

19 January 2017 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks  
Despatched: 11.01.17



# Direct & Trading Advisory Committee

## Membership:

Chairman, Cllr. Dickins; Vice-Chairman, Cllr. Mrs. Bayley  
Cllrs. Barnes, Mrs. Bosley, Cooke, Esler, Kelly, Maskell, McGregor, Parson, Pett and Thornton

## Agenda

	Pages	Contact
Apologies for Absence		
1. <b>Minutes</b> To agree the Minutes of the meeting of the Committee held on 1 November 2016, as a correct record.	(Pages 1 - 6)	
2. <b>Declarations of Interest</b> Any interests not already registered		
3. <b>Actions from Previous Meeting (if any)</b>		
4. <b>Referrals from Cabinet or the Audit committee (if any)</b>		
5. <b>Update from Portfolio Holder</b>		
6. <b>Household waste, Recycling, and Composting Campaigns update - Presentation</b>	(Pages 7 - 8)	Charles Nouhan Tel: 01732 227420
7. <b>Progress report on the Bradbourne Car Park Development</b>	(Pages 9 - 10)	John Strachan Tel: 01732 227310
8. <b>Environmental Health Partnership - Charging for Support Advice to Food Businesses</b>	(Pages 11 - 14)	Annie Sargent Tel: 01322 343085
9. <b>Work Plan</b>	(Pages 15 - 16)	

## EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk).

**DIRECT & TRADING ADVISORY COMMITTEE**

Minutes of the meeting held on 1 November 2016 commencing at 7.00 pm

Present: Cllr. Dickins (Chairman)

Cllr. Mrs. Bayley (Vice Chairman)

Cllrs. Barnes, Esler, Kelly, Maskell, McGregor and Thornton

Apologies for absence were received from Cllrs. Mrs. Bosley, Cooke, Parson and Pett

Cllr. Dr. Canet was also present.

10. Minutes

Resolved: That the minutes of the meeting held on 28 June 2016, be approved and signed by the Chairman as a correct record.

11. Declarations of Interest

No additional declarations of interest were made.

12. Actions from Previous Meeting

There were none.

13. Referrals from Cabinet or the Audit committee

There were none.

CHANGE IN ORDER OF AGENDA ITEMS

The Chairman advised he would give his Portfolio Holder update at the end of the meeting.

14. Fly Tipping Enforcement Update

The Chairman welcomed the new Environmental Enforcement Officer who updated Members on some of the work he had carried out so far, which predominantly consisted of reactive investigation along with proactive prevention strategies.

He discussed the difficulties faced in tracing fly-tippers, investigations and prosecution of offenders. He advised that he was identifying hotspots and placing signage in these areas. As the signage warned that CCTV was in use this also meant that he was able to deploy a camera without the need for authority under

the Regulation of Investigatory Powers Act 2000 (RIPA). He was also meeting, informally, with neighbouring enforcement officers to exchange ideas, intelligence and best practice. Road checks were also carried out with the Police and Environment Agency.

Members were keen that successful prosecutions be publicised, and local members kept up to date with any issues in their areas.

Resolved: That the report be noted.

15. Environmental Health Partnership- charging for Food Hygiene re rating inspections

The Environmental Health Manager presented a report which provided Members with an overview of the Food Standards Agency's (FSA) proposal to introduce a change to the National Food Hygiene Rating scheme. The purpose of the pilot was to trial charging food businesses when they requested a re-rating inspection following an initial food hygiene inspection rating. The charge would be based on cost recovery and would be calculated on the average cost that the Council currently incurred for the provision of the service. The pilot would operate for a period of 3 months and the Food Standards Agency would use the data collected to introduce a National Charging Scheme in 2017.

Since the publication of the report, the Environmental Health Manager advised that she had received confirmation that the FSA did intend this to be ongoing.

Resolved: That it be recommended to Cabinet that

- a) the Environmental Health's team participation in the Food Standards Agency pilot of charging businesses for a food hygiene re-rating inspection, be noted;
- b) the fee for a food hygiene re-rating inspection be set at £200 for the period of the Food Standards Agency pilot; and
- c) if the pilot was successful, and with the support of the Food Standards Agency, charging be continued on a cost recovery basis.

16. Annual Review of Parking Charges 2017/18

The Parking Manager presented the annual review of parking charges for 2017-18 report. It proposed consultation on revised tariffs in the Council's off-street car parks and in on-street pay and display parking bays.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the proposals for revised parking charges for 2017-18 be recommended to Cabinet for consultation.

**17. Christmas Parking 2016**

Members considered the report which requested that the Committee consider free concessionary parking on select dates at Christmas 2016.

Members were advised that, as in previous years, the Council's Portfolio Holder for Direct and Trading had allowed free evening parking for Christmas Lights and shopping events in Sevenoaks on Friday 25 November 2016 and in Westerham on Thursday 24 November 2016.

**Public Sector Equality Duty**

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that

- a) free parking be provided in car parks and on street parking bays for two Saturdays, 10 and 17 December 2016 preceding Christmas; and
- b) subject to recommendation (a) above, it be recommended to Council that the cost in terms of lost income for free Christmas parking be funded from Supplementary Estimates.

**18. Budget 2017/18: Service Dashboards and Service Change Impact Assessments (SCIAS)**

The Chief Finance Officer presented the report which set out updates to the 2017/18 budget within the existing framework of the 10-year budget and savings plan. The report also presented proposals that had been identified which needed to be considered, together with further suggestions made by the Advisory Committees, before finalising the budget for 2017/18.

The major message of the report was that the Council was able to remain financially self-sufficient.

The budget agreed by Council in February included £100,000 of new savings or additional income per annum and the Advisory Committees were being asked to make suggestions to Cabinet that would achieve the £100,000 required for next year. Two Member Budget Training sessions had recently taken place with the intention of increasing, or refreshing, Members knowledge of the budget process and to enhance the discussions that would take place at this round of Advisory Committees.

The Chief Finance Officer reminded reminding Members that over £6m had already been agreed to be saved between 2011/12 and 2017/18 made up of over 130 items and over £10m had been saved since 2005/06.

## Agenda Item 1

### Direct & Trading Advisory Committee - 1 November 2016

Members reviewed and discussed Appendix D which contained the growth and savings proposals put forward by the Portfolio Holder and Chief Officers, and the Service Change Impact Assessments (SCIAs) in Appendix E.

Members also considered and gave their individual ideas for growth and savings items. The Chief Finance Officer summarised the suggestions put forward and Members considered whether there was anything they wanted taken forward as potential growth or savings suggestions. Upon discussion of the many suggestions put forward, the Chairman, as Portfolio Holder, agreed to give further consideration to the marketing of income producing services, dog fouling preventions strategies and parking management. He advised that this could be undertaken within existing budgets.

#### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty and that individual equality impact assessments had been completed for all Service Change Impact Assessments (SCIAs) to ensure the decision making process was fair and transparent.

Resolved: That it be recommended to Cabinet that

- a) the savings proposals identified in Appendix D applicable to the Advisory Committee (SCIAs 19, 20 and 21) be agreed; and
- b) there were no further suggestions for growth and savings from the Advisory Committee at this time.

#### 19. Work Plan

The work plan was noted.

#### 20. Update from Portfolio Holder

The Portfolio Holder, and Chairman, reported the following, that:

- Bradbourne car park piling had been completed ahead of schedule;
- he had written to the new Police Commissioner requesting a contribution from the Police for CCTV, but it was unsuccessful; and
- it looked as though the Council would be successful in getting rid of the timber from the oriental chestnut gall wasp in Farningham Woods infestation, by the end of the financial year.

THE MEETING WAS CONCLUDED AT 9.10 PM

CHAIRMAN

## HOUSEHOLD WASTE, RECYCLING, AND COMPOSTING CAMPAIGNS UPDATE

Direct & Trading Advisory Committee - 19 January 2017

Report of Chief Officer, Environmental and Operational Services

Status: For information

Key Decision: No

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**This report supports the Key Aim of:** Collecting rubbish and recycling every week

**Portfolio Holder** Cllr. Matthew Dickins

**Contact Officer(s)** Charles Nouhan Ext.7420

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**Recommendation to Direct & Trading Advisory Committee:** That the report be noted.

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**Reason for recommendation:** The report is an update on the ongoing campaign to increase the capture of good quality dry recycling from kerbside collections, along with the increased capture of garden waste from kerbside and other materials, particularly glass, from Council recycling bring sites.

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### Introduction

The Recycling and Commercial Manager will provide a verbal presentation, accompanied by supporting evidence via a PowerPoint presentation, at the meeting.

### Key Implications

#### Financial

None directly arising from this report.

#### Legal Implications and Risk Assessment Statement.

None directly arising from this report.

#### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

### Conclusions

Members are asked to note the update given at the meeting.

**Richard Wilson**

Chief Officer, Environmental & Operational Services

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## PROGRESS REPORT ON THE BRADBOURNE CAR PARK DEVELOPMENT

Direct and Trading Advisory Committee - 19 January 2017

Report of                      Chief Officer Environmental and Operational Services

Status:                        For information

Key Decision:                No

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**This report supports the Key Aim of:** The effective management of Council resources and supporting the local economy.

**Portfolio Holder**        Councillor Matthew Dickins

**Contact Officer(s)**    John Strachan Ext. 7310

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**Recommendation to Direct and Trading Advisory Committee:** That Members note the information provided in the report.

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**Reason for recommendation:** to update Members on progress of the Bradbourne multi-decked car park development.

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### Introduction

- 1        This report verbally updates members on progress in the development of a multi-deck car park on the Bradbourne car park site.

### Key Implications

#### Equality Impacts

- 2        There is a low risk that the proposals in this report would have any implications under the Equality Act.

#### Human Rights

- 3        There are no human rights issues or implications.

**Richard Wilson**  
**Chief Officer Environmental and Operational Services**

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**ENVIRONMENTAL HEALTH PARTNERSHIP -CHARGING FOR SUPPORT ADVICE TO FOOD BUSINESSES**

**INTRODUCING THE “ACCESS” SCHEME**

**Direct and Trading Advisory Committee - 19 January 2017**

Report of                      Chief Officer Environmental and Operational Services

Status:                      For Decision

Also considered by:      Cabinet - 9 February 2017

Key Decision:              Yes

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**This report supports the Key Aim of:** A dynamic and sustainable economy

**Portfolio Holder**        Cllr. Matthew Dickens

**Contact Officer**        Annie Sargent Ext.3085

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**Recommendation to Direct and Trading Advisory Committee:**

- a) That Members agree to the Environmental Health (EH) Partnership charging for bespoke food safety advice for new businesses.
- b) That a minimum fee be charged of £100 plus VAT for 2 hours work, and £50 per hour thereafter. (This is a cost recovery charge only.)

**Recommendation to Cabinet**

- a) That Cabinet agree to the Environmental Health Partnership charging for bespoke food safety advice for new businesses.
- b) That a minimum fee be charged of £100 plus VAT for 2 hours work, and £50 per hour thereafter. (This is a cost recovery charge only.)

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**Reason for recommendation:** As part of the national Better Business for All initiative, the Environmental Health Commercial Team has reviewed how it can provide an improved advisory service for local food businesses.

Currently, when a new food business starts, often the first time an officer will have contact with them, is when they have started operating. On that first formal inspection, we can find fundamental structural and management system errors that can be costly for the business to correct in order to comply with the law. We would like to recover our costs for a bespoke advice service to businesses that will assist

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them in complying with required regulation before they open.

We would also like to charge established businesses for advice in order to improve their hygiene rating scores and this will enable us to recover our non-statutory costs.

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### Introduction and Background

- 1 All new food businesses in the district are required to formally register with the local authority. At that point, these new businesses are put onto our database and are subject to a regular inspection regime, as defined by guidance from the Food Standards Agency.
- 2 It is not a requirement for a food business to be inspected before it opens. Quite often businesses open their doors to the public, and the owners have not received any food handling training, their preparation and processes are inadequate and their kitchens, storage areas and facilities are not appropriately designed to meet legal requirements.
- 3 In these cases, the businesses first contact with the Food Safety Officer can therefore feel quite confrontational and may lead to the owner having to spend time and money on further works to meet the basic compliance requirements.
- 4 Currently, some more proactive businesses may ask for advice, before they open their premises. Officers will spend time giving advice to these businesses. However, there is no statutory duty for the EH team to do this. In being helpful, resource can be diverted away from the statutory routine food inspections. However, officers know that this pre-advice can save time at the next inspection, as the business is already compliant and a good officer-customer relationship has been established.
- 5 The downside to this is that officers can spend time advising many businesses that never come to fruition. Also it can be seen that some businesses despite being advised by their regulator in person, still opt to go on and pay a consultant for the same advice. Almost as if by paying for a service, somehow validates the information more for a business.
- 6 A scheme has been devised that can be marketed to businesses in the district. The scheme is called ACCESS -Accelerating Compliance and Economic Success
- 7 This scheme will provide enhanced support for food businesses from highly qualified, experienced, front line food safety officers. The support will be tailored to suit each business. There will be a minimal charge for basic package of £100 plus VAT for 2 hours work (not including travel time). Businesses can then purchase additional time for training, food safety management coaching and follow up support visits. Instead of an unannounced inspection, visits will take place at the convenience of the business

- 8 Food Safety Officers within the EH Commercial team will carry out the ACCESS visits. A different officer will do any rescore visits to avoid a conflict of interest.
- 9 The scheme will be aimed at both new and existing businesses. The intention is to give a new business a head start towards compliance. It will be particularly useful to people who are new to running a food business. It will also be helpful for businesses that are scoring poorly in the Food Hygiene Rating Scheme that need additional help to improve compliance and apply for a rescore. Another target customer would be those businesses wishing to improve their hygiene rating score.
- 10 For those businesses that just require cursory advice, there will always be the option of obtaining free information via our websites and their associated links.

11 In Summary

In providing a charged advice service, the Environmental Health Partnership aims to:

- a) Improve relationship between business and regulator
- b) Save business money - help them get things “right first time” before opening.
- c) Reduce the resources required for revisits to food businesses
- d) Increase the food business manager’s confidence in running their business
- e) Promote business success and economic growth in both Sevenoaks and Dartford

**Key Implications**

Financial

Businesses will be invoiced for payment before an ACCESS visit takes place. A new income code will need to be established for income monitoring purposes. It is anticipated that the scheme will be available from April 2017.

Legal Implications and Risk Assessment Statement

Section 1 of the Localism Act 2011 gives local authorities the power to charge for a service which is not a statutory function.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## Agenda Item 8

### Conclusions

This report provides Members with an overview of the proposed ACCESS scheme. The scheme will charge food businesses for bespoke food safety advice visits. The charge will be based on cost recovery and will be calculated on the average cost that the Council currently incurs for the provision of the service.

**Appendices** None

**Background Papers:** None

**Richard Wilson**  
**Chief Officer Environmental and Operational Services**

**Direct & Trading Advisory Committee Work Plan 2016/17 (as at 9/01/17)**

19 January 2017	14 March 2017	27 June 2017	7 November 2017
Update on Bradbourne Car park	Primary Authority Support for local businesses (Environmental Health Partnership) Green Sands Way Bradbourne Lakes Primary Authorities		

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