmental Health Officers identified poor lines of communication and management issues at a local level. There were also issues with the advice and service provided by the pest control company. A simple caution was issued to the owners of the residential care home.

5.13.3 Major Investigations

5.13.3.1 During the year officers were involved in a major investigation into the internet sale of DNP by Enhanced Athlete EU Ltd. the head office of which was in Gateshead. DNP is a chemical which typically has industrial applications including fertiliser. It is used by some bodybuilders to strip remaining bodyfat prior to completion. DNP causes the cells within the body to heat up and there have been a number of deaths associated with its use due to multiple organ failure. Gateshead Council officers initiated an investigation and secured evidence which identified the business had links to Cumbria and South Tyneside. The investigation subsequently led to a joint operation, supported by the National Food Crime Unit, The Medicines and Healthcare Products Regulatory Agency (MHRA) and local Police forces. The outcome of the investigation led to the seizing of thousands of pounds worth of DNP and associated equipment as well the closing of the company's website. The National Food Crime Unit also liaised with colleagues in the USA who subsequently initiated their own actions against the parent company.

6. Resources

6.1 Finance

6.1.1 Expenditure

6.1.1.1 An overall expenditure budget for 2018/19 has been set that covers:

- Salaries, national insurance and superannuation
- Vehicles
- Sampling
- Analytical fees
- Incineration and waste disposal
- Control of infectious diseases
- Consumable materials and technical equipment

6.1.1.2 A 'credit' system is operated by the FWE laboratory for microbiological samples taken for the protection of public health. Each Authority is allocated an annual number of credits to 'spend' on the various tests. There is no charge to the authorities for samples taken within the credit allocation.

6.1.2 Income

6.1.2.1 Charges apply for the registration of skin piercing premises and practitioners. These are one-off charges that provide a small amount of income to the team. The fees are £240 for a premises registration and £120 for a personal registration. This year we have generated approximately £6500 from skin piercing applications. We also intend to introduce a charge for varying a certificate, in line with other Local Authorities in the region.

6.1.2.2 A charging system has been introduced to allow for recouping the costs of non-statutory functions. In 2017/18 the team provided 6 export certificates for local businesses. A charge for these

certificates and other advisory work is £75 per hour, a total of £450. Other charges are for the non-statutory sampling of food items and APHA declarations. We have introduced a charge for carrying out of FHRS rescoring visits; the cost of these visits is set at £160 per visit and have carried out 5 such visits, generating £800.

6.1.2.3 We also assist other teams, by sharing information, including changes of business owners and opening times.

6.2 Resources

6.2.0.1 The following tables show how much time in days officers have allocated to the various parts of the service. These are projected figures based on the estimated times allocated during 2015/16 as shown in the previous tables. In calculating the resources required the management figures are excluded as they are not included in the time calculations shown above.

6.2.1 Management

Officer	H & S	Smokefree	Food	ID
Environmental Health, Licensing and Enforcement Manager	11	4	55	6
Assistant Manager	33	8	124	8
Senior EHO	6	5	88	11

6.2.2 Operational

Post	Officer	H & S	Smokefree	Food	ID
1	Assistant Manager	11	3	41	3
2	Senior EHO	6	5	88	11
3	EHO	22	0	176	22
4	EHO	22	0	176	22
5	EHO	22	0	176	22
6	EHO	22	0	176	22
7	EHO - PH	22	22	66	22
8	Business Admin Apprentice	44	2	154	20
9	TO	0	0	198	22
10	Student EHO	44	2	140	20
	Total	215	34	1391	186

6.2.3 Competence

6.2.3.1 Each officer has a level of competence and specialism that directs what type of work they are able to undertake. The Senior EHO undertakes assessment of each officer on a regular basis. Regular A&D's identify any training issues and how best to provide the training. The team also undertakes a number of exercises to test competence and help improve knowledge and confidence. The team took part in the national consistency exercise run by the FSA earlier in the year.

6.2.4 Overall Resource Required

Activity	Visits / investigations	Total Time
Health and safety inspections	3	2
Health and safety face to face interventions	487	115
Health and safety none face to face interventions	1591	5
Accident investigations	48	52
Health and safety service requests (Includes licensing Applications)	233	51
Skin piercing applications	43	35
Food safety inspections	1271	400
Food standards inspections	1378	226
Food sampling interventions	300	112
Infectious disease investigations	287	85
Food service requests	261	202
Food Advice	80	6
Prosecutions	3	60
Simple cautions	2	30
Events Advice		60
Meetings		38
Training		25
ICT Maintenance		55
Miscellaneous		395
Total	5987	1954

	H&S	Food	ID	Other	Total
Time Available	249	1391	186	0	1826
Time Required	260	946	85	663	1954
Balance	-11	445	101	-663	-128

6.3 Staff Training and Development

6.3.1 Officers are required to maintain 10 hours CPD in food related training in order to maintain their basic food competence. Training is provided through the North East Public Protection Partnership and other online courses and seminars in both food safety and health and safety. The team hosted a Health and Safety Executive update day for officers from across the region in January.

6.3.2 Environmental Health Officers must maintain a minimum of 20 hours CPD to maintain competence and 30 hours if chartered Environmental Health Professionals. Environmental Health Officers are also career graded and must take on extra responsibility to progress within the career grade.

7. Quality Assessment

- 7.0.1 The Team is fully committed to the principles of continuous improvement and will strive to maintain high standards of performance.
- 7.0.2 Officer workload, enforcement decisions and data recording will be monitored by the Senior EHO to ensure consistency and accuracy. Health and Safety enforcement decisions are confirmed by using the Enforcement Management Model.
- 7.0.3 Officers undertake joint visits to ensure consistency and share knowledge and best practice.
- 7.0.4 The Intervention Plan and Sampling Programme are monitored on a monthly basis and progress is reported to the Head of Service.
- 7.0.5 In order to improve the estimates of time required for interventions the team are undertaking a time recording exercise. The time taken to undertake various parts of the intervention are being recorded and this is being used to more accurately predict how much time will be required to complete the intervention plan.

8. Service Improvements

8.1 Health & Safety

- 8.1.1 We will continue to expand the number of joint visits that are carried out to reduce burdens on business and work in a more efficient way. This is particularly true in take away premises where an intervention can only be undertaken in the evening.
- 8.1.2 We will continue the use of mailshots to lower risk businesses and provide guidance combined with self-assessment questionnaires.
- 8.1.3 We will examine the use of alternative means of contacting businesses.

8.2 Food

- 8.2.1 We will continue to be more risk based in our approach to inspections. Lower risk businesses will receive self-assessment questionnaires, whilst compliant businesses at last inspection will receive an alternative intervention.
- 8.2.2 The highest risk premises and poor performing businesses will still receive an inspection.
- 8.2.3 If necessary we will utilise consultants to undertake inspections of medium risk businesses where we are unable to achieve our programmed targets.
- 8.2.4 We will examine the use of alternative ways of working and where colleagues are visiting premises ask them to obtain some basic information to assist us.
- 8.2.5 We will target new businesses, to reduce the number of outstanding inspections.
- 8.2.6 We will encourage more use of online information sources for businesses, applications and reporting of problems.

8.3 Service Priorities

- 8.3.1 In 2018/19 the Development, Transport & Public Protection Service Priorities we will contribute to will be:

- Improving Health and Wellbeing
 - Ensuring safe food.
 - Ensuring compositional standards are met and that labels are accurate, including nutrition information and claims.
 - Prevent food fraud.
 - Ensuring workplaces are safe.
 - Investigating workplace accidents to prevent them recurring.
 - Work with the Adult Safeguarding Team to ensure the safety of elderly residents in care homes.
- Improving Customer Service
 - Expanding our customer satisfaction surveys to other areas of the service.
 - Review standard letters and notices to ensure they are written in plain English and can be produced quickly and efficiently.
 - Ongoing review of the procedures manual.
- Supporting Businesses
 - Providing advice to businesses.
 - Participation in the national FHRS scheme to promote business improvement.
 - Continuing to support the Metrocentre, through our joint aim of having all food businesses rated as 4 or 5.
 - Supporting the Rural Economic Strategy.
- Creating a High Quality and Sustainable Environment
 - Supporting businesses to improve their environment and going green.
- Maximising Efficiency and Value for Money
 - Examining alternative ways of working.
 - Carrying out more combined food and health and safety visits.
 - Being the eyes and ears for other teams during our visits and checking compliance with indicator items.
 - Ensuring our officers maintain and increase competence.
- A highly respected service which meets all service user needs ensuring they are well informed
 - Expand our use of customer satisfaction surveys.
 - Examine suggestions and respond to poor performance.
 - Ensure that all compliments and complaints are entered onto the corporate system.

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COUNCIL MEETING

24 May 2018

PERMISSION IN PRINCIPLE ON APPLICATION

Sheena Ramsey, Chief Executive

EXECUTIVE SUMMARY

1. The purpose of this report is to seek approval for changes to the Council's constitution to enable the Council to discharge new statutory duties to determine applications for Permission in Principle (PIP) for residential development.
2. The new duty comes into force on 1 June 2018 and allows small housing schemes to apply to the Council for PIP. The granting of PIP and subsequent Technical Details Consent (TDC) provides an implementable planning permission.
3. Applications can be made for both brownfield and greenfield sites. As part of the determination of an application internal and external consultation would take place along with the other consultation and procedural measures set out in the Order. Consideration would then be given to any representations received and a decision made by the Service Director under delegated authority or by the Planning and Development Committee.
4. The Cabinet has considered the facts and issues arising from the report including alternative options and took all relevant advice before formulating their recommendation.

RECOMMENDATION

5. It is recommended that Council approves the proposed amendment to the scheme of delegation in the Council's constitution as set out in paragraph 8 of the attached report.

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TITLE OF REPORT: Permission in Principle on application

REPORT OF: Mike Barker, Strategic Director, Corporate Services and Governance
Paul Dowling, Strategic Director, Communities and Environment

Purpose of the report

1. This report seeks approval for changes to the Council's constitution to enable the Council, in its capacity as Local Planning Authority, to discharge new statutory duties to determine applications for Permission in Principle (PIP) for residential development.

Background

2. The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 (the Order) comes into force on 1 June 2018. This allows small (9 dwellings or less) housing schemes to apply to the Council for PIP. The granting of PIP along with a subsequent Technical Details Consent (TDC) provides an implementable planning permission.
3. PIP establishes whether the principle of housing on a site is acceptable along with the number of dwellings (expressed as a range) that can be accommodated on the site. The TDC deals with the detailed issues such as design, layout and parking.
4. Once a site has a PIP, the developer or landowner has 3 years to seek TDC, the granting of which will mean that the site has an implementable planning permission. The Council as Local Planning Authority (LPA) is under no obligation to approve TDC; however it cannot re-consider the *principle* of development on the site or the number of dwellings that the site can accommodate. A TDC application can only be submitted as a single application and not broken up into parts.
5. Councillors may recall a previous report to Cabinet on 19 December 2017 for PIP to be granted for housing on sites in the Brownfield Register. The Order differs from that approach in that applications can be made for both brownfield and greenfield sites although they are restricted to 9 dwellings or less.

Proposals

6. As required by the Order, from 1 June 2018, developers or landowners will be able to apply for PIP and subsequent TDC for development of 9 dwellings or fewer.
7. An application for PIP would be submitted to the Council as LPA (Development Management section). As part of the determination of this application, internal and external consultation would take place along with the other consultation and procedural measures set out in the Order.
8. Consideration would then be given to any representations received and a decision (or where relevant recommendation) would be made whether to grant PIP. The decision would be made either by the Service Director, Development, Transport and Public Protection under delegated authority or by the Planning and Development Committee, consistent with the Council's scheme of delegation for planning applications. The scheme of delegation for the Planning and Development Committee in the Council's constitution would need to be amended to allow this. It is proposed that the following be added to the Committee's delegations (Part 3 - Schedule 1 - Non Executive Functions – Delegation to Council Bodies):-

“(xi) To exercise the powers of the Council under the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 to determine applications for permission in principle and technical details consent.”
9. For applications for TDC, following a grant of PIP on application, it is proposed that these be considered in the same way, albeit that the principle of development and amount of housing would not be relevant considerations and the timescales for determination would differ.

Recommendations

10. It is recommended that Cabinet:
 - (i) approves the decision making framework for PIP on application and TDC; and
 - (ii) recommends the Council to approve the proposed amendment to the scheme of delegation in the Council's constitution as set out in paragraph 8 above.

For the following reasons:

- (i) To ensure that the regulatory requirements regarding PIP on application and subsequent TDC are met.
- (ii) To ensure that the Council has a proper constitutional as well as statutory basis for decisions in respect of PIP on application and subsequent TDCs.

- (iii) To ensure that the correct balance is struck between timely decision making and appropriate consultation, publicity, oversight and scrutiny.
- (iv) To assist in the delivery of additional housing in the Borough.
- (v) To encourage the development of small housing sites.

CONTACT: Brendan McNeany extension: 2610 or Iain Armstrong extension: 3445

Policy Context

1. The proposals will align with Vision 2030, in particular through City of Gateshead, Creative Gateshead and Sustainable Gateshead, by helping to increase the delivery of new housing in the Borough. The proposals also support the pledges within Making Gateshead a Place where Everyone Thrives.
2. The proposals are in accordance with The Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

Background

3. The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 (the Order) sets out that a Local Planning Authority (LPA) may grant permission in principle (PIP) on an application to the authority for the residential development of land. This does not apply to development which is major development (that is, 10 dwellings or more, or sites of hectare or more in size or buildings where the floorspace created would be 1000 square metres or more), habitats development under the Habitats Regulations, householder development, or development which meets Schedule 1 of the Environmental Impact Assessment Regulations. Effectively this means that applications are restricted to sites of 9 dwellings or less and less than 1 hectare in size.
4. Such an application can include conversions of buildings and changes of use but must be for housing-led development – i.e. where the residential use makes up the majority of floorspace. Appropriate non-residential uses may include, for example, a small proportion of retail, office space or community uses. Non-residential development should be compatible with the proposed residential development.
5. Such an application needs to include the relevant application form, fee and a plan which identifies the site.
6. Before determining an application, the LPA must:
 - Display a site notice for at least 14 days.
 - Display specified information on their website – namely:
 - (i) The address or location of the proposed development;
 - (ii) A description of the proposed development.
 - (iii) The date by which any representations must be made.
 - (iv) Where and when the application may be inspected.
 - (v) How representations may be made.
 - Take into account any representations made.
7. Whilst there is no requirement in the Order to write to neighbouring residents/occupiers about an application for PIP, it is still proposed to do this

to ensure that the PIP on application consultation process is consistent with PIP through the brownfield register and standard planning applications.

8. In terms of decision-taking, it is proposed that decisions on PIP applications and subsequent TDC applications are taken in line with the Council's scheme of delegation that already applies to PIP (and subsequent TDC applications) through the brownfield register and standard planning applications.
9. It should be noted that PIP does not consider the details of a particular scheme and simply establishes the principle of residential-led development on a site and the number of dwellings that that site can accommodate. However, once PIP is granted these issues cannot be re-considered at TDC stage. No planning conditions can be attached to a PIP.
10. The timescales for an LPA to determine a PIP application are 5 weeks for minor development and 10 weeks for major development. These timescales also apply for applications for TDC.
11. Planning conditions and obligations can be attached to a TDC and there is a right of appeal if a TDC application is refused. If the development is chargeable development within the Community Infrastructure Levy charging schedule in Gateshead it is at TDC where this charge would be levied.

Implications for PIP on application in Gateshead

12. For small and medium-sized builders (SMEs), it is clear that the measures will have the potential to increase the delivery of housing by these groups and thus diversify the housing market as the amount of housing delivered by SMEs has dramatically declined over the past 30 years. Some of the reasons for this have been cited as the increasing costs of the planning process, reluctance of banks to authorise borrowing and the greater resources of the volume housebuilders.
13. PIPs would reduce uncertainties and risk for SMEs as a site could be granted a PIP through the submission of a simple application. This would mean that SMEs would have a better chance of borrowing money given the greater certainty that a site can be developed for housing and would reduce the upfront costs. The benefit to the Borough would be that there was greater diversity in housing being delivered and an increase in previously-developed land being used.
14. Other sites that are likely to benefit most from PIP on application are those small sites that are Council owned and earmarked for in-house development.
15. It is acknowledged that the requirement to determine PIP and TDC applications will put greater demands on Council resources. In particular, a lot of upfront work will now fall on the Council to determine whether sites are suitable for housing and the number of dwellings that can be accommodated, especially as minimal information is required to be submitted for a PIP application.

16. PIP on application and subsequent TDC will not replace the traditional planning application route and is intended to provide an alternative means of obtaining planning permission for housing development.

Consultation

17. The following have been consulted on in this report.
- Cabinet Members for Environment and Transport
 - Members of the Planning and Development Committee.

Alternative options

18. As the Order makes it mandatory for LPAs to determine applications for PIP and subsequent TDC, there are no alternative options.

Implications of recommended option

19. Resources

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms the cost of determining the applications will be met through application fees. The granting of PIP and subsequent TDC will support the delivery of housing within the borough helping to provide additional revenue to the Council in future years in the form of Council Tax receipts and greater certainty around capital receipts.
- b) **Human Resources Implications** - As above, the determination of applications will require additional officer time.
- c) **Property Implications** – Whilst there are no direct property implications for the Council arising from this report, if any Council land is the subject of a PIP and TDC application this will have an impact on the marketing and disposal of the site. Any implications will be highlighted in any future disposal report for any Council land.

20. **Risk Management Implications** – There are no risk management implications arising from this report.
21. **Equality and Diversity Implications** – There are no equality and diversity implications arising from this report.
22. **Crime and Disorder Implications** – There are no crime and disorder implications arising from this report.
23. **Health Implications** – There are no health implications arising from this report.
24. **Sustainability Implications** - It is considered that the proposals will have positive sustainability implications by helping to deliver housing in the

Borough.

- 25. **Area and Ward Implications** – There are no area and ward implications arising from this report.
- 26. **Background information** – The Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

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COUNCIL MEETING

24 May 2018

GATESHEAD COUNCIL

REPORT FROM THE CABINET

1. PURPOSE OF THE REPORT

This is the report from the Cabinet. Its purpose is to report on issues for the period March to May 2018.

PROGRESS ON KEY ISSUES

2. PEOPLE

Children and Young People

Grove House Children's Home

A recent inspection by Ofsted has reinforced the Outstanding rating for this children's home.

The inspection took place on 30 - 31 January 2018, and the inspector found that Grove House provides "highly effective services that consistently exceed the standards of good".

Key findings from the inspection include recognition that:

- there is excellent attention to detail in bespoke care plans for the children and young people;
- Grove House is maintained to an exceptionally high standard, including the use of specialist equipment to meet children's needs;
- there is a focus on providing a stimulating offer of care to children;
- the registered manager is dedicated and forward thinking.
- the staff team ensure that children's rights are promoted, resulting in improvements in children's behaviour and self-determination;
- there is a highly skilled staff team in the administration of medication and the management team ensure that competency checks are undertaken to maintain the staff team's excellent skills
- children are supported to develop new friendships and spend time with established friends through careful matching and staff flexibility.

Two recommendations were forthcoming from the inspection:

- staff should ensure dates and times are recorded when, after an incident, a debrief takes place with a child;
- the policy on e-safety should be reviewed regularly and revised where appropriate.

Gateshead Schools' Dance Festival

The Gateshead Schools' Dance Festival took place at Sage Gateshead on 20-21 March 2018. This two day, six session, annual event organised by the Gateshead School Sport Partnership provided the platform for 74 Gateshead* Schools (Nursery, Primary, Secondary & Special) to take part, performing 103 different, lively and

entertaining dance routines. In total, more than 2,600 children showcased their skills in dance. Participants were well supported by the local community with c.4000 parents and family members attending to spectate.

This year's festival benefited from an exciting new partnership with the Disney On Ice Fit to Dance education programme. This will help to ensure a legacy from the event, enabling the GSSP to reach out to schools with an inspirational cross-curricular initiative to encourage creativity and sustained physical activity through dance. Next year represents a key milestone as it will mark the ten year anniversary for this event at Sage Gateshead.

*2 community groups and 2 schools from outside the area (Sunderland & Prudhoe) were also involved.

Pupil Exclusions

The increasing numbers of pupils being excluded from schools is a national issue. However, within Gateshead the rates of exclusions would appear to be even greater than the national average over recent years. This issue was identified by the Local Safeguarding Children's Board (LSCB) and officers were asked to carry out research to identify why exclusions were increasing at such a rate and more importantly how could this be halted and reversed. This work was led by Dr Jeanne Pratt and a report presented to LSCB in the Spring 2017. The report identified a number of factors were likely to be driving up exclusions. A key outcome was that a range of children's services, health and school professionals would need to try to address the issue by working more closely together. As a consequence, a conference was organised to bring services together to discuss the issue and agree a way forward. The conference was led by the chair of the LSCB.

Following the LSCB "Reducing Permanent Exclusions" conference in the summer of 2017, a joint action plan was devised and agreed with partners. Actions started to be implemented from September 2017 and are being monitored and evaluated by a group consisting of partners from the original LSCB conference. In addition to the LSCB receiving regular updates, Families OSC has asked for a regular update on the impact of the action plan.

Although it is relatively early days in regard to the plan, there are some promising figures to date.

	Numbers of Permanent Exclusions		
	16/17	17/18	% change
Autumn Term	34	29	-15%
Spring Term	19	15	-11%

Compared to last year, by the end of the Spring Term 2018 there have been 9 fewer permanent exclusions.

Ofsted focused visit – Care Leavers

Ofsted undertook a focused visit of Gateshead's children's services on 20 March 2018, looking at the Council's arrangements for care leavers.

The inspectors considered a range of evidence, including discussions with care leavers, social workers, personal advisers and senior managers. They also looked at performance management and quality assurance information and children's case records.

The inspectors noted the Council and senior leaders have embraced the role of corporate parents "taking determined steps to raise the ambition of care leavers". They acknowledged 'the Local Authority's commitment to continuous improvement of the service is clear but the strategic ambition is not fully realised in all aspects of operational practice.'

The inspectors highlighted "two significant areas where the Council has developed very strong practice improving outcomes for young people", i.e. access to an impressive range of creative initiatives to support the young person in education, employment and training, and the accommodation offer which provides flexible and bespoke housing options.

It was noted that children who leave care in Gateshead benefit from the support of a dedicated group of personal advisers who "have the skills to develop trusting relationships to facilitate effective direct work". However, the pathway planning and plans seen by Ofsted and written by Personal Advisers were considered to be poor in quality and Ofsted also reported that there needed to be better engagement with the young people and their own plan.

The Ofsted inspectors were also critical of management processes and oversight: "Management processes to support effective casework need to be strengthened. A lack of critical challenge provided through management oversight means that staff's supervision is not providing sufficient rigour to drive aspirational plans."

Ofsted identified the following areas for improvement:

- Most pathway plans written by personal advisers could be better. Plans need to be strengthened to be outcome focused, evidence that the young person is an active participant, better consider diverse needs and identity, and to have a meaningful contingency if things go wrong.
- The quality of case management oversight of pathway planning, written plans, and reviewing processes needs to be improved. Managers should ensure that supervision supports personal advisers to maintain a focus on being appropriately ambitious for young people.
- Auditing practice in the care leaver's service needs to be strengthened as a tool for monitoring quality of practice, rather than compliance and to feed into service development and forward planning.

An action plan has been developed to address these improvements, which will be monitored for progress by the Corporate Parenting Overview and Scrutiny Sub Committee.

Foster Carer Awards Ceremony 2018

The annual Foster Carer Awards were held on 24 April 2018 to recognise the dedication and hard work of all of the Council's foster carers. In Gateshead there are 333 children placed in short and long-term foster placements, including those children

placed with relative and friend foster carers. Without our foster carers Gateshead Council would not be able to offer these children safe, nurturing family homes.

These awards allow Gateshead Council the opportunity to celebrate some of the fantastic work that goes on, behind the scenes, every day in the Fostering Service. The theme of this year's event was VIP (Very Important People). It acknowledged just how vital our Foster Carers are to Gateshead Council and the children they care for.

The evening saw the acknowledgement of the following:

- **17** sets of new foster carers welcomed to the service,
- **6** sets of foster carers achieving their certificates for Department of Education, Training, Support & Development Standards,
- **11** foster carers achieving a Bridging Unit, Level 2 or Level 3 Diploma for the Children and Young People's workforce, and
- Long Service awards were presented to **24** sets of foster carers for achieving their 5, 10 and 15 year anniversaries.

In addition to these achievements we had one award nominated by foster carers, three awards nominated by colleagues and other professionals and the final award also nominated by foster carers.

These awards were:

- **Extra Mile Award** – Awarded to foster carers who regularly go above and beyond what is expected of them in delivering an exceptional standard of care. They provide a unique level of service that enhances the reputation of foster carers and Gateshead Council.
- **Unsung Hero Award** - Awarded to foster carers who have a sense of enthusiasm that drives them to put in extraordinary effort to deliver safe, high quality care and support. They epitomise dedication and drive and always deliver on their promises in an unassuming way. They never seek recognition and work really hard behind the scenes delivering what is needed.
- **Outstanding Newcomer of the Year Award** – Awarded to foster carers who have joined the organisation since 1 April 2017 and have brought a fresh perspective to the service. They show real drive, exceptional performance, enthusiasm, motivation and inspire those around them.
- **Most Amazing Carer Award** - We asked our looked after children to nominate their foster carer(s) for an award if they believe them to be amazing.

The event was inspiring for all who attended and the following quotes from children in foster care demonstrate the real difference foster carers in Gateshead make to the children in our care.

- *"They are always kind to us and when the dark times strike and we say they give us hope and make us happy. When we're all happy it brings joy to my heart. They are my light at the end of the tunnel. Together we can make anything happen."*
- *"My carers are amazing because through everything they have for themselves they always seem to put us as foster children first. They have stuck by us and helped us through the tough times and got us to where we are. Through the four years that I have been here I don't think that I would have been able to have a life the way I have."*

- *“You are amazing because you are very supportive. They helped me get the correct support in school which helped me pass my exams. They have done everything for me for the past 7 years and I couldn’t ask for anyone better. They helped me boost my confidence up and joined me in cadets and I am really happy that they did because I’ve been there for nearly 4 years and I want to join the navy when I finish my course at Newcastle College.”*

3. PLACE AND ECONOMY

Environment and Transport

Air Quality Update

Tyneside authorities (Gateshead, Newcastle and North Tyneside) have been awarded £1.7m for Early Measures Funding to help deliver compliance with DEFRA identified air quality exceedances. This includes funds to help deliver improved cycling and walking infrastructure and improve the operation of traffic signals.

The longer-term development of the air quality work continues on a joint basis, with a view to producing a final action plan to ensure compliance with relevant pollution limits.

Active Travel

Since September 2016 a programme of active travel promotion has been delivered to schools in Gateshead. This combines practical walking, cycling and scooter based activity with classroom based sessions with the aim of promoting safe and sustainable travel to school. Since 2016 measures have been delivered in over 30 schools, with involvement of over 22,000 children and 1,100 staff. Currently funding has been secured to continue this programme to July 2020.

Electric vehicles

Following the installation of two rapid charges for electric vehicles, located at Gateshead Leisure Centre, and the other at the Metrocentre a review of existing chargers across the region has been undertaken. The review has found widespread problems with these being broken and, in many cases, not conforming to national requirements. A new regional contract is being worked on which would see the operation of the existing stock placed on a commercial footing. This would generate the necessary revenue stream to cover maintenance and electricity costs and, hopefully, support future expansion of charging networks.

Housing

Police within Private Sector Housing Licensing Team

To coincide with the commencement of a Selective Landlord Licensing Area in Bensham, a joint working pilot has commenced between the Environmental Health service and the Police.

This will try to find ways to tackle crime and antisocial behaviour more effectively in the area and its surroundings. Police officers are based within the Private Sector Housing team to allow a better sharing of knowledge and ideas, and to allow officers from the Council and police to learn more about each other’s roles, and how each can support the other.

Previous Selective Landlord Licensing Areas have seen significant reductions in crime and antisocial behaviour, and it is anticipated that the learning from this pilot will lead to even more significant reductions in future.

Call Blockers

The Trading Standards team has been involved in a trial of Nuisance Call Blockers in conjunction with the Alzheimer's Society and the National Scams Team. The Alzheimer's Society helped to select seven vulnerable clients who were suffering from persistent nuisance calls for the trial.

It was found that the devices blocked almost every unsolicited call, and helped to improve the quality of life of those taking part.

One of the of the dementia support workers commented "I have spoken to my client on a regular basis and much to her delight she has had no nuisance phone calls, she is much happier in herself, and does not feel so intimidated in her own home. Many thanks to you and your team for helping this lady and the peace of mind your device has given her".

Economy

Business Investment Activity 2017/18

During the period 1 April 2017 to 31 March 2018, the Council worked with a number of businesses to deliver 137 investment project successes, 18 of which bring new business investment into the Borough.

As a result, 637 new jobs have been created with a further 538 jobs being safeguarded. Collectively, £28m of private sector investment has been brought into the area and generated £230,000 of new business rate income to the Council.

4. COMMUNITIES

Culture, Sport and Leisure

New E-Book Lending Service Launched

The library service has offered an e-book lending facility since 2012, but this has recently been relaunched. Users of smart phones and tablets can download the Borrow Box app to access an improved range of e-book and e-audio titles. In the next few months the service will be further enhanced though the addition of e-magazines. There has been very positive customer feedback resulting from this service enhancement that allows 24-7 access to library resources across the Borough.

Gateshead Central Library - Unseen Gateshead – HLF funded project

The Council is now halfway through a development phase for the Heritage Lottery Fund project, 'Unseen Gateshead'. In August, the library service will submit an activity plan to HLF, detailing activities, digitisation work and volunteer recruitment, as well as more detailed architectural designs. The service has recruited a Project Officer to lead on the activity plan. The aim of the project is to engage the community in the local studies collection and to improve access to resources, both physically and digitally.

Gateshead Family Sculpture Day shortlisted for Journal Culture Award

The Finalists have been recently announced for the 12th annual Journal Culture awards which will celebrate those organisations, artists and events that made a splash on the North East arts and culture scene in 2017. The awards are seen as a reward for brilliance in the cultural sector and being selected as a finalist is an achievement. Gateshead Family Sculpture Day has been selected as one of three finalists for 'Best Event in Tyneside', along with GemArts Masala Festival and Freedom City. This year's award ceremony will take place in Hexham Abbey on the evening of Thursday 24 May.

Brainstorm Youth Theatre Project

Brainstorm was a successful collaborative project between theatre company Mortal Fools, Gateshead Council Culture Team, Art Centre Washington and The Culture Vulture. The funding covered the period of January – April 2018 and including the development of the theatre show with a group of eleven young people followed by a mini tour and several outreach workshops with young people on the show's themes.

Brainstorm focused on brain development of teenagers, mental health, relationships and was developed with neuroscientists. On 11 April, 95 young people and their parents attended the show at The Caedmon Hall at Gateshead Central Library. The Gateshead show was the finale of a regional tour. The Culture Team organised five free bespoke workshops for Gateshead Young people aged 14-18yrs to explore the themes of the show with a professional theatre company. The contact time with young people in Gateshead has fed into the Culture Team's young people's strategic strand of future work and further focus on creative opportunities targeting mental health.

5. CONCLUSION

The Council is asked to note this report.

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