

NORTHUMBERLAND COUNTY COUNCIL

COMMUNITIES AND PLACE OVERVIEW AND SCRUTINY COMMITTEE

At a meeting of the **Communities and Place Overview and Scrutiny Committee** held at County Hall, Morpeth on Wednesday, 31 August 2022 at 2.00 p.m.

PRESENT

Councillor J. Reid
(Chair, in the Chair)

MEMBERS

Cartie, E.	Lang, J.
Dale, A.	Mather, M.
Dodd, R.R.	Morphet, N.
Gallacher, B.	

CABINET MEMBER

Riddle, J.	Local Services
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OFFICERS IN ATTENDANCE

P. Jones	Service Director – Local Services
D. Robertson	Fleet Manager
P. Soderquest	Service Director - Housing and Public Protection
S. Nicholson	Scrutiny Co-Ordinator
N. Turnbull	Democratic Services Officer

11. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Carr, Castle and Horncastle.

12. MINUTES

RESOLVED that the minutes of the following meetings of the Communities & Place OSC, as circulated, be confirmed as a true record and signed by the Chair:

Minute No.5.1

Development of the Potland Burn Biodiversity Net Gain Site

In answer to a question, the Scrutiny Co-ordinator agreed to investigate why work on the Cambois site had ceased and would circulate an update following the meeting.

RESOLVED that the minutes of the following meetings of the Communities and Place OSC, as circulated, be confirmed as a true record and signed by the Chair:

- a) 1 June 2022
- b) 29 June 2022

13. FORWARD PLAN OF CABINET DECISIONS

The Committee considered the Forward Plan of key decisions (August to November 2022). (Schedule enclosed with the signed minutes).

The Scrutiny Co-ordinator reported that the 'Declaration of an Ecological Emergency' had been deferred due to waiting for further information from Government. When rescheduled on the Forward Plan, it would be included in the committee's work programme.

It was noted that approval of Neighbourhood Plans were not considered by this Committee, the process was already considered to be comprehensive and there was little that members could further contribute. However, clarification would be obtained from the Portfolio Holder if there were any implications regarding exceeding the 8-week period.

The Chair's Group be requested to allocate the 'Revised Charter with Town, Parish and Community Council's to this committee's work programme.

In answer to a question, Philp Soderquest confirmed that Public Protection had been involved in discussions regarding the use of the Public Health ring-fenced grant reserve.

RESOLVED that the report be noted.

14. OVERVIEW

14.1 Fleet Replacement Update

The Committee were provided with an overview of the work undertaken and challenges faced in delivering the Council's fleet replacement programme in 2021/2022. (A copy of the report is enclosed with the signed minutes).

Councillor Riddle, Portfolio Holder for Local Services, explained that there had been some slippage in the programme due to shortages of materials and the adaption of vehicles taking longer than expected. The team had managed the situation in the best way possible to ensure the delays had not impacted on service delivery.

Paul Jones, Service Director for Local Services stated that it was essential that the Council invested in the fleet to make sure that vehicles were fit for purpose and were replaced on an appropriate cycle to ensure they were reliable

without requiring costly repairs. This was important to make sure the Council could provide a high standard of service to the public. He reported that:

- Officers worked closely with manufacturers to ensure that vehicles were delivered in a timely manner, however the previous year had been particularly challenging following the impact of the pandemic on workforces, global market issues with semi-conductors and body conversions.
- The team had worked extremely well, coordinating with the various services to plan ahead and prioritise vehicles where needed, particularly given that some HGV conversions required a 2-year lead in time.
- NCC's direct ownership of a large proportion of the fleet had been beneficial given the delays in sourcing new vehicles which had had meant that there was no requirement to try and renegotiate vehicle lease extensions and risk incurring higher rates. The finance lease vs direct ownership arrangements for fleet replacements was kept under regular review with colleagues in finance. The value of secondhand vehicles was higher than anticipated when vehicles due for replacement were being sold which had also benefited the Council.
- Supply issues of small electric vans had impacted on the timetable to green the fleet with demand exceeding supply nationally and longer lead in times being required than initially notified.
- The availability of larger commercial vans, with higher roof lines required by Housing, had been delayed.
- The number of small EVs had increased from 7 in 2020/21 to 36 in 2021/22 with a further 11 to be confirmed.
- Most of the 73 vehicles which had not been delivered by 31 March 2022 had now been received.
- A Hydrotreated Vegetable Oil (HVO) trial was to be operated for 3 months. There was a significant cost differential of approximately 40p per litre when compared to diesel. The impact of cost and performance would be assessed with the Climate Change team.

The following information was provided in response to questions from Members:

- Whilst the costs of charging EVs had increased so had the cost of diesel, so whilst the differential with diesel had narrowed they were still more expensive than EVs to run. Prices were being closely monitored.
- The Council complied with changing requirements of using rebated fuel (red diesel) and had moved to white diesel across the fleet which had impacted on cost and contractual arrangements with third parties. This would have an effect on the Council's budget.
- Costs of EV charging provision for use by the public needed to at least break even if not make a small return.
- A dispensation for use of red diesel was available for agricultural vehicles being used for winter services activities.
- Additional vehicles had been hired with changes to working practices to ensure the health and safety of employees during the pandemic. These had been returned when legitimately able to do so. Many of the covid

protection measures had been funded by a grant from central government. The additional cost of covid protection measures should no longer be included within the cost of Member small scheme projects.

- Housing growth and demand on the garden waste and bulky waste removal services had required the acquisition of additional vehicles and staff.
- The Council's Medium Term Financial Plan was based on the lifecycle of vehicles. Replacement vehicles were purchased outright although colleagues in finance looked at the borrowing costs to finance the capital required for the fleet replacement programme. Generally, this could be borrowed more cheaply than via financed leasing of vehicles. Other factors, such as terms and conditions, also had to be considered as part of the analysis of any leasing arrangements as often there were additional charges for wear and tear of returned vehicles, particularly HGVs used for highway operations. They also had to be returned in a timely manner which was difficult and costly to renegotiate leases when the lead in times of replacement vehicles were extended. Ownership of vehicles had given the Council flexibility.
- Less than 20% of the fleet were now held under leasing arrangements. The fleet currently comprised of 790 vehicles.
- New gully tankers had recently been delivered which had more equipment and a larger capacity which enabled them to do more with less mileage wasted by less frequent trips being needed to disposal sites improving efficiency.
- There would be an opportunity for members of the public to participate in the Council's MTFP budget setting process and identification of priorities when the consultation process commenced.
- Feedback from staff was an essential element in the replacement of equipment to ensure that the right equipment was sourced. Often technological advancement meant that vehicles / equipment was not replaced like for like; opportunities were taken to test demonstration vehicles.
- EV infrastructure installed in depots included vehicle charging points – many depots already had some provision of renewable energy generation via solar panels and ground source heat pumps. Further opportunities would be explored with the Climate Change team to see if EV vehicles could be charged via expansion of our own renewable energy generation arrangements at depots etc.
- Benchmarking activity with other Local Authorities included the lifecycle of vehicles to compare when similar vehicles were being replaced elsewhere.
- Whilst several members had previously suggested that the old gully tankers be retained to help with the backlog of work, they had been at the end of the economic life and would have required additional staff and resource as the service had to operate within its budget. It was confirmed that one of the old gully tankers was being used temporarily by the Highways team to tackle the backlog of work when not used to train new operators.
- Whilst the leasing of vehicles was increasing in popularity; the Council made an informed decision on the optimum method for every batch of new vehicles that were acquired with assistance from finance.

- Some non-electric large panel vans had been sourced for housing due to the unavailability of suitable electric models for the trades that needed a higher roof. Those that could be delayed, had been, to allow exploration of EV models expected in the near future. A demonstrator was in the process of being tested.
- A 3-week demonstration had been arranged for a 3.5 tonne EV caged tipper as there were a number of these vehicles to be replaced in 2022/23 and 2023/24.
- Approximately 6 of the 19 smaller vans would not be replaced with an EV model as the towing capacity of EVs were not as great as diesel vehicles.
- The Council operated its own in-house vehicle maintenance workshops which carried out inspections and routine and unplanned maintenance, an authorised testing facility for HGVs as well as MOTs for private vehicles which generated additional income. Maintenance of some specialised equipment was undertaken by external providers as well as maintenance of vehicles located in the north of the county due to the distance to the workshop.
- Delivery of the JCB pothole vehicle was awaited and an operator was in the process of being recruited.
- A vehicle had been sourced for Cramlington Youth Project, an external customer, as per their requirements. This had been sourced by the Council cheaper than other companies.
- The HVO trial had been delayed due to a leak in one of the storage tanks. The trial had been relocated to another depot and had commenced mid-August.
- Current production capacity of HVO fuel was mainly being used by the aviation industry. An additional production site was expected to be available in the next few months when it was hoped that the price difference between HVO and diesel would be reduced. The cost of fuel was being closely monitored.
- The wording of section b) on page 25 would be amended to include missing text.

The Chair commented on the clarity of the report although he was concerned about the Council's ability to deliver services with a significant electric fleet if there were power cuts following severe storms in the future. He hoped that provision was made for the appropriate infrastructure to address this.

Several members thanked the officers involved in fleet replacement which had kept the Council operational during an extremely challenging period.

RESOLVED that the work undertaken to deliver a challenging fleet replacement programme during 2021/22, be noted.

14.2 Food & Feed, Safety & Standards Service Plan 2022/23

The report presented the Food and Feed, Safety and Standards Service Plan for 2022/23 for consideration and endorsement. (A copy of the report is enclosed with the signed minutes).

Philip Soderquest, Service Director – Housing and Public Protection, explained that a Food & Feed, Safety & Standards Service Plan was normally produced annually, but had been suspended between March 2020 and July 2021 to enable LA resources to be diverted during the COVID-19 pandemic. He highlighted the following:

- The Food Standards Agency (FSA) Recovery Plan set out advice and guidance to local authorities for the period 1 July 2021 to 31 March 2023 to allow work on inspections to be caught up. It was noted that many premises had been unable to trade for periods prior to the recovery plan commencement date.
- The FSA set out the format of the service plan which was required to be adopted by organisations. This included Trading Standards and Environmental Health who were involved in planning and delivery of food law enforcement.
- The plan set out areas of planned, proactive reactive and responsive work for the allocation of resources of inspections across nearly 4,000 premises. Inspections were undertaken on a programme based on risk with 98.3% achieving a 3* rating or higher. This exceeded the regional and national averages.
- A new delivery model for food standards was expected to be implemented from April 2023, the detail of which was awaited.
- Officers had been interpreting and enforcing COVID legislation within hours of it being published along with a new requirement to produce food export health certificates for Northumberland produce following the UK's exit from the European union. A brief explanation of the complexity of the certificates was provided.
- Public Health continued to deliver a Produced in Northumberland (PIN) food source verification scheme.
- The targets of the FSA Recovery Plan had been achieved.
- Appendices at the end of the plan contained details of the Commercial and Trading Standards team structures, of which approximately 13 officers were allocated to deliver the plan.

The Service Director – Housing and Public Protection acknowledged the work of his team during an extremely challenging period and recommended that the plan be endorsed.

The following information was provided in response to questions from Members:

- Public Protection was the overarching name for the services which comprised Environmental Protection, Community and Environmental Health, Trading Standards, the Commercial Team, Licensing, Building Control.
- The Environmental Protection Team predominately dealt with planning applications and potential pollution risks as well as responsibility for the inspection of private water supplies.
- Environmental Health Officers were qualified individuals who could sign the food export health certificates.

- Some terms were interchangeable and would depend on the context. However Environmental Health was a generic term for the functions delivered by an Environmental Health Service which traditionally included food safety, housing standards, housing safety, noise nuisance, other nuisances etc. Trading Standards functions related to nature, quality, substance, animal health etc.
- The number of food premises changed frequently and were required to be registered with a local authority when opened or if ownership changed. A desktop exercise was undertaken to assess whether they were high, medium or low risk with inspections being prioritised for those deemed as high risk. The figures referred to in the plan would have been relevant on the date the plan was written and would have changed since with a number of premises closing, new registrations and inspections having been carried out in the intervening period.
- It was likely that 1,177 food hygiene premises had not been inspected due to there being of low risk. Clarification would be provided after the meeting.
- The LA was represented by a senior officer on the NETSA Animal Health Panel, National Agricultural Panel and Association of Port Health Authorities. This was likely to be the Business Compliance and Public Safety Manager who was designated as the Chief Inspector of Weights and Measures or the Trading Standards and Animal Health Manager.
- The Council's restaurant did not qualify for PIN membership as it did not produce food however it was understood they promoted and used PIN products.
- Farmers markets were not included within the inspection regime unless there was a specific reason to do so. However, officers were often involved in discussions when new markets were established or occasionally hosted a stand. Mobile producers were required to register with the LA where their equipment was located.
- The FSA service plan aimed to achieve better regulation. The Council's approach was to encourage and support business to grow the economy rather than focus on enforcement activity.
- It was not expected that the demand or complexity of work required for food health export certificates would reduce. The producer determined who issued their certificates which could also be provided by a veterinary inspector.
- A review of the Street Trading Policy would be undertaken in the future by the Licensing and Regulatory Committee to address concerns raised during lockdowns regarding the issuing of food registration permits which had seen certain populated areas the focus of traders operating takeaways when restaurants and public houses had been unable to open.
- The FSA Recovery Plan had not required LAs to consider risk category E premises with focus being directed at higher risk premises. If time and capacity permitted, alternative enforcement activity, such as a questionnaire or telephone call would be undertaken with these premises.
- Food Safety Service requests had increased during 2020/21 and were believed to be a result of enquiries from businesses seeking advice on reopening following the first national lockdown.
- Due to limits on capacity and resources, sampling activity was targeted where there was a concern with allergens, following high profile court

cases where there had been loss of life. The outcome of sampling was used to promote better understanding by businesses and was linked to regional activity to gain maximum impact.

- High risk premises in Category A were inspected twice yearly although if there was confidence in management, it was unlikely that risk would be increased. Reference was made to the high number of premises rated 3* and above, any additional risks from a recession would be monitored.
- Food hygiene for Newcastle Airport was within the jurisdiction of Newcastle City Council.
- Comparative data had been unavailable for this plan as submission of the Local Authority Enforcement Monitoring System (LAEMS) annual return had been suspended by the FSA Recovery Plan and had not been available for the previous 2 years.
- Reference was made to the recent FSA pilots and new delivery model expected in April 2023 which it was hoped would include a requirement for the display of food safety star rating certification given there was national support.

The following points were made by Members:

- The breadth of work undertaken by the Public Protection service was acknowledged.
- There was concern that there was no legal obligation for food businesses to display their food hygiene rating at the premises in public view. It was agreed that Cabinet be requested to support the Council in seeking Government approval to making the displaying of food hygiene ratings at premises mandatory.

RESOLVED that:

- a) Cabinet be advised that the Communities & Place OSC endorses the recommendation in the report.
- b) The Cabinet be recommended to request that the Government makes the displaying of food hygiene ratings at food business premises mandatory.

15. REPORT OF THE SCRUTINY CO-ORDINATOR

Communities and Place Overview and Scrutiny Committee Monitoring Report

The Committee reviewed its work programme for the 2022/23 council year. (Report enclosed with the signed minutes).

The Scrutiny Co-ordinator outlined the reports due to be considered at the meetings on 5 October, 26 October and 7 December 2022. Following discussions earlier in the meeting or at previous meetings he confirmed addition of the following:

26 October 2022 – Revised Joint Charter with Town, Parish and Community Councils

7 December 2022 - EV Charging Policy

Issues raised by Members included:

- Concerns regarding Ash Die Back and the potential impact of storms in the future, particularly on nearby telegraph poles.
The Scrutiny Co-ordinator conformed that comments made at the last meeting of the Storm Arwen Working Group had been referred to the Service Director – Local Services, Head of Neighbourhood Services and Service Director - Corporate Resources - Planning & Economy for inclusion in the Tree and Woodland Strategy which was expected in 2023.
- The production of a leaflet by Highways which outlined the responsibility of landowners to clear fallen trees adjacent to highways. It was suggested that a leaflet may have been produced a number of years ago by the Highways Delivery Manager focusing on drainage, flooding and ploughing by farmers. The Scrutiny Co-ordinator agreed to investigate whether this was addressed by the Winter Services Update given to the Local Area Councils.
- The Impact of problems of the recruitment of retained fire fighters which had meant that some fire appliances could not be manned in rural areas. It was believed that the North East Ambulance Service were also experiencing similar recruitment difficulties.

Members who wished to suggest items for inclusion in the work programme were requested to contact the Chair or the Scrutiny Co-ordinator.

RESOLVED that the work programme be noted.

CHAIR _____

DATE _____