

Community Safety Scrutiny Committee

Agenda

Date: Thursday, 25th April, 2013
Time: 10.30 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Declarations of Party Whip**

To provide an opportunity for Members to declare the existence of a party whip in relation to any item on the agenda.

For requests for further information

Contact: Katie Smith

Tel: 01270 686465

E-Mail: katie.smith@cheshireeast.gov.uk with any apologies

4. **Public Speaking/Open Session**

A total period of 15 minutes is allocated for members of the public to make a statement(s) on any matter that falls within the remit of the Committee.

Individual members of the public may speak for up to 5 minutes, but the Chairman will decide how the period of time allocated for public speaking will be apportioned, where there are a number of speakers.

Note: In order for officers to undertake any background research, it would be helpful if members of the public contacted the Scrutiny officer listed at the foot of the agenda, at least one working day before the meeting to provide brief details of the matter to be covered.

5. **Minutes of the Meeting held on 14 February 2013 (Pages 1 - 4)**

To approve the minutes of the meeting as a correct record

6. **Police Partnership Unit**

To receive a presentation on the role and work of the Partnership Police Inspector covering Cheshire East

7. **Integrated Offender Management**

To receive a presentation by the Partnership Police Inspector on the work undertaken with regard to integrated offender management.

8. **Response to the Discovery of Equine DNA in the Food Chain (Pages 5 - 8)**

To receive the actions undertaken by Cheshire East Council's Consumer Protection and Investigations (Trading Standards) Service in response to the discovery of equine DNA in the food chain.

9. **Work Programme (Pages 9 - 16)**

To give consideration to the work programme

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Community Safety Scrutiny Committee**
held on Thursday, 14th February, 2013 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor H Murray (Chairman)
Councillor P Nurse (Vice-Chairman)

Councillors C Andrew, A Barratt, M Grant, G Merry, M Parsons and P Hoyland

Substitute

Councillor P Hoyland

1 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor J Saunders

2 DECLARATIONS OF INTEREST

There were no declarations of interest

3 WHIPPING DECLARATIONS

There were no whipping declarations

4 NOTES OF THE INFORMAL MEETING HELD ON 17 JANUARY 2013

AGREED

That the notes of the informal meeting held on 17 January 2013 be approved.

5 PROBATION SERVICE

It was agreed that this item would be deferred until 25 April 2013.

6 DRAFT PROTOCOL WITH CRIME AND DISORDER REDUCTION PARTNERSHIP (SAFER CHESHIRE EAST PARTNERSHIP)

Consideration was given to the draft protocol with the Crime and Disorder Reduction Partnership. It was agreed that subject to the following amendments, the policy be submitted to the Safer Cheshire East Partnership for consideration:

- That any reference to the Community Safety Manager be amended to appropriate Head of Service.
- That any reference to the Sustainable Communities Scrutiny Committee be amended to Community Safety Scrutiny Committee.

- That the second sentence in paragraph 2 of the role of the Safer Cheshire East Partnership be deleted.

RESOLVED

That subject to the amendments highlighted above, the policy be submitted to the Safer Cheshire East Partnership for consideration.

7 SAFER CHESHIRE EAST PARTNERSHIP - PRIORITIES AND PERFORMANCE

The Committee received the business report of the Safer Cheshire East Partnership (SCEP). It was noted that the Partnership had historically received significant grant funding from the Home Office for both capital and revenue investment, which had steadily reduced in recent years. The remaining £147,000 grant would be paid directly to the new Police and Crime Commissioner from April 2013 for his office to commission community safety interventions directly. Funding had therefore been mainstreamed through the Councils budget; which gave the authority greater influence on how the money was spent.

It was agreed that it was difficult to quantify the true value of the partnership as a lot of its work was early intervention, however the partnership must be able to prove it has a role in crime reduction.

As the Partnership focused its work on anti social behaviour, integrated, offender management, crime prevention, road safety, domestic abuse and vulnerable people, it was agreed that the Committee would receive detailed briefings in these areas at future meetings of the Committee.

RESOLVED

That the Committee receive detailed briefings on the areas of priority for the Safer Cheshire East Partnership.

8 CCTV AND ANTI SOCIAL BEHAVIOUR - BUDGETS AND PERFORMANCE

The Committee received a brief on the 2013/14 budgets and relevant performance information for the Council's CCTV Camera network and Anti Social Behaviour Team.

With regard to the Anti Social Behaviour Team, it was noted that funding for the Macclesfield Post had now been secured. It was agreed that volunteers should

be encouraged, however there needed to be an interview process as finding the right volunteer was crucial for the scheme to be a success.

In order for the Committee to be able to scrutinise the success of tackling Anti Social Behaviour, Members requested that the budget from each service area and partner organisations be mapped and circulated to the Committee for scrutiny.

With regard to the Mediation Service, it was reported that the three year arrangement with Manchester Mediation would come to an end as grant funding had now ceased and a decision had been made not to increase the Cheshire East budget in this area. Officers would however try to absorb the work within the service and seek funding from elsewhere. It was suggested that one option may be to request Town and Parish Councils to fund cases within their area.

Members noted that as part of the budget setting process for 2013/14 a saving of £250,000 had been proposed and that the review of CCTV was still being undertaken. The contract with BT would terminate at the end of March, a better way of transmitting images and reducing transmission costs was being investigated, however £63,000 saving had already been achieved. Resources, including working patterns, needed to be matched to the demand of the service. Officers were working closely with the Police to determine the number of cameras required and their location. Camera coverage and crime types were in the process of being mapped.

Members requested that the review should include the justification for not using the CCTV network to issue fixed penalty notices.

RESOLVED

That the Committee notes the proposed saving of £250,000 from the budget for CCTV and considers the review of CCTV should be completed prior to any decision being made.

The meeting commenced at 10.30 am and concluded at 12.40 pm

Councillor H Murray (Chairman)

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CHESHIRE EAST COUNCIL

REPORT TO: Community Safety Scrutiny Committee

Date of Meeting: 25th April 10.30am
Report of: Robert Edwardson, Senior Enforcement Officer
Kay Roberts, Consumer Protection and Investigations
Manager
Subject/Title: Response to the Discovery of Equine DNA in the Food Chain
Portfolio Holder: Councillor Les Gilbert

1.0 Report Summary

1.1 This report seeks to advise the Committee of the actions undertaken by Cheshire East Council's Consumer Protection and Investigations (Trading Standards) Service in response to the nationwide discovery of equine DNA in the food chain.

2.0 Recommendation

2.1 Members of the Committee are asked to note the contents of the report and the work of the Consumer Protection and Investigations (Trading Standards) Service in responding to this issue and supporting the wider Food Standards Agency (FSA) investigation.

3.0 Reasons for Recommendations

3.1 Our response to this on-going issue continues to impact upon staffing and financial resources. It has also required the reprioritisation of our activities during the investigative process.

4.0 Wards Affected

4.1 All Wards

5.0 Local Ward Members

5.1 All Ward Members

6.0 Policy Implications

6.1 Healthy Lifestyles – the adulteration of meat products with horsemeat is not considered by the Food Standards Agency (FSA) to present a specific risk to public health or safety – it is essentially an issue of the serious mislabelling of food products ('food fraud').

6.2 Strong and Resilient Economy - public concern about the adulteration of meat products has significant potential to impact upon the economic interests of food sector businesses based within East Cheshire. It is therefore vitally important that we provide a comprehensive response to this issue, assisting business through the provision of detailed advice to ensure regulatory compliance and the highest of standards within this sector.

7.0 Financial Implications (Authorised by the Director of Finance and Business Services)

7.1 A proportion of the food sampling costs incurred to date are being recovered from the FSA and one other local authority, otherwise no financial implications outside current budgetary provision for 2013/2014.

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 None subject to the views of the Committee

9.0 Risk Management

9.1 Significant reputational damage would result in the event that a Council Service or contractor supplied a product to consumers which contained horsemeat.

10.0 Background

10.1 Local Authorities were first notified of this issue by the Food Standards Agency (FSA) on or around 8th February. It is to be noted that the issue is one of the serious mislabelling of products ('food fraud') and the FSA highlights there are no specific public safety or public health issues as such.

10.2 The law in respect of this matter is quite clear; food labelling is required to be entirely accurate and should be entirely accurate. Food businesses are required to maintain records identifying their suppliers of food, food-producing animals and any substances intended or expected to be incorporated into food, in addition to providing information regarding manufacturing processes and onward supply. This is to enable accurate and timely product withdrawal to be undertaken in light of any food safety concerns being identified.

10.3 In co-ordinating a response to this issue, due regard was given to the briefing provided by the Local Government Association entitled 'The Council Role in Horsemeat Investigations and Food Testing' (available from the LGA website) as well as updated briefings sent to Local Authorities by the FSA.

10.4 Our response to this issue was risk-based and intelligence-led, involving collaborative working with partners where appropriate.

- 10.5 An intelligence/scoping exercise was initially undertaken to identify those Council Services who may be engaged in the supply of relevant products and therefore exposed to risk. Much of our early work was necessarily concentrated upon food businesses supplying to our Schools (including those which operate outside of Council control), Care4CE premises and Culture and Leisure establishments.
- 10.6 Where such suppliers were located within East Cheshire, comprehensive inspections were undertaken by Food Safety Officers as a matter of urgency. A number of formal food samples were procured for testing by the Public Analyst.
- 10.7 Where such suppliers were based outside of East Cheshire, detailed enquiries were made with the relevant local authority, FSA and the suppliers themselves to our satisfaction. This included the inspection of premises located within West Cheshire by colleagues in that local authority area.
- 10.8 Further inspections of cold stores and meat processing establishments within East Cheshire were subsequently undertaken at the request of the FSA. Additionally, the inspection of a manufacturer of relevant products who supplies schools in another Local Authority Area was also undertaken.
- 10.9 In total, 16 comprehensive food business inspections have been undertaken to date and 10 formal food samples analysed. All samples were found to be negative for the presence of equine DNA.
- 10.10 One sample (a Cornish pasty) was found to contain less than 1% pork, contrary to the product labelling. A further inspection of that manufacturer was therefore undertaken and our investigation has concluded that this issue resulted from cross-contamination rather than adulteration. The business concerned has received formal advice in respect of this matter.
- 10.11 We are currently awaiting the results from the Public Analyst in respect of one formal food sample which was recently procured.
- 10.12 We have reported our actions and findings to the FSA at every stage and we are participating in the FSA-led investigation into this issue as necessary, as well as any national review of the Trading Standards response which may result.
- 10.13 Our response to this issue has been comprehensive, risk-based and intelligence-led where appropriate. As the Committee will be aware, the issue is still 'live' and we are responding robustly to any related intelligence which has the potential to impact upon East Cheshire businesses, residents and the Council itself.
- 10.14 It is to be noted that providing a comprehensive response to this issue has diverted significant amounts of Officer time away from routine duties, including the programmed inspection of food premises and provision of low-level business advice.

- 10.15 Moving forward, the 2013-2014 Regulatory Services Food Law Enforcement Plan is being drafted and the Service is currently examining how, as a result of this issue, any changes in national enforcement priorities may be incorporated into the Plan.
- 10.16 Additionally, the Service intends to liaise with internal partners, such as Schools and Care4CE, to establish what assistance and added value it may be able to provide in the area of corporate procurement.
- 10.17 The local response of the Trading Standards Service to this national issue has ensured that residents and customers within Cheshire East can have confidence in local food businesses and retailers. Importantly, our routine regulatory activity is proving effective at ensuring ongoing compliance.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report author:

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Designation: Senior Enforcement Officer

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CHESHIRE EAST COUNCIL

REPORT TO: COMMUNITY SAFETY SCRUTINY COMMITTEE

Date of Meeting: 25 April 2013
Report of: Interim Borough Solicitor
Subject/Title: Work Programme update

1.0 Report Summary

- 1.1 To review items in the 2012/2013 Work Programme listed in the schedule attached, together with any other items suggested by Committee Members.

2.0 Recommendations

That the 2012/2013 work programme be reviewed.

3.0 Reasons for Recommendations

- 3.1 It is good practice to agree and review the Work Programme to enable effective management of the Committee's business.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications including - Carbon reduction - Health

- 6.1 Not known at this stage.

7.0 Financial Implications

- 7.1 Not known at this stage.

8.0 Legal Implications

- 8.1 None.

9.0 Risk Management

9.1 There are no identifiable risks.

10.0 Background and Options

10.1 The schedule attached has been updated to reflect the decisions taken by the Committee at its previous meeting.

10.2 Members are asked to review the schedule attached to this report, and if appropriate, add new items or delete items that no longer require any scrutiny activity. When selecting potential topics, Members should have regard to the Council's new three year plan and also to the general criteria listed below, which should be applied to all potential items when considering whether any Scrutiny activity is appropriate.

The following questions should be asked in respect of each potential work programme item:

- Does the issue fall within a corporate priority;
- Is the issue of key interest to the public;
- Does the matter relate to a poor or declining performing service for which there is no obvious explanation;
- Is there a pattern of budgetary overspends;
- Is it a matter raised by external audit management letters and or audit reports?
- Is there a high level of dissatisfaction with the service;

10.3 If during the assessment process any of the following emerge, then the topic should be rejected:

- The topic is already being addressed elsewhere
- The matter is subjudice
- Scrutiny cannot add value or is unlikely to be able to conclude an investigation within the specified timescale

11 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Community Safety Scrutiny Committee Work Programme – Last Updated (5 April 2013)

Upcoming Meetings	Date 25/04/2013 Time 10.30am Venue Committee Suite, Westfields	Date 30/05/2013 Time 10.30am Venue Committee Suite, Westfields	Date 20/06/2013 Time 10.30am Venue Committee Suite, Westfields	Date 25/07/2013 Time 10.30am Venue Committee Suite, Westfields
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Item	Notes	Lead Officer/ Portfolio Holder	Action to be Taken	Key Dates/Deadlines
Food Safety	To receive a briefing on food standards within Cheshire East	P Hartwell/K Roberts Cllr R Bailey	Report to Scrutiny Committee	25 April 2013
Police Partnership Unit	Presentation by the Partnership Police Inspector for Cheshire East	J Taylor L Gilbert	Presentation at Scrutiny Committee	25 April 2013
Integrated Offender Management	What is the Probation Service doing with regard to integrated Offender management. Future plans/budget	Cllr L Gilbert J Taylor	Scrutiny Committee To outline the Probation Services role as lead organisation for integrated Offender Mgt	25 April 2013
CCTV Review Update	Progress report. To include justification for not using the network to issue FPN. Scrutinise the outcomes of the review	P Hartwell L Gilbert	Scrutiny Committee	30 May 2013 TBA

Community Safety Scrutiny Committee Work Programme – Last Updated (5 April 2013)

Probation Service	To receive a presentation on the work of the Probation service (fact finding exercise)	Cllr L Gilbert S Link	Presentation at Scrutiny Committee	20 June 2013
Crime Prevention	What is Cheshire East doing with regard to crime Prevention. Future Plans/Budget	Cllr L Gilbert A Webb	Scrutiny Committee To outline the Local Authority's role as lead organisation for Crime	25 July 2013
Road Safety	What is the Fire Authority doing to improve Road Safety. Future plans/budget.	Fire Authority Cllr L Gilbert M Dowel	Scrutiny Committee To outline the Fire Authority's role as lead organisation for Road safety	25 July 2012
Domestic Abuse and Vulnerable People	What is Cheshire East doing with regard to domestic abuse. Future Plans/Budget	Cllr L Gilbert J Gibson	Scrutiny Committee To outline the Adult Social Cares role as lead service for Domestic Abuse and Vulnerable People	19 September 2013
Road Safety Routes Review	To scrutinise the outcome of the Road Safety Routes Review once completed.	K Melling	Scrutiny Committee	21 November 2013
Anti Social Behaviour	What is Cheshire East doing to address anti social behaviour. Future plans/budget	Cllr L Gilbert L Woodrow-Hurst	Scrutiny Committee To outline the Local Authority's role as lead organisation for Anti Social behaviour	TBA

Community Safety Scrutiny Committee Work Programme – Last Updated (5 April 2013)

Flood Risk Management	The Flood & Water Management Act 2010 made amendment to the Local Government Act 2000, under Section 21F, requiring all Lead Local Flood Authorities to review and scrutinise the actions of Flood Risk Management Authorities that may affect the local authority's area. *	K Melling	Scrutiny Committee	TBA
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*Under the Flood and Water Management Act 2010 and its associated Regulations; the European Union Flood Directive 2009 together with associated Regulations; Cheshire East Council is statutorily required as the lead local flood authority to meet certain requirements in relation to Flood and Water Management. Moreover, following the Pitt Review the Council is expected to meet certain expectations. Under the Regulations and the expectations of the Pitt Review it is intended that the Council's scrutiny procedure should review work by public sector bodies and essential service providers in order to manage flood risk. Also, that there should be an annual summary of actions taken locally to manage flood risk in order to meet the regulations and to implement the appropriate recommendations of the Pitt Review.

Community Safety Scrutiny Committee Work Programme – Last Updated (5 April 2013)

Items completed for Monitoring or update

Item	Date Completed	Status	Lead Officer	Possible Future Action