

Environment and Sustainability Committee

Thursday 10 June 2021 at 7.30pm

**Council Chamber
Runnymede Civic Centre, Addlestone**

Members of the Committee

Councillors: M Heath (Chairman), N King (Vice-Chairman), D Clarke, S Dennett, R King, S Lewis, J Olorenshaw, D Whyte, S Williams, M Willingale

In accordance with Standing Order 29.1, any Member of the Council may attend the meeting of this Committee, but may speak only with the permission of the Chairman of the Committee, if they are not a member of this Committee.

AGENDA

Notes:

- 1) **The following Measures to comply with current Covid guidelines are in place:**
 - **restricting the number of people that can be in the Council Chamber to 24**
 - **temperature check via the undercroft for Members/Officers and Main Reception for the public**
 - **NHS track and trace register, app scan is next to the temperature check**
 - **masks to be worn when moving around the offices**
 - **masks can be kept on whilst sitting in the Council Chamber if individuals wish**
 - **use of hand sanitisers positioned outside and inside the Council Chamber**
 - **increased ventilation inside the Council Chamber**

- 2) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.

3) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mrs C Holehouse, Democratic Services Section, Law and Governance Business Centre, Runnymede Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425628). (Email: carol.holehouse@runnymede.gov.uk).**

4) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.

5) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

6) **Filming, Audio-Recording, Photography, Tweeting and Blogging of Meetings**

Members of the public are permitted to film, audio record, take photographs or make use of social media (tweet/blog) at Council and Committee meetings provided that this does not disturb the business of the meeting. If you wish to film a particular meeting, please liaise with the Council Officer listed on the front of the Agenda prior to the start of the meeting so that the Chairman is aware and those attending the meeting can be made aware of any filming taking place.

Filming should be limited to the formal meeting area and not extend to those in the public seating area.

The Chairman will make the final decision on all matters of dispute in regard to the use of social media audio-recording, photography and filming in the Committee meeting.

LIST OF MATTERS FOR CONSIDERATION
PART I

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PART II

Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection

a) Exempt Information

(No reports to be considered under this heading)

b) Confidential Information

(No reports to be considered under this heading)

1. **FIRE PRECAUTIONS**
2. **NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP**
3. **MINUTES**

To confirm and sign the Minutes of the meeting of the Committee held on 18 March 2021 as attached at **Appendix 'A'**.

Runnymede Borough Council
ENVIRONMENT AND SUSTAINABILITY COMMITTEE
18 March 2021 at 7.30pm via MS Teams

Members of the Committee present: Councillors M Heath (Chairman), J Wilson (Vice-Chairman, B Clarke, S Dennett, T Gracey, J Olorenshaw, S Walsh, D Whyte and M Willingale

Members of the Committee absent: Councillor M Brierley

Councillors L Gillham, R King, M Kusneraitis and I Mullens also attended

509 MINUTES

The Minutes of the meeting of the Committee held on 14 January 2021 were confirmed as a correct record to be signed when the Chairman was physically able to do so.

510 AIR QUALITY ANNUAL STATUS REPORT

The Committee received and noted the 2019 Air Quality Annual Status Report (ASR) which had recently been submitted to the Department for Environment, Food and Rural Affairs (Defra). The Committee was also asked to consider inclusion of any measures outlined to improve Air Quality in Runnymede in the Climate Change Strategy, if viable.

Members were advised that monitoring air quality in Runnymede was totally reliant on diffusion tubes. Diffusion tubes were a relatively inexpensive way to monitor for nitrogen dioxide, however their accuracy must be corrected at the end of each year. This adjustment process was called bias correction. Bias correction data was created by having similar diffusion tubes to those used in Runnymede located next to very accurate continuous nitrogen dioxide monitors (located in other parts of the country) data from which was used by Defra to determine what adjustment factor must be applied to the diffusion tubes to calibrate them against the accurate monitors. These determinations were posted, at different times throughout the year on Defra's national bias correction website.

Over the last 20 years Runnymede had seen a slow decline in nitrogen dioxide levels (principal source: traffic) across the Borough. However, when directly comparing the nitrogen dioxide levels of 2018 to 2019, the air quality situation within the Borough had seen an overall slight deterioration year on year, in so much that 15 out of the 26 monitoring points where comparable measures were taken showed an increase in levels of nitrogen dioxide. The other 11 sites where there was a comparison to the previous year's data showed a slight improvement in air quality.

Air Quality Management Areas (AQMA's) had been declared in two locations in Runnymede for exceedances of the annual mean nitrogen dioxide objective, namely land adjacent to the M25 and at a traffic light-controlled junction in Addlestone town centre.

Members were keen for Officers to look at re-allocating/expanding the use of diffusion tubes where possible and would contact Officers with their particular areas of concern. These concerns predominately related to Chertsey and Egham and level crossings throughout the Borough.

Unfortunately, a recent bid by Runnymede to Defra for erection of large format signs on lampposts close to level crossings, advising drivers to switch off their engines, had been rejected. Therefore, Officers were asked to look at approaching businesses for funding of signage throughout the Borough regarding idling engines. This was a

particular problem at level crossings and outside schools. It was noted that schools monitored air quality outside their premises and this data was sent to Surrey County Council. The benefits of both conifer and hedge planting outside schools to combat low level particulates was noted and Councillor Heath would inform the Surrey Tree Strategy of the benefits of this planting taking place.

With regard to planning developments the Committee was keen to continue to further work collaboratively with the planning department on future planning developments particularly in relation to the air quality checks carried out and proposed developments in AQMA's.

It was reported that a new website addresspollution.org had been set up whereby residents could input their address and details of the air quality at that property was provided. Officers advised that only if information on this website had been obtained by Defra could it be considered completely reliable.

RESOLVED that –

- i) The 2019 Air Quality Annual Status Report (ASR) be noted; and**
- ii) any measures outlined by the Committee to improve Air Quality in Runnymede be included in the Climate Change Strategy, if viable**

(The meeting ended at 9.11pm)

Chairman

4. **APOLOGIES FOR ABSENCE**

5. **DECLARATIONS OF INTEREST**

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Democratic Services Officer at the start of the meeting. A supply of the form will also be available from the Democratic Services Officer at meetings.

Members are advised to contact the Council's Legal section prior to the meeting if they wish to seek advice on a potential interest.

Members are reminded that a registrable interest includes their appointment by the Council as the Council's representative to an outside body. Membership of an outside body in their private capacity as a trustee, committee member or in another position of influence thereon should also be declared. Any directorship whether paid or unpaid should be regarded as a disclosable pecuniary interest, and declared.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is a disclosable pecuniary interest or other registrable interest and/or the interest could reasonably be regarded as so significant as to prejudice the Member's judgement of the public interest.

6. **FOOD SERVICE PLAN 2021/22 – (CORPORATE HEAD OF ENVIROMENTAL SERVICES – Peter Burke)**

Synopsis of report:

The purpose of this report is to seek Members approval of the proposed Food Service Plan for 2021/22

Recommendation:

The Food Service Plan for 2021/22 as attached at Appendix 'B' is approved.

1. **Context of report**

- 1.1 The Food Standards Agency (FSA) has produced a framework agreement on local authority food law enforcement. One part of that agreement contains service planning guidance. This ensures that key areas of enforcement covered by the Food Law Enforcement Standard are included within local Food Service Plans, whilst allowing scope for flexibility and the inclusion of any locally defined objectives. The requirement to produce a local Food Service Plan came into effect on 1 April 2001.

- 1.2 The Food Standards Agency requires a Local Authority's proposed service plans to be submitted to the relevant Member forum (which is this Committee) for approval to ensure local transparency and accountability.
2. **Report**
 - 2.1 The proposed Plan for 2021/22, attached at Appendix 'B', will satisfy the requirements of the Food Standards Agency. Members are made aware that the FSA suspended the national food safety inspection programme in 2020 during the initial stages of the Covid pandemic. Further suspensions followed throughout the year as local authority resources particularly those of environmental health were re-deployed to Covid compliance and enforcement issues (in addition, in the case of RBC, EH staff made up the bulk of the Council's welfare cell provision between March and June last year). The result of this was that LA's were not formally requested to make official returns to the FSA for the 2019/20 period and also provide a limited return for 2020/21.
 - 2.2 The official FSA return for 2020/2021 'seeks to obtain a picture of delivery against the minimum expectations of the FSA Covid 19 guidance set against the degree of risk within the food system at this time. It is also to establish the backlog of interventions that has built up nationally as a result of the pandemic'. Taking this into consideration the proposed RBC food service plan for 2021/22 is, on this occasion, presented in a truncated format given that the main aim of the plan is to address the backlog situation whilst progressing the new round of programmed interventions.
 - 2.3 The impact of Covid at local level for Runnymede resulted in a backlog of 257 interventions for the 2020/21 period. These inspections together with the interventions due in 2021/22 make a total 667 for the coming year. Members are made aware that although heavily engaged in both the RBC welfare response and the wider Covid legislation and public health issues RBC officers still managed to carry out 258 interventions in the last reporting year and that the backlog of inspections from 2020/21 has already been reduced by RBC officers undertaking additional work out-of-hours, the remaining inspections will continue to be progressed on a risk basis. Members are asked to approve the proposed plan.
3. **Policy framework implications**
 - 3.1 The Food Service Plan is a key driver in achieving enhancing our environment and providing support to the business community. Implementation of the National Food Hygiene Rating Scheme (FHRS) is a key performance indicator for the food service within the Environmental Service Business Centre Plan.
4. **Legal implications**
 - 4.1 The production of a local Food Service Plan is a matter of following Agency guidance best practice, rather than statutory compliance. Service plans developed under the Framework Agreement provide the basis on which local authorities are monitored and audited by the Agency under The Food Standards Act 1999 and Official Feed and Food Controls Regulations.
 - 4.2 The Council has a statutory duty to enforce legislation relating to food. The Food Standards Agency Food Law Code of Practice (England) March 2021 details the minimum training and qualification requirements for officers authorised by Food Authorities to undertake food enforcement work. Food Authorities that do not have regard to relevant provisions of this Code may find their decisions or actions successfully challenged, and evidence gathered during a criminal investigation being ruled inadmissible by a court.
5. **Equality implications**
 - 5.1 None

6. Finance implications

- 6.1 There are no direct financial implications to RBC with regard to the carrying out the backlog of interventions. The costs of dealing with the backlog is being funded by grant money provided to RBC by the Director of Public Health at SCC to offset the work undertaken by EH officers related to the pandemic and continuing Track and Trace work.

OFFICERS' RECOMMENDATION that -

The Food Service Plan for 2021/2022 as attached at Appendix 'B' be approved;

(To resolve)

Background papers

Food Safety Act 1990

FSA Food Law Code of Practice (England) March 2021

RUNNYMEDE BOROUGH COUNCIL

ENVIRONMENTAL HEALTH SECTION,

ENVIRONMENTAL SERVICES

FOOD SERVICE PLAN - YEAR 2021/2022



Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH
Telephone No.: 01932 838383

FOOD SERVICE PLAN 2021/2022

1. **SERVICE AIMS AND OBJECTIVES**

1.1 **Aims and Objectives**

- 1.1.1 To ensure that any food purchased and produced in the Borough of Runnymede is safe for consumption.
- 1.1.2 To meet statutory responsibilities in a cost effective and responsible manner in accordance with the Food Standards Agency (FSA), Local Government Regulation (LGR) and other centrally issued guidance.
- 1.1.3 To encourage best practice and publish advice on Food Hygiene Regulations to business and voluntary groups.
- 1.1.4 To carry out enforcement responsibilities as laid down in the Environmental Services Enforcement Policy and the Regulators Code 2014.
- 1.1.5 To undertake discretionary duties in relation to Food Sampling and Food Safety Promotion.

1.2 **Demands on the Food Service**

- 1.2.2 The majority of food premises in the area are predominately small to medium sized catering or retail businesses. The premises profile for the Authority as at 31 March 2021 was:

Type of Premises	Number
Primary Producers	3
Manufacturers & packers	3
Importers/Exporters	2
Distributors/Transporters	2
Retailers	206
Restaurant/Caterers	659
Total	875

Categorisation as per FSA LAEMS Return 2021

- 1.2.3 In addition there is (dependent on the prevailing Covid situation):

- an international golf tournament held each year at Wentworth requiring the inspection of several visiting food outlets
- a large activity centre at Thorpe Park within excess of 20 food outlets catering for up to 1½ million visitors a year
- several annual agricultural show/fairs e.g. Egham, Chertsey, and the Black Cherry Fair.

2. **Enforcement Policy**

- 2.1 Environmental Services works to the current Environmental Health Enforcement Policy. All food safety enforcement decisions are made in consideration of the enforcement policy and any deviations

from the policy will be documented. Statutory action may only be taken with the agreement of the CHES.

- 2.2. Copies of the Environmental Health Enforcement Policy are available on request and the Policy is made available on the Council's website.

3. SERVICE DELIVERY

3.1 Food Premises Interventions (Inspections, audits, monitoring)

3.1.1 Under normal operating circumstances it is the Council's policy to carry out programmed food hygiene interventions in accordance with the minimum inspection frequencies defined in the Food Safety Act Food Law Code of Practice issued 2021. Priority will be given to inspections of higher risk premises and any product specific approved premises.

3.1.2 The RBC interventions programme for 2020/21 was severely disrupted as a direct result of the Covid 19 pandemic. The FSA suspended the national interventions programme for the year, directing LA's to concentrate resources on new premises awaiting inspections for inclusion in the FHRS, approved premises (especially those exporting products and impacted by new Brexit requirements), food business changing core business during the pandemic i.e. introducing take away elements to the business and those business subject to complaints in regard to food poisoning or posing a risk to public health

3.1.3 The impact of Covid legislation in 2020 and the numerous regulations and amendments that followed with the introduction of national and local lockdowns, tier and step restrictions, inclusions and exclusions of business allowed to open across the food and hospitality industry resulted in a disrupted inspection landscape. Nevertheless, officers whilst mainly focussed of the RBC welfare response to Covid in 2020/21 together with compliance and enforcement issues and public health measures continued, within the strict guidelines of Covid risk assessments and social distancing, to achieve the following interventions:

3.1.4

Risk Category *	Number of Interventions carried out 2020/21
A	10
B	28
C	65
D	52
E	44
Unrated	59
Total	258

3.1.5 As a follow-up to the interventions carried out in 2020/21 the Division undertook the following enforcement actions.

Action	2020/21
Prosecutions taken	0
Simple cautions issued	0

Food Safety Act Notices issued	0
Written warning Food	73
Voluntary closures	2

3.1.6 The current profile of premises by risk rating in Runnymede and the anticipated number of interventions/inspections to be undertaken during the year 2021/2022 is as follows:

Risk Category *	Number of Premises	Inspection Frequency	Number of Inspections Due 2021/2022
A	7	6 months	14
B	18	12 months	17
C	147	18 months	117
D	260	24 months	211
E	353	(AES**) 36 months	251
Unrated	90		64
Total	875		667(*)
Number of inspections outstanding from 2020/21			257
Estimated total number of inspections due 2021/22			667

*Risk categories are derived from the scoring system laid down in Annex 5 the FSA Food Law Code of Practice (England) 2020. Scores being given for the type of food produced, size of the business, level of compliance with hygiene and structural requirements and extent of management control, the higher the score the higher the risk category.

** AES Alternative Enforcement Strategy.

***The majority of these inspections relate to access problems and seasonal variations in trading hours.

(*) Inclusive of the 2020/21 backlog

In addition, it is estimated that:

- 50 premises will require revisiting to check compliance following adverse reports after initial inspection
- 15 new food premises will open and require inspection
- 30 outdoor/temporary mobile food traders at show/fairs will be visited
- 20 premises will request official re-visiting under the FHRS

3.1.7 The authority endeavours to carry out 100% of the inspections due for 2020/21 including those visits overdue following the lockdown periods. The service will continue to respond to any inspection priorities identified by the Food Standards Agency which in the current situation remains approved premises, the high-risk A and B rated premises and those awaiting risk ratings.

3.1.8 The Alternative Enforcement Strategy (AES) will continue to be applied to some premises in the lower risk category C and the majority of the low risk premises in categories D and E.

3.2 **Food Complaints**

3.2.1 The number of food complaints and complaints relating to food hygiene practices investigated in

2020/21 was 91. It is estimated that a similar number of complaints (approx. 95) will require investigation in 2019/2020.

3.3 Advice to Business

3.3.1 The authority will work with food businesses to help them comply with the law. It is the Council's policy to provide advice to businesses including:

- providing on the spot advice during routine visits and inspections
- responding to queries
- advisory visits on request
- provision of advice relating to planning applications
- provision of free advisory leaflets and information sheets (including leaflets in other languages)
- targeted mail shots arising from legislative and policy changes
- the use of consultation mechanisms to seek comments on proposals and policy

3.3.2 In 2020/21 advice to business was mainly Covid related including 126 specific individual requests from premises concerning Coronavirus closure regulations and Covid risk assessment issues. In addition to this, the Team sent out numerous emails and fact sheets to all food and hospitality businesses on a regular basis throughout the pandemic period.

3.4 Control and Investigation of Outbreaks and Food Related Infectious Disease

3.4.1 In the event of an outbreak of food poisoning the Authority follows the procedures set out in the Surrey Outbreak Control Plan and the Environmental Protection Division will act in conjunction with the Public Health England and if necessary, under the direction of the Consultant in Communicable Disease Control (CCDC).

3.4.2 There were no major food poisoning outbreaks reported in the Borough during 2020/21.

3.4.3 Notifications of food related infectious disease are investigated in accordance with the Environmental Health Infectious Disease Procedures. In 2020/21 the division received 70 individual food related infectious disease notifications.

4. RESOURCES

4.1 Financial Allocation

4.1.1 **The actual costs of the service for the year ending 31 March 2021 were**

Expenditure	
Salaries	£133,300
Training and Recruitment	£2,073
Travelling and Subsistence	£2,900
Furniture and Equipment	£338
General Office Expenses	£115
Communication and Computing	£1,925

Support Service Recharges	£37,900 ----- £178,447
Income	
Costs recovered	£915
Total	£177,532

4.2 **Staffing Allocation**

- 4.2.1 The 2020/21 staffing allocation is presently 2.3 full time equivalents (FTE). The present resources are not sufficient to achieve all the interventions due (backlog and programmed) in 2021/22. Additional Officer resource to assist with this work is being funded Director of Public Health at SCC in recognition of the re-deployment of EH staff to Covid related public health work covering Track and Trace and outbreak control.

5. **CONCLUSIONS**

- 5.1 The Covid 19 pandemic in 2020/21 had, and continues to have, a significant impact on food business and the national FSA and local interventions programme within Runnymede. The full extent of that impact is not likely to be clear until all lockdown restrictions are lifted, and the situation returns to normal (whatever version of normal prevails).
- 5.2 Following directions given by the FSA the RBC Food Safety Plan for 2021/22 will primarily focus on tackling (on a priority risk bases), the backlog of interventions built up as a result of the Covid 19 pandemic and the programme of interventions for 2021/22. Together with ensuring the smooth import and export of British food products, investigation of food and hygiene complaints posing a risk to the public and infectious disease investigations.
- 5.3 It is reported that existing officer resources to tackle the forthcoming intervention programme is supported by additional funding provided by the Director of Public Health at SCC in recognition of the re-deployment of EH staff to Covid related public health work covering Track and Trace and outbreak control.

7. **KEY PERFORMANCE INDICATORS QUARTER 4 2020/2021 – (CORPORATE HEAD OF ENVIROMENTAL SERVICES – Peter Burke)**

Synopsis of report:

This report sets out the results for the Key Performance Indicators for Q4 of year 2020/2021.

Recommendation:

None – This is for information only

1. **Context of report**

1.1 This report informs Members of the Key Performance Indicator results for the Q4 2020/2021 together with the annual overall performance for the same period.

2. **Report**

2.1 The annual targets were agreed as part of the Corporate Key Performance Indicators and are incorporated in the Environmental Services Business Centre Plan.

2.2 Table of Performance Indicators

Performance Indicator	Annual Target 2020/21	Q1 Result	Q2 Result	Q3 Result	Q4 Result	Annual Result 2020/21
ES1: Dry mixed recycling rate (paper, cans, glass, plastic)	23%	26.49%	25.57%	26.17%		26.08% (YTD)
ES2: Garden waste and food waste recycling rate	23%	23.71%	23.53%	22.53%		23.26% (YTD)
ES3: Percentage of bins collected.	99.87%	99.94%	99.95%	99.96%	99.96%	99.95%
ES4: Number of street cleansing reports (overflowing litterbins, overflowing dog bins, and general litter/detritus).	600	109	126	104	101	440

ES5 % of food establishments in the borough achieving level 3 or above ratings under the National Food Hygiene Rating Scheme (%)	94%					96%
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- 2.3 The final Q4 figures for ES1 and ES2 are provided externally and normally have a lag period of between 3 and 6 months.
- 2.4 Given that the reporting period 2020/2021 occurred mostly through the national lockdown or with restrictions in place which saw the vast majority of the population working from home, it has been an exceptional performance by the depot staff in both being able to achieve the KPI targets and provide the full range of services to the residents of Runnymede throughout the pandemic.
- 2.5 Similarly with respect to KPI, ES5 despite severe disruptions to the inspection program the service has able to report 96% of the RBC for premises achieving a level 3 or above rating.
- 2.6 This report gives Members the opportunity to ask questions about the Business Centre’s performance. To enable Officers to give a full response, Members are requested to give advance written notice of any questions to the Chairman and Corporate Head of Environmental Services no less than 48 hours prior to the meeting.
- 2.7 Members are also asked to note that this report should be distinguished from committee specific reports and is a standard report submitted to all the service committees. The aim is to improve awareness of corporate performance and should be read in conjunction with this Committee’s Business Centre Plan.

(For information)

Background papers

None

8. **CLIMATE CHANGE STATEMENT OF INTENT** – To follow

9. **EXCLUSION OF PRESS AND PUBLIC**

If the Committee is minded to discuss any of the foregoing reports in private it is the

OFFICERS' RECOMMENDATION that –

the press and public be excluded from the meeting during discussion of reports under Section 100A(4) of the Local Government Act 1972 on the grounds that the reports in question would then be likely to involve disclosure of exempt information of the description specified in appropriate paragraphs of Schedule 12A of the Act.

(To resolve)

PART II

Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection

a) Exempt Information

(No reports to be considered under this heading)

b) Confidential Information

(No reports to be considered under this heading)