

Community Safety Committee

Tuesday, 29 April 2014 at 10:30

County Hall, County Hall, West Bridgford, Nottingham NG2 7QP

AGENDA

- | | | |
|----|--|---------|
| 1 | Minutes of the last meeting held on 28 January 2014 | 3 - 8 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Merger of Community Safety and Trading Standards Teams | 9 - 14 |
| 5 | D2N2 Local Enterprise Partnership's Better Business For All Programme | 15 - 20 |
| 6 | Community Safety Budget | 21 - 28 |
| 7 | Transforming Rehabilitation - Update on Progress | 29 - 32 |
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| 9 | Food and Feed Law Enforcement Service Plan 2014-15 | 37 - 54 |
| 10 | Update on Regulation of Investigatory Powers Act | 55 - 58 |
| 11 | Update on Key Trading Standards Matters | 59 - 66 |

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13	Update on Emergency Management and Registration Services	107 - 114
14	Legislative Basis of Planning for Major Floods	115 - 120
15	Work Programme	121 - 126
16	Show Racism the Red Card Presentation by Sarah Lee, Team Manager, Achievement and Equality Team and pupils from Heymann Primary School, All Hallows Church of England Primary School and Sir Edmund Hillary Primary School	

Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Keith Ford (Tel. 0115 977 2590) or a colleague in Democratic Services prior to the meeting.
- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

minutes

Meeting COMMUNITY SAFETY COMMITTEE

Date Tuesday, 28 January 2014 at 10.30am

membership

Persons absent are marked with 'A'

COUNCILLORS

Glynn Gilfoyle (Chairman)
Alice Grice (Vice-Chairman)

Chris Barnfather
Ian Campbell
John Clarke
Bruce Laughton

Keith Longdon - A
Stuart Wallace
John Wilmott

OFFICERS IN ATTENDANCE

Rob Fisher	- Adult Social Care, Health & Public Protection
Keith Ford	- Policy, Planning & Corporate Services
Sarah Gyles	- Adult Social Care, Health and Public Protection
Chris Walker	- Policy, Planning & Corporate Services
Mark Walker	- Adult Social Care, Health & Public Protection

MINUTES OF THE LAST MEETING

The minutes of the last meeting held on 5 November 2013 were confirmed and signed by the Chairman.

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Longdon (medical / illness).

DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor Laughton declared a private interest as his wife worked for Nottinghamshire Police.

ORDER OF AGENDA

The Chairman agreed to alter the order of agenda to enable the external speaker attending for agenda item 9 – Joint Agency Vulnerable Persons Identification Project Update on Key Trading Standards Matters to leave the meeting earlier to deal with other business.

JOINT AGENCY VULNERABLE PERSONS IDENTIFICATION PROJECT

Chris Hooper, Head of Engagement and Partnerships, Nottinghamshire Fire and Rescue Services introduced the report and gave a presentation outlining the background to this project.

RESOLVED 2014/001

That the ongoing development of the project be noted.

STAFF CHANGE – DOMESTIC VIOLENCE POLICY

Chris Walker, Temporary Group Manager – Safer and Engaged Communities, introduced the report which sought approval for a change in the staffing of the Community safety Team and consequently a transfer of corporate policy leadership on domestic violence from Community Safety to Public Health.

RESOLVED 2014/002

That retrospective approval be given to the transfer of a 0.8 FTE Community Safety Officer at Hay Band C from the Community Safety Team to the Public Health Team, with effect from 1 October 2013.

“I PLEDGE TO KEEP ON TRACK” AND OTHER YOUTH CRIME INITIATIVES

Chris Walker, Temporary Group Manager – Safer and Engaged Communities, introduced the report which detailed progress with various community safety and youth crime prevention initiatives.

RESOLVED 2014/003

That the success of the projects outlined in the report be noted.

NEW CRIME STATISTICS FRAMEWORK

Chris Walker, Temporary Group Manager – Safer and Engaged Communities, introduced the report which updated Members on the new framework which aimed to better reflect how the Police respond to reports of crime.

RESOLVED 2014/004

That the details of the revised crime outcomes framework due to be implemented in Nottinghamshire from April 2014 be noted.

UPDATE ON CURRENT TEMPORARY POSTS IN REGISTRATION AND CELEBRATORY SERVICES

Rob Fisher, Group Manager – Emergency Management and Registration Service, introduced the report which sought approval to extend these temporary posts.

During discussions, Members requested further details of the income and expenditure arising from the related services detailed in the report.

RESOLVED 2014/005

That the temporary posts detailed in the report be extended until 31 March 2015 to enable further evaluation of their value.

REGISTRATION SERVICES FEES FOR 2014/15 AND 2015/16

Rob Fisher, Group Manager – Emergency Management and Registration Service, introduced the report which sought approval for Registration Service fee levels and the introduction of a 'Living Eulogy' service.

RESOLVED 2014/006

- 1) That the proposed Registration Service fees set out in Appendix A and B of the committee report be approved and it be noted that these may need to be adjusted in response to any imposed changes to national fees.
- 2) That the introduction of a 'Living Eulogy' service be approved.

UPDATE ON EMERGENCY MANAGEMENT AND REGISTRATION SERVICES

Rob Fisher, Group Manager - Emergency Management and Registration, introduced the report which updated Members on recent key activities and events in the work of the Emergency Planning Team and Registration and Celebratory Services.

Members commended the work of the Emergency Management team in setting up a comprehensive flood way scheme in Southwell.

RESOLVED 2014/007

That the Emergency Planning Team's response to recent incidents and risks affecting Nottinghamshire and the timetable for the Registration Service's delivery of same sex marriages be noted.

UPDATE ON LESSONS FROM THE EXPLOSION IN NEWARK, MAY 2013

Rob Fisher, Group Manager, Emergency Management and Registration, introduced the report which detailed developments since the fatal explosion in Wright Street, Newark on 19 May 2013.

During discussions, Members requested clarification that necessary steps had been taken to amend the warnings and guidance on the product responsible for the explosion if appropriate.

RESOLVED 2014/008

That the contents of the report, in particular that emergency management systems had operated well and that the emergency victims were supported by the actions of their local community, be noted.

REVIEW OF FEES AND CHARGES TO BUSINESSES AND OTHER TRADING STANDARDS AUTHORITIES

Mark Walker, Group Manager – Trading Standards, introduced the report which sought approval for revised fees for metrology and services provided to other Trading Standards Authorities within the region.

RESOLVED 2014/009

That the revised fees and charges proposed in the committee report and appendix be charged by the Trading Standards Service from 1 April 2014.

REVIEW OF CHARGES MADE FOR ADVICE AND SUPPORT PROVIDED TO BUSINESS IN 2014/15

Mark Walker, Group Manager – Trading Standards, introduced the report which sought approval for a revised pricing structure and fees charged for advice and support to Nottinghamshire businesses from 1 April 2014.

RESOLVED 2014/010

- 1) That the current £60 hourly rate charged to Primary Authority Partnerships be retained.
- 2) That the current £75 hourly rate charged for ad-hoc business support be retained.

UPDATE ON KEY TRADING STANDARDS MATTERS

Mark Walker, Group Manager -Trading Standards, introduced the report which provided the Committee with an update on areas of activity within Trading Standards.

During discussions, Members asked for further details of work being undertaken to raise awareness of the issue of unsafe fireplaces and surrounds. In relation to paragraph 20 of the committee report, Members also sought clarification that the defendants accused of mis-selling trusts had been referred onto the Financial Standards Board.

RESOLVED 2014/011

That the updates from the previous meeting and the various developments in the areas of Trading Standards work contained within the Committee report be noted.

UPDATE ON IMPLEMENTATION OF ENVIRONMENTAL WEIGHT RESTRICTION CAMERA

Mark Walker, Group Manager, Trading Standards, introduced the report which updated members on progress with the implementation of this new camera.

RESOLVED 2014/012

That the progress with the development of the new Environmental Weight Restriction Camera be noted.

WORK PROGRAMME

During discussions, Members requested a presentation to a future meeting about the recent increase in deaths and serious injuries through road accidents and plans to prevent such accidents.

It was underlined that the previously requested update on the Community Safety budget would be submitted to the next meeting on 29 April 2014.

RESOLVED 2014/013

That the work programme be noted and updated as discussed.

The meeting closed at 12.30 pm.

CHAIRMAN

M_28Jan2014

**REPORT OF SERVICE DIRECTOR ACCESS AND PUBLIC PROTECTION
AND SERVICE DIRECTOR COMMUNICATIONS AND MARKETING POLICY,
PLANNING AND CORPORATE SERVICES****MERGER OF COMMUNITY SAFETY AND TRADING STANDARDS TEAMS****Purpose of the Report**

1. To seek approval of Members for merging the Community Safety Team with Trading Standards to form a new service within Public Protection – Trading Standards and Community Safety.

Information and Advice**Background**

2. The Community Safety Outline Business Case, developed in Autumn 2013, contained the following proposals:
 - Redesign the function to reduce management costs
 - Public Health to pick up policy lead and costs for domestic violence work
 - Disestablishment of Safer and Engaged Communities Group and Group Manager post
 - Consider realignment of Community Safety Team with Public Protection
 - Reduction of commissioning budget but retaining enough to maintain influence and community leadership role for Members and Community Safety Committee.
3. With the first three elements of the OBC having been agreed, the potential realignment of Community Safety with Trading Standards in Adult Social Care, Health and Public Protection has been a priority. This merger also brings all services reporting to Community Safety Committee together into one service area.
4. The work of the two areas has always been very closely linked, with the work of the Trading Standards Service making significant contributions to improve Community Safety across a range of areas that are priorities for residents.

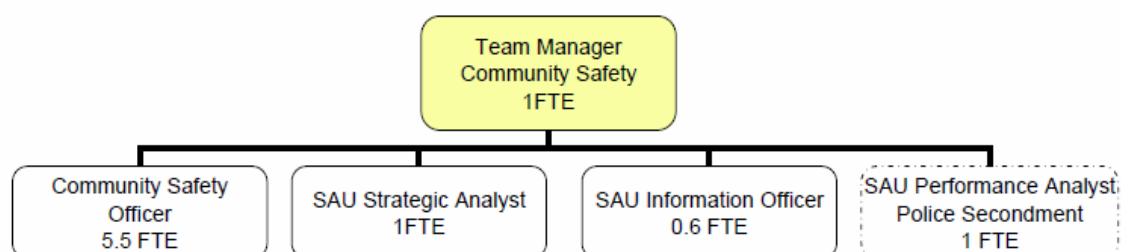
Examples include;

- Doorstep Crime and Distraction Burglary

- Underage Sales – alcohol, solvents,
 - Safeguarding the vulnerable from crime – includes work in the Multi-Agency Safeguarding Hub
 - Mass Marketing Scams
 - Illegal Money Lending
 - Environmental Weight limit enforcement
 - Novel Psychoactive Substances (“Legal Highs”)
5. Prior to the restructuring of the Authority in 2011, the two areas sat within the same division in the old Communities department. Whilst being located in two departments has not been detrimental to effective working relationships, bringing the two services back together will not only make significant costs savings, but will improve the outcomes for Nottinghamshire residents as the structure by design would allow for far closer collaboration.
 6. The model outlined in this report is common elsewhere. The Trading Standards Services in a number of other County Councils for example Lincolnshire, Suffolk, Oxfordshire currently host the Community Safety functions and recognise the benefits that brings.

Current Structure

7. Since July 2012, an acting-up Temporary Group Manager has reported directly to the Service Director, Communications and Marketing. The substantive Team Manager post has been vacant.



NB: There is also 1.0FTE Business Support Administrator post. There are now only 4.5 FTE CSO posts, following a 1.0FTE transfer to Public Health to lead on Domestic Violence.

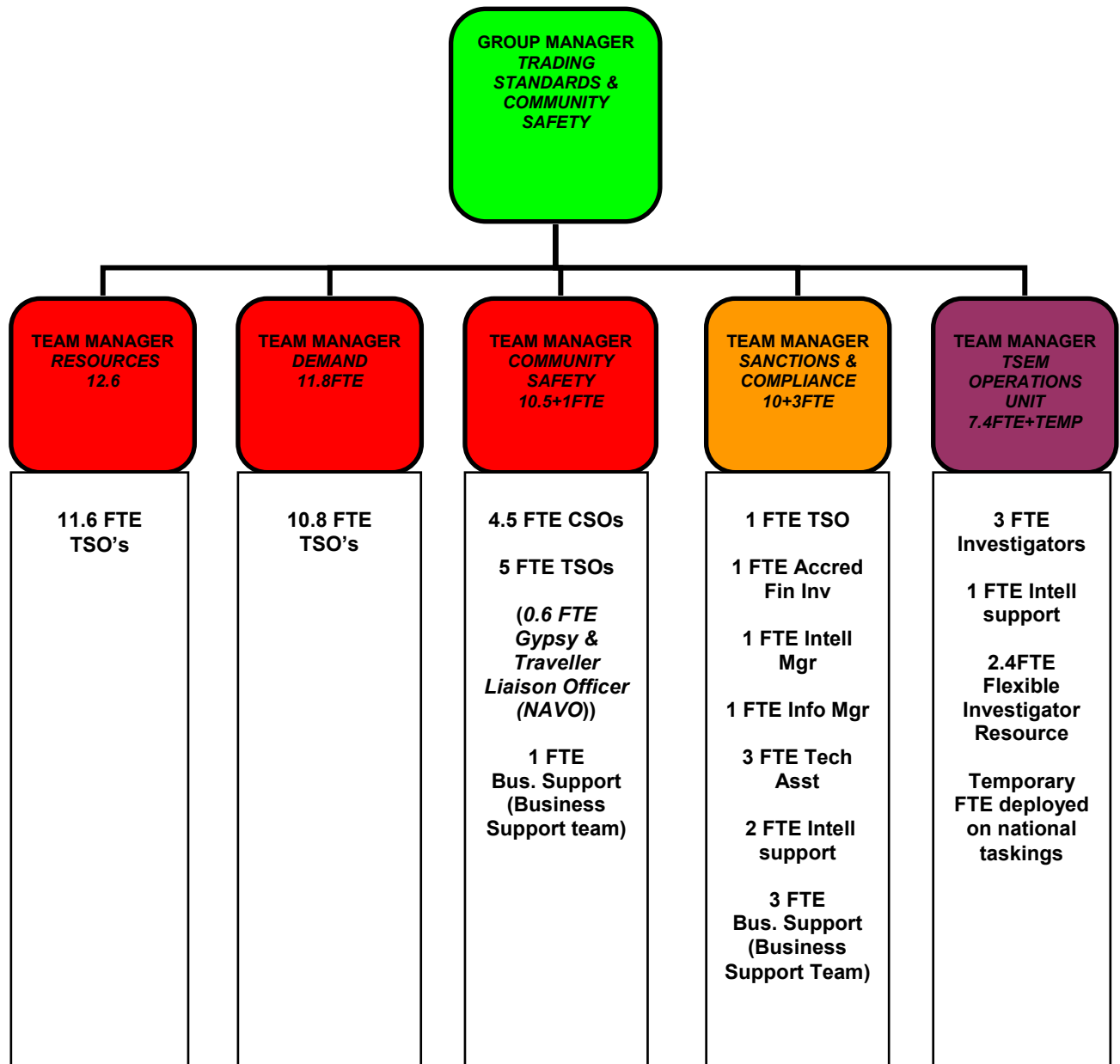
8. The Voluntary Redundancy of the current Temporary Group Manager, Safer and Engaged Communities provides the opportunity for a sensible realignment of the service with Trading Standards and will further reduce overall costs on an on-going basis.

Proposed Structure

9. To improve the outcomes from the proposed merger of the areas, it is important that the day to day work of both is integrated.

10. The structure below was designed and recommended by the Trading Standards Management Team and the Temporary Group Manager for Safer and Engaged Communities. The Community Safety team members also felt the merger with Trading Standards was the preferred option.
11. The responsibility for the 0.6FTE Gypsy and Traveller Liaison post hosted by NAVO, will transfer from Policy and Performance in Policy, Planning and Corporate Services, to the new Trading Standards and Community Safety Team.

TRADING STANDARDS & COMMUNITY SAFETY



12. The structure shows a new team called Community Safety created at the heart of the Trading Standards Service. This is comprised of those currently working for the existing Community Safety team, plus some Trading Standards specialist resource, but led by one of the current Trading Standards Team Managers. This model leads to a deeper and more fruitful relationship for our residents.
13. The lead Trading Standards Officers for Doorstep Crime, Age Restricted Sales and Safeguarding have been located in the Community Safety team as these areas have the strongest synergy. By working closely together we believe that improvements for our communities can be realised whilst reducing costs.
14. Further, the Trading Standards Service has committed 0.7FTE Team Manager role (£38.4k) to manage the Community Safety function (this would effectively be a further saving to the £487k already proposed in the next 2 financial years).

Budget Management

15. Regarding budget management, the Community Safety budget has retained the multiple Cost Centres previously employed, thereby ensuring transparency of the Authority's distinct spend on the area. This currently happens with the TSEM Operations Unit budget, and the individual projects for which it is the delivery platform.
16. An initial comparison between the budgets of the two areas has highlighted a number of potential areas for exploration where the current Trading Standards operating model has lower unit costs. It is therefore believed further efficiency savings with regards to operating costs may well be released in the longer term by the move.

Timetable

17. The Voluntary Redundancy of the Team Manager, Community Safety, went through at the end of March 2013, which means that some decisions have been taken in terms of ensuring required reports are completed for appropriate Committees and staff consulted effectively and prepared for what could be significant changes. The VR will also result in salary cost savings of £55K in the budget for 2014/15.

Induction

18. With the outline business case (OBC) for the merger already agreed in principle at the 27th February full council meeting, a thorough two-way induction was undertaken, with the Community Safety Team being inducted into Trading Standards and ASCHPP, and Trading Standards managers and staff having a detailed induction around the Community Safety service and the work the Team does.

19. The most crucial part of the induction was with the Team Manager in Trading Standards, who took on managerial responsibility for the Team and the service from 1/4/14.

Consultation

20. A consultation was undertaken with both the Community Safety Team and the Trading Standards staff.

Other Options Considered

21. Retaining Community Safety in PPCS would not have enabled the cost savings of the OBC to be recouped or the improved synergy between services to take place.

Reason/s for Recommendation/s

22. The main reasons are as follows:

- The overall background of the cost savings that this merger will provide is outlined clearly in the OBC, which was agreed at the Full Council meeting on 27th February 2014.
- As the County Council moves towards a more functionally-based approach to service delivery, this merger should provide a good example of what this means in practice.
- Bringing all those services that report into Community Safety Committee into one service area is advantageous.

Statutory and Policy Implications

23. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

24. Crime and disorder implications are covered in the body of the report.

Financial Implications

25. The Voluntary Redundancy of the Community Safety Team Manager will save £55,000 including on-costs.

RECOMMENDATION/S

- 1) It is recommended that Members approve the merger of Community Safety with Trading Standards, as outlined in the OBC agreed at the full Council meeting on 27th February 2014 and as detailed in this report.

Paul McKay, Service Director Access and Public Protection

Martin Done, Service Director Communications and Marketing Policy, Planning and Corporate Services.

Constitutional Comments (LM 17/04/14)

26. The Community Safety Committee has authority to consider and approve the matters in this report by virtue of its terms of reference.

Financial Comments (KAS 14/04/14)

27. The financial implications are contained within paragraph 24 of the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Outline Business Case (B30) “Community Safety” – report to Full Council – 27 February 2014 (published) and minutes of that meeting (published).

Electoral Division(s) and Member(s) Affected

- All

29 April 2014**Agenda Item: 5****REPORT OF THE SERVICE DIRECTOR FOR ACCESS
AND PUBLIC PROTECTION****D2N2 LOCAL ENTERPRISE PARTNERSHIP'S BETTER BUSINESS FOR ALL
PROGRAMME****Purpose of the Report**

1. The purpose of this report is to request the County Council's approval to support the D2N2 Local Enterprise Partnership's (LEP) Better Business for All Programme. D2N2 is the Local Enterprise Partnership for Nottinghamshire, Nottingham, Derbyshire and Derby.

Information and Advice

2. The Better Business for All (BBfA) programme has been successful in the two pathfinder LEPs, Leicester and Leicestershire and Greater Birmingham and Solihull in addressing the national priority of reducing the burdens on business to aid economic recovery, and D2N2 LEP are one of the 12 Champion LEPs rolling out the BBfA programme.
3. BBfA is a local partnership between businesses and regulatory services in D2N2 to promote growth. Through developing a new relationship between regulatory services and businesses, BBfA aims to reduce both real, and perceived, regulatory barriers to business growth.
4. A partnership charter has been developed to establish the principles on which the partnership will work. The charter has been agreed by local authorities, national regulators and the business community within the D2N2 LEP. The partners are committed to working together to provide a regulatory environment that promotes success in business whilst continuing to provide public protection. The charter sets out roles and responsibilities for both regulators and the businesses community to achieve this aim. A copy of the Pledge of Support and the Partnership Charter are attached as annexes to this report.

Other Options Considered

5. None – without supporting the Better Business for All Programme then the aims of the partnership may not be achieved.

Reason/s for Recommendations

- The BBfA programme has been successful in the two pathfinders LEPs
- Partners within the D2N2 LEP are committed to working together in the BBfA programme.

Statutory and Policy Implications

6. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

7. There are no financial implications to this report

RECOMMENDATION/S

- 1) That approval is given to sign the Partnership Charter and Pledge of Support for the D2N2 Local Enterprise Partnership Better Business for All Programme.
- 2) That an update report be submitted to the Committee in November 2014 to update Members on progress with the programme.

PAUL MCKAY

Service Director for Access and Public Protection

For any enquiries about this report please contact:

Andrew Penn

Tel: (01623) 452005

Email: andrew.penn@nottsccl.gov.uk

Constitutional Comments (LM 16/04/14)

8. The Community Safety Committee has delegated authority within the Constitution to approve the recommendations in the report

Financial Comments (KAS 14/04/14)

9. There are no financial implications contained within the report.

Background Papers and Published Documents

- None

Electoral Division(s) and Member(s) Affected

- All



Better Business for All - Pledge of Support

Nottinghamshire County Council is pleased to pledge its support for the Better Business for All programme in D2N2.

Better Business for All is D2N2 Local Enterprise Partnership's (LEP) response to addressing the national priority of reducing the burdens on business to aid economic recovery.

The key aim of Better Business for All is to create the conditions for an effective and efficient regulatory system which will support business growth through removing the real and perceived regulatory barriers to growth.

The key objectives of the programme are to develop a new relationship between businesses and regulatory services through:

- Seeking to reduce the regulatory burden on businesses
- Promotion of two way communication between businesses and regulatory services
- Improving the business perception of regulators
- Supporting regulators to find the right balance between encouragement, education and enforcement
- Developing a joint offer of support from regulatory services to businesses
- Building trust between regulators and businesses
- Advising government how to do things better for both businesses and regulators

In pledging support for Better Business for All *Nottinghamshire County Council* will:

- Promote *Better Business for All* with businesses, clients and colleagues
- Encourage businesses to contact regulatory services for advice on matters of compliance
- Work with regulatory services to develop a local regulatory system which responds to business needs
- Take part in positive publicity about the advantages to be had by business through engagement with regulatory services
- Provide feedback to regulatory services on improvements to the local regulatory system

Signed

Date

On behalf of



29 April 2014

Agenda Item: 6

REPORT OF SERVICE DIRECTOR, ACCESS & PUBLIC PROTECTION

COMMUNITY SAFETY BUDGET - EXPENDITURE

Purpose of the Report

1. To provide information for Members on payments made from the Community Safety Budget for 2013/2014, (£18,300), and to seek approval of payments from the Community Safety Budget for 2014/2015, (£188,800).

Information and Advice

2. Community Safety Budget

2.1 Each year, a proportion of the Community Safety Budget is allocated to support initiatives and projects across the County that are designed to reduce crime, disorder and anti-social behaviour, reduce the fear of crime, and increase levels of community safety within our communities. Initiatives are targeted at vulnerable communities, and are designed to tackle the issues that are causing the most harm to communities and individuals.

2.2 Funding proposals from the “initiatives” element of the Community Safety Budget are summarised in the following table. More detailed information on each of the individual projects is shown in sections 2.3 and 2.4 of this report.

Community Safety Budget	
Project	Amount (£)
2013/2014	
Best Bar None	15,000
Rural Crime Conference November 2013	3,300
TOTAL	18,300
2014/2015	
Contribution to the Safer Nottinghamshire Board	140,000
“In Our Hands”	15,000
Rural Crime - Building on Success	3,300
“I Pledge To Keep On Track”	25,000
Cannabis Awareness	2,000
Vehicle Nuisance at Junction 27 of the M1	3,500
TOTAL	188,800

2.3 The final allocations for initiatives funded from the Community Safety Budget for 2013/14 are detailed below. This, (£18,300), results in a full spend for this section of the Community Safety Budget for 2013/2014.

2.3.1 Best Bar None Project (£15,000 from 2013/2014)

Best Bar None is a national award scheme promoting responsible management and operation of alcohol licenced premises. The scheme is an excellent example of an “industry-led” campaign, reducing drunkenness, and in particular, reducing drunken violence. The scheme promotes targeted action by pubs and clubs as this is a proven method of effectively curbing irresponsible drinking. Since 2003 the scheme has been adopted by over 100 towns and cities across the UK. In those areas where the scheme has been operational, including the City of Nottingham, typically there has not only been a reduction in violence during the evening but also bars, pubs and clubs have been visited by many more people, because the area feels safer, less threatening and altogether more pleasant.

Licenced premises that apply to take part in the scheme are assessed to determine that they meet an agreed set of operational standards. If they do, they will become a Best Bar None accredited venue, receiving posters and window stickers to advertise this. This means that current and potential clients can be assured that the venue has taken proactive steps to provide a responsibly operated and safe environment for them to enjoy.

Each year all accredited venues then have the chance to win awards. Some of the winners are decided by a public vote and the rest are chosen by a panel of expert judges.

In Nottinghamshire it is intended to introduce a countywide scheme. This would ensure that the scheme would have a high impact across all areas of the County, minimising any degree of duplication, and ensuring the most efficient use of funding and resources. The scheme would initially be run over three years and be targeted at those areas experiencing alcohol related issues, during which time it will be consistently monitored and evaluated, giving detailed information on the levels of success and impact, so enabling a decision, at the appropriate time, if the scheme should be further extended. The cost of the scheme, after projected income generation, (*) is approximately £30,000 per annum. This would enable the introduction of the post of Co-ordinator, plus the provision of promotional events, website and marketing materials and travelling and training costs. It is proposed that the costs of the scheme in year 1 are met by Nottinghamshire County Council and the Police and Crime Commissioner (£15,000 each). In years 2 and 3, it is expected that the scheme will attract significant sponsorship from the retail industry and other partners benefitting from its impact. £7,000 sponsorship for year 1 has already been pledged, (*). To enable this scheme to be introduced, the County Council has contributed £15,000 from the Community Safety Budget (2013/2014), with a similar amount being provided by the Police and Crime Commissioner.

2.3.2 Rural Crime Conference – November 2013 (£3,300 from 2013/2014)

The cost of organised rural crime is high; an estimated £50 million to £70 million worth of plant and agricultural machinery is stolen nationally every year. Only five per cent of this stolen property is ever recovered. Rural buildings are often seen

as an easy target due to restricted street lighting and their isolated locations. Stealing valuable equipment may have a lasting effect on victims who may be unable to carry on their day to day work. To combat this, a Rural Crime Conference was held in November 2013. Over 100 delegates attended the event, which was targeted at communities within the north of the County. The conference provided a platform to engage with key stakeholders and gather their views in order to be as effective as possible in tackling the issues of plant and livestock theft from rural locations. The conference was supported by Crimestoppers, the National Farmers Union, Rural Community Action Nottinghamshire and Nottinghamshire Neighbourhood Watch (Farm Watch), the Police and Crime Commissioner and Notts Police. Since the conference an awareness raising campaign has been held, offering assistance and advice on what actions communities and individuals can take to prevent this type of crime. This type of activity provides the potential for a reduction not only in crime and anti-social behaviour but also the fear of crime, which can often have a disproportionately negative effect on the lives of victims, potential victims and their families. To support this work, the County Council has contributed £3,300 from the Community Safety Budget (2013/2014).

2.4 Proposals for funding from the Community Safety Budget for 2014/2015 are detailed below.

The funding proposed in this section of the report is £188,800. The total “initiatives” section of the Community Safety Budget for 2014/2015 is currently £442,000. The remaining balance of will be subject to future reports to this committee.

2.4.1 Contribution to the work of the Safer Nottinghamshire Board (£140,000 from 2014/2015)

The work programme of the Safer Nottinghamshire Board is a mix of locality based actions, in the 18 Partnership Plus Areas of the County, and a range of thematic county-wide projects, covering such issues as hate crime, domestic abuse, substance misuse, youth issues and anti-social behaviour. To fund this work in 2014/2015 the Police and Crime Commissioner has pledged £1.3 million. It is proposed that a contribution from the Council of £140,000 is made to support this work.

2.4.2 “In Our Hands” (£15,000 from 2014/2015)

The “In Our Hands” initiative is an innovative and ground breaking multi agency project that aims to tackle areas with high levels of hate crime and low levels of community engagement through Holocaust education and the development of personal responsibility to inspire and support children and adults. This is achieved by working through the Holocaust Centre with schools and the wider community to change attitudes and behaviours; raise awareness of hate crime and to promote ways for the community to work together and to support each other. Specifically the project will build on the pilot work already underway in three local communities in the County (Ravensdale, Worksop and Eastwood) to inspire and support adults and families to take action to prevent hate crime. The project will engage parents in learning around aspects of difference through initial visits to the Holocaust Centre and learning with their children about aspects of difference. These will be drawn from the communities experiencing high levels of hate crime

with the intention of making meaningful connections between the lessons of the Holocaust and the day to day lives of families in those communities.

The success of the pilot scheme has been measured by an independent evaluation undertaken by a nationally recognised organisation: Icarus. Future evaluation will include measures of participation in learning programmes; before and after attitudinal studies; numbers of local people engaging via roadshows; surveys of communities to assess levels of feelings of safety. To support this project it is proposed that the County Council makes a contribution of £15,000 from the budget allocated for Community Safety in 2014/15

2.4.3 Rural Crime – building on the success of the Rural Crime Conference in 2014/2015 (£3,300 from 2014/2015)

The Rural Crime Conference, and associated campaign, held in the north of the County in November 2013, (see above) reassured our rural communities that agencies are taking this issue seriously and that they are keen to work with local people to prevent this type of criminal activity. The conference provided the opportunity to offer assistance and advice to isolated rural communities and the individuals that live and work in them. It is proposed to hold a similar event for the rest of the County, focussing on a conference with a complementary awareness campaign, building on the positive impact and the good practice gained at the event in the north. The management of this work will be undertaken by a Community Safety Officer from within the County Council. This conference and campaign will again be a multi-agency partnership initiative, combining, as before, the efforts and expertise of Crimestoppers, the National Farmers Union, Rural Community Action Nottinghamshire, Nottinghamshire Neighbourhood Watch (Farm Watch), the Police and Crime Commissioner and Notts Police. To support this activity it is proposed that the County Council make a contribution of £3,300 from the budget allocated for Community Safety in 2014/15.

2.4.4 “I Pledge To Keep On Track” Youth Crime Prevention Programme 2014/2015 (£25,000 from 2014/2015)

The “I Pledge to Keep On Track” Programme is funded by the County Council, working in partnership with Notts Police and Experian. It is also supported by a wide range of community safety providers. From 2012-2014 approximately 3000 pupils from within the Partnership Plus Areas (PPAs) across the County, have attended the National Centre for Citizenship and the Law, Galleries of Justice, and successfully participated in the youth crime prevention programme. The “I Pledge to Keep On Track” Programme, which includes the new Keep On Track Safety Books series, is nationally accredited via the LASER Alliance. A full evaluation of the 2013 programme is now available and has illustrated some very positive outcomes for the third year of delivery.

“I Pledge” Youth Crime Prevention Programme has had a demonstrated impact on those pupils participating in the programme at a crucial age in their life just prior to moving up to secondary school. Nationally it has been recognised as a model of best practice.

In 2013 the programme was recognised nationally as a high quality educational initiative, meeting the 10 principles for best practice safety education and awarded

National Accreditation via the LASER Alliance. The programme received a commendation in the National Youth Crime Beat Awards 2013,

“for their outstanding contribution to helping reduce crime and creating a safer community”.

The programme was also awarded Joint Winner for Best Educational Initiative in the National Museum and Heritage awards 2013. A sample of some of the headline results for the programme is shown below:

a. How much do you know about the law and how it affects people your age?

Before participating in the programme the majority 60% felt they knew ‘nothing’ or ‘a little about how the law affects people of their age. Only 2% felt they knew ‘lots’. After the programme 70% felt they knew ‘lots’ about the law.

b. How much do you know about how committing a crime can affect your whole life?

Prior to visit two 17% of participants felt they knew ‘lots’ about the affects committing a crime could have on their lives. After the 2nd visit this increased to 61% with only 2% feeling they knew ‘nothing’ suggesting that their understanding of the varied ways committing a crime can affect your life had increased significantly.

c. How much do you feel that you are able to help make where you live or your school a safer place?

The question was asked before and after both visits in order to chart the change in participants’ opinion to this over the duration of the programme. Before taking part in the I Pledge programme 27% of participants felt they could do ‘lots’ to make their area a safer place. 38% of participants felt there was ‘nothing’ or ‘a little’ that they could do. After completing the project 99% of participants felt that there was something that they could do to help make their area a safer place with the majority 65% of participants feeling they could do ‘lots’.

d. Knowledge Retention Evaluation

All participants took part in the knowledge retention evaluation at the beginning of their second visit. Students were scored on how many of the questions, which related to information learnt on visit one, they got correct. All participants got 60% or more of the answers correct, showing that all participants retained a good level of knowledge from their first visit. The majority 43% of participants got between 85% and 89% of the answers correct. While almost a third of participants 29% answered 100% of the questions correctly.

2.4.4.1.Based on the success of the “I Pledge to Keep On Track” Programme it is proposed that the County Council, with its partners, continues to build on the successful outcomes already achieved, in 2014/2015. The Safer Nottinghamshire

Board has now identified 18 PPAs for 2014/2015. As in previous years, these areas of the County will be a particular focus of action from all agencies in the local partnerships. As a part of this process, it is proposed that schools within the 18 PPAs are given the opportunity to participate in an “I Pledge” programme in 2014/2015. To support this activity it is proposed that the County Council make a contribution of £25,000 from the budget allocated for Community Safety in 2014/15. This would enable delivery to 10 primary schools in year 5&6 for pupils in the PPAs across the County.

2.4.5 Crime-stoppers Campaign Cannabis Awareness (£2,000 from 2014/2015)

A UK Problem Profile report on Cannabis Cultivation (2012) identified that commercial or industrial properties are being used to grow cannabis plants. This brings the issue of organised crime into our communities. There has been an increase in property crime, violence and the use of firearms linked to cannabis farms, alongside the knock on effects of organised criminals using income generated from cannabis trafficking to fund a range of other criminal activities. As a class B drug, supplying cannabis in the UK can lead to a 14 year prison sentence.

2.4.5.1 In 2013 a campaign was launched by Crimestoppers and Notts Police involving the distribution of “scratch and sniff” cards to the public to educate and inform them about the signs to spot and detect cannabis farms by recognising the specific smell of growing cannabis. The cards contain an element that replicates the smell of cannabis in its growing state.

The evaluation of this campaign showed an increase to the Crimestoppers anonymous phone line resulting in an increase in intelligence and arrests together with the disposal of cannabis farms.

2.4.5.2. In Nottinghamshire, there has been a steady increase in the number of cannabis farms. Often these are in suburban houses, in otherwise “quiet” areas of the County. Apart from the potential escalation of crime, the cannabis farms are often tended by forced labourers. In order to combat this growing problem, it is proposed to repeat the campaign run in 2013. This time the campaign would be targeted at the 18 Partnership Plus Areas of the County, together with those areas experiencing an increase in violent crime. A total of 4,000 “scratch and sniff” cards would be distributed as part of this campaign.

2.4.5.2. To support this activity it is proposed that the County Council make a contribution of £2,000 from the budget allocated for Community Safety in 2014/15. A similar amount of funding will be provided by Notts Police

2.4.6 Vehicle Nuisance at Junction 27 of M1 – Preparing for an Injunction (£3,500 from 2014/2015)

Over the last 9 months there has been a significant increase in the number of complaints from residents and motorists regarding the gatherings and noise problems caused by car enthusiasts using the Hucknall and Annesley bypass (Junction 27) as a racing circuit, as well as lay-bys in the area for meet ups. The area has been subject to increased police activity, and more recently a Dispersal Order, giving the police temporary authority to move individuals away from the area. This is very similar to the problem that was prevalent in Netherfield,

(Gedling), in 2012. Similar efforts were made to solve the problem there, but these only worked for as long as the police were in situ. Finally a High Court Injunction was sought and obtained for Netherfield. Since that time there have been no further problems with vehicle nuisance in Netherfield. It is proposed to replicate this approach for the area surrounding Junction 27 of the M1. To support this it is proposed that the County Council make a contribution of £3,500 from the budget allocated for Community safety in 2014/2015. This will fund the preparatory work for the application, including the gathering of evidence, through to the granting of the injunction and its implementation. This work will be undertaken in partnership with the Mansfield and Ashfield Community Safety Partnership and Notts Police.

Other Options Considered

3. The County Council Community Safety Budget enables a targeted and effective method of tackling community safety issues within the County, tailoring these to a very local, or broader county-wide remit as need dictates. Another option would have been to channel this work via the 18 Partnership Plus Areas. However this would have restricted activity to those areas rather than a county-wide approach, as required by some of the projects.

Reason/s for Recommendation/s

4. Community Safety remains one of the key concerns for the residents of Nottinghamshire. The recommendations contained within this report will enable funding to action a range of targeted projects specifically designed to combat the issues of, crime, disorder and anti-social behaviour, whilst at the same time combatting the fear of crime. Any reductions in these issues encourages the development of strong, healthy and vibrant communities, reducing the risks to those deemed as vulnerable within those communities

Statutory and Policy Implications

5. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That Members note the final spend of £18,300 from the Community Safety Budget for 2013/2014
- 2) That Members approve the proposed spending of £188,800 from the initiatives element of the Community Safety Budget for 2014/2015

PAUL MCKAY
Service Director, Access & Public Protection

For any enquiries about this report please contact: Tony Shardlow, Community Safety Officer, x 73846

Constitutional Comments (SLB 17/4/14)

6. Community Safety Committee is the appropriate body to consider the content of this report providing proposed spending is within approved budgets.

Financial Comments (SEM 14/4/14)

7. The financial implications are set out in the report

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

29 April 2014**Agenda Item: 7**

REPORT OF SERVICE DIRECTOR, ACCESS & PUBLIC PROTECTION

TRANSFORMING REHABILITATION: UPDATE ON PROGRESS

Purpose of the Report

1. To update Members on the potential impact of the changes to services for offenders under the Government's "Transforming Rehabilitation" policy.

Information and Advice

2. Key Aspects of the Reform.

2.1 The key aspects of the reform are as follows:

- a new public sector National Probation Service will be created, working to expand the expertise and professionalism which are already in place
- every offender released from custody will receive rehabilitation within the community. It is intended that in addition to more serious offenders, this will be now be offered to the most prolific group of offenders, those that are sentenced to less than 12 months
- a nationwide "through the prison gate" resettlement service will be put in place to ensure continuous support by one provider from custody into the community
- the market will be opened up to a diverse range of new rehabilitation providers from the public, voluntary and private sectors, at the local as well as national level
- new payment incentives for market providers

3. Outline of Main Impacts

3.1 The main impacts resulting from the Transforming Rehabilitation policy are as follows:

- 21 contract package areas established nationally, run by Community Rehabilitation Centre organisations (CRCs).
- A National Probation Service introduced

4. Offender Management

- 4.1 The split between a National Probation Service and the locally focussed (regional) providers (CRCs) will mean that 80% of current Probation Service cases would be placed with the CRCs. CRCs will operate on a payment by results basis.
- 4.2 The effect of splitting Offender Management in this way could lead to:
- fragmentation of supervision of offenders
 - increase in complexity of information exchange and
 - fracture in continuity of offender supervision, adding to risk of public protection failures
- 4.3 The split does not recognise that offenders do not remain rigidly in “high risk” or “low/medium risk” brackets, they can move between these two groups, so it is artificial to maintain such a rigid separation. Risk of harm is dynamic in character and can change over time.

5. Progress in Nottinghamshire

- 5.1 The Nottinghamshire Probation Service has been extended until 31 May 2014, to continue to superintend the transition. Staff employed by the Service have been separated into the new National Probation Service and the Community Rehabilitation Centre organisations and work is starting on the reorganisation of respective case loads. Nottinghamshire Probation Service is well advanced in implementing this transitional process compared to other areas of the country.
- 5.2 On the 28th February 2014, the Ministry of Justice organised a Nottinghamshire Stakeholder Engagement Event. This was an opportunity for local partners to meet potential CRCs, to stress the concerns and requirements they have about the programme. The potential CRCs heard the views from a wide range of partners, including, The Safer Nottinghamshire Board and the Police and Crime Commissioner.
- 5.3 A Senior Manager from the Ministry of Justice has attended the last two meetings of the Safer Nottinghamshire Board. This has afforded the County Council and partners the opportunity to raise their concerns. These include:
- Escalation of risk – as a case moves from low level to high level
 - Transparency on payment by results – clear indication of real success
 - Dealing with the impact of substance misuse – a key factor in rehabilitation
 - Sharing of intelligence – ensuring this is undertaken in a safe secure manner
 - Performance management and accountability – recognising local requirements
 - Utilising existing local services and expertise – seen as key to success.

The Safer Nottinghamshire Board have been assured that these concerns will be addressed as the programme develops.

- 5.4 The 21 CRCs have now been identified. An offer has been made for those wanting to work in Nottinghamshire to meet with the Office of the Police and Crime Commissioner and Nottinghamshire County Council, so giving another opportunity for them to hear directly the provision that is required in the County. Successful CRCs will be notified later in the year.

Statutory and Policy Implications

6. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That Members note the latest progress in the implementation of the Transforming Rehabilitation Programme.

PAUL MCKAY

Service Director, Access & Public Protection

For any enquiries about this report please contact: Tony Shardlow, Community Safety Officer, x 73846

Constitutional Comments

There are no Constitutional Comments required as the report is for noting only.

Financial Comments (SEM 14/04/14)

There are no specific financial implications arising directly from this report

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Report to Community Safety Committee on 5 November 2013 – Transforming Rehabilitation (published)

Minutes of the Community Safety Committee 5 November 2013 (published)

Electoral Division(s) and Member(s) Affected

All.

29th April 2014

Agenda Item:8

REPORT OF DIRECTOR OF PUBLIC HEALTH

DOMESTIC AND SEXUAL ABUSE PROGRESS REPORT

Purpose of the Report

1. To update Members on
 - recent developments relating to domestic and sexual abuse and
 - changes to strategic planning and commissioning arrangements within the County Council for domestic and sexual abuse

Information and Advice

2. Data and outcomes

Police and Crown Prosecution Service information for the year to December 2013 shows a mixed picture for domestic abuse. Whilst domestic abuse is clearly a significant issue and levels are rising, there is evidence that partnership processes are impacting positively to limit repeats and bring more perpetrators to justice.

The target to increase disclosure and therefore encourage more first time domestic abuse incident reports as compared with the previous year has been achieved with a 5% increase. This has led to an 8.5% increase in recorded crime but without any increase in repeat crimes. Court data shows more domestic abuse crimes that have been detected are being charged and more of these are successfully prosecuted. The figures for sexual violence continue to rise but this is a national trend and includes the "Saville effect".

	Year to dec 2012	Year to dec 2013	%age change
Domestic Abuse Incidents	7464	7799	5%
Domestic Abuse Crimes	2923	3172	8.5%
Domestic Abuse Repeat Victims	13% of all victims	13% of all victims	0%
Sanctioned detections resulting in charge	45.7%	50%	4.3%
Successful Domestic Abuse	71.4%	73%	1.6%

Prosecutions			
Serious Sexual Violence	318	368	16%

All reports to the Police are now graded as High, Medium or Standard Risk with High Risk addressed by a multi-agency team at MARAC¹. Work to support Medium Risk survivors and links with the Vulnerable People's Panels in the Districts provide some help for those classified as Medium Risk. Specialist help for Standard Risk survivors is available if they access the 24 Hour Helpline. There they receive immediate advice and information but they may have to wait for several weeks for on-going support services.

Risk level	HIGH	MEDIUM	STANDARD	Awaiting grade
Breakdown 2013	11%	22.2%	55.6%	11.2%

Ashfield and Mansfield remain the Districts with the highest levels of domestic abuse. However the volume of crimes in Gedling has risen fastest in 2013 by 19% from 890 to 1,044 separate crimes and this has given rise to some concern.

With regard to sexual violence it is South Nottinghamshire where we see the significant increases with reports rising by 58% from 78 serious sexual offences reported in 2012 to 123 of the same in 2013.

More data is contained in the revised Nottinghamshire Joint Strategic Needs Assessment on Domestic Abuse. This is being drafted currently with the final version available to Members in May 2014.

3. Governance:

Both the Nottinghamshire Health and Well-being Board and the Safer Nottinghamshire Board have a role in the governance of partnership arrangements for domestic and sexual abuse in Nottinghamshire. A joint committee that reports to both these Boards has been established. It is called the Nottinghamshire Domestic and Sexual Abuse Executive. A broad range of partners including Police, Probation, Community Safety Partnerships, Third Sector, and NHS work with the local authorities to agree strategic plans, commissioning priorities, governance arrangements and performance targets across the partnership. It is chaired by John Robinson CEO of Gedling BC.

Within the County Council the lead department is now Public Health with commissioning approval through the Health and Well-being Board. However this Community Safety Committee continues to have a leadership role in strategic planning and linkage with the broader crime reduction and community safety agendas.

4. 2014 Domestic Violence Review

¹ Multi-Agency Risk Assessment Conference

Members and partners are awaiting the outcome report from the 2014 Domestic Violence Review that has been led by the Police and Crime Commissioner. A draft report is due by the end of April. This will inform future planning and commissioning.

5. Sexual Abuse Review and Joint Strategic Needs Assessment

This work is still on-going following the report to Community Safety Committee in September 2013. A further report and the first Nottinghamshire Strategic Needs Assessment on Sexual Abuse will be available to Members in July 2014.

6. HMIC Review of Domestic Violence and forthcoming PCC Conference

The recent national review of Police responses to domestic violence has been published by Her Majesty's Inspector of Constabulary. Nottinghamshire was considered to have a generally effective response, with some room for improvement. Points to note:

- Some different processes are used in City and County
- Nottinghamshire could improve its management of serial perpetrators
- Further Police training is needed to improve risk identification and use of professional judgement

As a response to the HMIC and the local Domestic Violence Review, the Nottinghamshire Police and Crime Commissioner is organising a Conference in May 2014 which will address these and other issues.

"Domestic Violence Event – Reflecting Upon What is Working in Nottingham and Nottinghamshire" at Nottingham Race Course on 13th May 2014

7. Future Commissioning

The current contracts for domestic abuse services are due to end in 2015. Re-commissioning in 2015 will be informed by:

- Nottinghamshire Domestic Abuse Joint Strategic needs Assessment
draft available now
- Domestic Violence Review 2014
draft available end of April
- Nottingham City Safe from Harm Review – there is an agreement to align commissioning with then City as far as is possible. For example to use the same outcome measures, and data recording methods.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 9 That the Community Safety Committee notes the recent developments and changes to strategic planning and commissioning arrangements relating to domestic and sexual abuse.

Chris Kenny
Director of Public Health

For any enquiries about this report please contact:

Rachel Adams
Public Health Manager
Nottinghamshire County Council
rachel.adams@nottscc.gov.uk

Constitutional Comments (SLB 11/04/2014)

- 10 This report is for noting only.

Financial Comments (SEM 14/04/14)

- 11 There are no specific financial implications arising directly from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- **None**

Electoral Division(s) and Member(s) Affected

- **All**

REPORT OF SERVICE DIRECTOR FOR ACCESS AND PUBLIC PROTECTION.**FOOD & FEED LAW ENFORCEMENT SERVICE PLAN 2014/15****Purpose of the Report**

1. To seek the Committee's approval for the Food & Feed Law Enforcement Service Plan for 2014/15.

Information and Advice

2. Section 6 of the Food Safety Act 1990 and section 76 of the Agriculture Act places a duty on this Authority to enforce certain provisions of those Acts in Nottinghamshire regarding food for human consumption and also feeding stuffs for animals. The provisions created by the legislation are known as official feed and feed controls.
3. The Food Standards Agency (FSA) has a key role as the central competent authority in not only overseeing official feed and food controls, but working in partnership with local authorities to help them to deliver the controls. The FSA is therefore pro-active in setting and monitoring standards, coordinating activity, and in auditing local authorities' delivery of official controls, in order to ensure that this activity is effective, risk based, proportionate and consistent.
4. The Trading Standards Service is responsible for food and animal feed standards work on behalf of the Authority, which includes labelling and quality controls. The responsibility for (human) food hygiene controls falls to the District Council's Environmental Health Services. The FSA sees Service plans as an important part of the process to ensure that national priorities and standards are addressed and delivered locally.

Other Options Considered

5. None relevant.

Reasons for Recommendation

6. The FSA places a great deal of importance on ensuring that the Authority's key decision makers are engaged in official feed and food controls work. As such, the Trading Standards Service proposed plan for 2014-15 is attached as an appendix to this report.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the Committee approves the Trading Standards Feed & Food Law Enforcement Service Plan for 2014/15 as set out in the appendix to this report.

PAUL McKAY

Service Director for Access and Public Protection

For any enquiries about this report please contact:

Andrew Penn

01623 452005

Constitutional Comments (LM 16/04/14)

8. Community Safety Committee has delegated authority within the Constitution to approve the recommendations in the report.

Financial Comments (KAS 14/04/14)

9. There are no financial implications contained within the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All

***TRADING STANDARDS &
COMMUNITY SAFETY SERVICE***

***FOOD & FEED LAW ENFORCEMENT
SERVICE PLAN 2014-15***

1. SERVICE AIMS & OBJECTIVES

1.1 *Aims and Objectives*

Our Purpose is to:

To give Nottinghamshire a better Trading Environment

What Matters to our Customers:

Help me solve my problem quickly and stop problems happening to others

Our key strategic aims are:

- ***Tackle the areas of most consumer detriment***
- ***Target the most serious rogue traders***
- ***Protect the most vulnerable consumers***
- ***Help legitimate businesses to trade well***
- ***Tackle the areas compromising consumer safety***
- ***Maintain healthy and disease free livestock***
- ***Seek opportunities to generate income to achieve our overall purpose***

1.2 *Links to Corporate Objectives & Plan*

In 2011, the County Council underwent a reorganisation in which the Trading Standards Service moved into the newly created Adult Social Care, Health and Public Protection Department. The Service sits in the Promoting Independence and Public Protection Division within the Department. The purpose of the Adult Social Care, Health & Public Protection Department is to maximise people's independence, keep people safe and support the wellbeing of vulnerable adults.

In 2012, the Authority moved from a Cabinet to a Committee System in respect of political governance. Food and feeding stuffs work is now the direct responsibility of the Community Safety Committee, and regular reports are provided to it on food and feeding stuffs work as appropriate. The current Committee Chair is Councillor Gilfoyle.

The key policies and drivers for the County Council are set-out in the Corporate Business Plan. Food and Feeding Stuffs activity links to this through the Adult Social Care, Health and Public Protection Business Plan.

2. BACKGROUND

2.1 *Profile of Nottinghamshire*

Nottinghamshire is a shire county and covers an area of 2,085 sq km (805 sq miles). It has a population of 790,200 people and a workforce of 375,195. The largest concentration of people is found in the Nottingham City conurbation, the suburbs of which lie mostly in the County. The other main towns of the County are Mansfield (104,700), Kirkby-in-Ashfield (26,927) Sutton-in-Ashfield (45,848), Newark-on-Trent (37,084), Worksop (41,820) and Retford (22,023).

About a fifth of the population live outside these areas, mostly in small (under 10,000 population) towns and villages.

2.2 Organisational Structure

See **Annex 1** attached.

2.3 Scope of the Feed and Food Service

Nottinghamshire County Council is part of the two-tier system of local government in the County which divides responsibilities between the County Council and seven District Councils. As part of this division, Food Standards work is the responsibility of the County Council's Trading Standards Service, whilst Food Hygiene work is the responsibility of the District Councils.

The County Council's Trading Standards Service has sole responsibility for carrying out the official controls on animal feeds. These controls cover areas such as storage, transportation, composition, labelling, and contamination.

The Service adopts an intelligence led approach to enforcement in line with our purpose and key strategic aims. We also give a commitment to conduct annual enforcement visits at all of our high risk premises.

Analytical services are provided by an external Public and Agricultural analyst service.

2.4 Demands on the Food and Feed Service

As at the end of March 2014, there were 5300 known registered food businesses in Nottinghamshire, 2 approved feed hygiene premises, and 582 Feed Hygiene Registered Premises categorised as shown in the table below:

	High Risk	Upper Medium Risk	Lower Medium Risk	Low Risk	Total
Registered Food Businesses	27	97	2069	3107	5300

	High Risk	Medium Risk	Low Risk	Total
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Approved Feed Hygiene Premises	n/a	n/a	n/a	2
Feed Hygiene Registered Premises	8	271	303	582

Our Service delivery contacts are as follows:

Trading Standards & Community Safety Service
County House
100 Chesterfield Road South
Mansfield
Nottinghamshire
NG19 7AQ

(Opening hours: Mon-Thurs 8.30am-5.00pm, Friday 8.30am-4.30pm)

Tel: 01623 452005 or 0300 5008080 (Businesses and Enforcement Agencies)
08454 040506 (Citizens Advice Consumer Services for Consumers)

Fax: 01623 452059

Website: www.nottinghamshire.gov.uk
Email: trading.standards@nottscc.gov.uk

2.5 Enforcement Policy

Where we find problems, we will consider all formal action options, including prosecution. All enforcement action is taken in accordance with the Service's documented Enforcement Policy.

3. SERVICE DELIVERY

3.1 Interventions at Food and Feeding Stuffs Premises

In 2014/15 the Service will;

- Carry out programmed inspections in accordance with a risk based approach;
- Conduct an inspection during the year at all food and feed premises rated as *high risk*;
- Verify that the risk rating of other premises is appropriate, by undertaking a sample of inspections to check compliance at low and medium risk rated premises;
- Target businesses as a result of appropriate intelligence from complaints received, local and national food audits, food alerts and advice from the Food Standards Agency (FSA);

- Conduct inspections in accordance with the Code of Practice issued under Section 40 of the Food Safety Act 1990, and the FSA Feed Law Code of Practice; and
- Carry out appropriate revisits to ensure compliance following problems identified in first inspections.

Where difficulties in interpretation of legislation occur, our officers can seek assistance from a number of internal and external sources, as detailed in our procedures relating to food and feed interventions (OP521 and OP527).

The introduction of the Food Information Regulations is likely to have an extensive impact on the Service over the next couple of years. This is due to the staged transitional periods for various requirements, and because it is the most far reaching codification of labelling for some time.

The level of demand is uncertain, although many of the County's large manufacturers/importers have already sought advice from this Service. In order to ease this impact, the Service will

- Continue to undertake a series of premise specific interventions; and
- Continue to communicate the new requirements regarding loose foods to the retail sector and
- Determine the number of premises in Nottinghamshire that sell or offer food for sale via internet sales that will be likely to be affected by the new requirements in the Food Information Regulations.

3.2 *Food and Feeding Stuffs Complaints*

In 2014/15 the Service will;

- Consider complaints as part of the Service's intelligence-led approach to enforcement in line with our purpose and key strategic aims; and
- Where a complaint is regarding foreign bodies or food safety, officers will promptly refer the complaint to the relevant Environmental Health Department.

In 2013-14, the Service had received 91 Food Standards complaints, 21 feeding stuffs complaints, 16 Primary Authority Food Standards referrals, 2 Primary Authority feeding stuffs referrals and 6 Trade Enquiries relating to food/feed matters.

Complaints received during 2013/14 have included issues such as alcohol authenticity and contamination, out of date food being sold, and mis-described or mislabelled products.

3.3 *Home Authority and Primary Authority Scheme*

The Service no longer offers Home Authority relationships but offers Primary Authority Partnerships.

The Authority currently has entered into Primary Authority Partnerships that cover food matters with 10 businesses, whilst 4 partnerships also cover feeding stuffs.

In 2014/15 we will;

- Request enforcement colleagues to inform us of any issues relating to Nottinghamshire businesses to discharge our duties either as an enforcing authority or to provide basic advice under the Regulator's Compliance Code where appropriate; and
- Inform the originating authority of our actions, and where it is inappropriate for this Authority to take action, will provide relevant information to colleagues to assist them in resolving the matter themselves.

In 2013-14, the Service dealt with enquiries from both Primary Authority Companies and other Nottinghamshire based businesses regarding a wide range of technical issues. Issues included nutritional claims, allergen advice, food incident management advice, and queries regarding emerging legislation such as the Food Information Regulations.

The Service also dealt with enquiries from feed businesses in areas including labelling requirements, and the importation of feed materials.

3.4 *Advice to Business*

In 2014/15, the Service will:

- Provide Nottinghamshire businesses with free basic legal compliance advice, either verbally, by email or by way of signposting to our web-based business information sheets;
- Confirm verbal advice in a written form; and
- Offer businesses more in-depth bespoke support, charged for on a cost recovery basis.

3.5 *Feed and Food Sampling*

In 2014/15, the Service will;

- Ensure that all sampling activity is intelligence-led, based on an assessment of most harm, and in line with the Service's purpose and key strategic aims;
- Develop a sampling program aligned with the national priorities on Food and Feed once published by the FSA;
- Follow documented procedure for all food standards and animal feeding stuffs sampling; and
- Continue to source analytical services by the Authority's appointed external Public and Agricultural analyst;

Worcestershire Scientific Services, Worcester WR4 9FA.

In 2013/14, the Service sampled a range of food and feed materials. Some samples were taken following complaints, for example counterfeit alcohol which was tested for toxicity as well as brand authenticity, whilst others were taken during interventions including food past use-by dates tested for safety.

Samples were also taken following nationally agreed priorities identified by the FSA based on known and emerging intelligence, and based on the national priorities. These included:

- Imported feed additives which were tested for contamination;
- Co-products used in animal feeds were tested for contamination;
- Feed materials were tested for contamination and pesticides;
- Compound feeds were tested for specified substances and medicines;
- Food tested for undeclared allergens;
- Foods for contamination from dioxins and mycotoxins;
- Meat tested for species.

3.6 *Control and Investigation of Outbreaks and Food Related Infectious Disease*

This function is the responsibility of District Councils within Nottinghamshire.

3.7 *Feed/Food Safety Incidents*

In 2014/15, the Service will:

- Follow it's documented procedures for any feed and food safety incidents and feed and food hazard warnings;
- Allocate sufficient resources to effectively deal with such incidents; and
- Take any action in accordance with the relevant Codes of Practice.

The Service receives all appropriate food and feed safety alerts, and action those that directly impact on Nottinghamshire Food and Feed Business Operators.

In 2013-14, the Authority has responded to a number of alerts. One involved the service supporting a Nottinghamshire based food company to initiate a recall of drinks imported from the United States found to have twice the limit of benzoic acid permitted in flavoured drinks. Benzoic acid is a natural ingredient occurring in many foodstuffs but it has become increasingly used as a preservative. In small doses this is fine but toxicologists are concerned about the accumulative effect on people's livers and kidneys. This is why it is subject to legal controls to limit its consumption.

3.8 *Liaison with Other Organisations*

In 2014-15, the Service will:

- Ensure that enforcement action is consistent with that of its neighbouring authorities; and
- Liaise with a range of organisations to appropriate levels in carrying out its food and feed law enforcement function. These include:
 - **Food Standards Agency;**
 - **Public Analyst - Worcestershire Scientific Services;**
 - **District Authorities' Environmental Health Services;**
 - **Environmental Heath Food Group;**
 - **Trading Standards East Midlands (TSEM), and the TSEM Food Group;**
 - **Medicines and Healthcare Products Regulatory Agency;**
 - **HM Revenue and Customs;**
 - **Department of Environment, Food and Rural Affairs (DEFRA);**
 - **Veterinary Medicines Directorate;**
 - **Health Protection Agency (East Midlands);**
 - **International Federation of Spirits Producers Ltd (IFSP);**
 - **Animal Health - Egg Inspectorate; and**
 - **Nottinghamshire Police.**

3.9 *Food and Feeding Stuffs Safety and Standards Promotion*

In 2014-15, the Service will:

- Ensure all promotional work supports the intelligence-led approach to enforcement;
- Ensure it effectively raises awareness of key issues;
- Employ a variety of channels, including;
 - Content on our website (information for businesses and consumers etc);
 - Media campaigns and press releases;
 - Use of social networking media;
 - Expansion of our Nottinghamshire web-based Neighbourhood Alert system.

During 2013-14, the Service responded to a number of complaints about potential counterfeit alcohol however, many of these turned out to be unfounded. It is believed that the major campaign during the previous year and subsequent promotion of the issue has led to more suspicious items being reported by consumers but the suspicions being unfounded. There was only one prosecution taken in 2013-14 on counterfeit alcohol on a premise where two types of counterfeit alcohol were found.

During 2013-14, the Service continued to support the FSA in nationally co-ordinated action to tackle the issue of horse DNA in meat products. Our officers worked with County Council Procurement to look closely at the Council's own approved suppliers. Samples were taken at a number of suppliers and came back negative for the presence of horse DNA. Trading Standards Officers also contacted Nottinghamshire's major manufacturers,

packers and processors to confirm that their traceability systems were sufficient and that they had conducted any necessary testing.

4. RESOURCES

4.1 *Financial Allocation*

In 2014-15, the Service will:

- Invest approximately £150k in food and feeding stuffs enforcement; and
- Vary this level according to a dynamic analysis of emerging needs during the year.

In 2013-14, a similar investment was made.

4.2 *Staffing Allocation*

In 2014-15, the Service will:

- Authorise its officers for Feed and Food enforcement following a documented procedure, OP520; and
- Bring in appropriately qualified staff from other agencies or authorities to plug any short term staff resource pressures.

The Service currently employs 6.4FTE food & feed qualified officers, and 5FTE food only qualified officers. These officers are multifunctional and also deal with other areas of trading standards work. The current commitment to food and feed work is equivalent to 2.6 FTE.

The FSA Framework Agreement and Codes of Practice require the Service to inspect all its feed and food premises on a frequency regime that is based on the assessed risk level of the business. The current frequencies would mean that for food premises all high risk premises are visited every year, upper medium risk premises are inspected every 2 years and the lower medium and low risk premises are inspected every 5 years. For feed premises there are similar frequency levels in that for high risk it is every year, medium risk every 2 years and low risk every 5 years. The Service is currently committed to inspecting all high risk premises and to inspect some of the medium and low risk premises but not the number that would be required under the FSA's inspection regime. If the FSA's requirements were to be fully complied with then there would need to be a requirement of 5.4 FTE staff dedicated to this work.

The Service follows an intelligence led approach to its work concentrating on areas that potentially cause most risk to both businesses and consumers within the community. In order to comply with the current FSA's requirements the County Council would need to invest in an additional qualified staff resource of 2.8FTE.

4.3 Staff Development Plan

In 2014-15, the Service will:

- Undertake an annual employee performance and development review (EPDR) where training needs and developments needs are established;
- Compile an annual Service Training and Development plan from these needs; and
- Maintain lead specialists for Food and Feed who will be tasked with dynamically identifying training needs arising from legislative or enforcement practices changes.

The Service has a career scheme based around the national Trading Standards Qualification Framework. Officers are supported to complete relevant modules within the framework. The Service prioritises the attainment of relevant food and feeding stuffs qualifications to ensure discharge of its duties.

In 2013-14 the Service used its specialist food expertise to support Leicestershire County Council's food work. The Service also used its specialist feeding stuffs expertise to support Leicestershire County Council, Nottingham City and Lincolnshire County Council feed controls work

The Service's commitment to becoming a centre of expertise in the delivery of official feed controls was highlighted during a European Commission audit in January 2013. The European Commission Food & Veterinary Office (FVO) carried out an audit of the activities of the FSA, who act as the UK's Central Competent Authority responsible for the implementation of measures concerning official controls on animal feed legislation.

As Nottinghamshire Trading Standards was at the forefront of one of the pilot regions for the FSA, for designing and delivering a regional delivery model for official controls on animal feeds, the FVO were keen to discuss the work that the Service had been doing. Representatives from the Trading Standards Service were questioned over the two days by members of the FVO audit team. Part of the audit included a site visit to one of the main feed producers within the County.

5. QUALITY ASSESSMENT

In 2014-15, the Service will:

- Follow its documented procedure OP401 to ensure a programme of internal audits of our Food & Feed delivery are undertaken;
- Support the principle of peer review with neighbouring authorities within Trading Standards East Midlands.

6. REVIEW

6.1 *Review against the Service Plan*

In 2014-15, the Authority will;

- Monitor progress against the plan in accordance with Adult Social Health, Care and Public Protection Department's guidelines;
- Ensure the plan is regularly reviewed by Trading Standards Managers;
- Update the Service's Business Action Plan template with a Current Position and Status colour;
- Provide progress updates to the Performance Improvement Team for monitoring at a Departmental Management level; and
- Report food and feeding stuffs matters to the Community Safety Committee as appropriate for political scrutiny.

In 2013-14, information reports were provided to all Community Safety Committee Meetings outlining relevant food and feeding stuffs work. Copies of these public reports can be viewed at www.nottinghamshire.gov.uk.

6.2 *Identification of any variation from the Service Plan*

In 2014-15, the Service will;

- Identify variations from the plan;
- Analyse the reasons for the variations;
- Develop corrective actions;
- Document these on the Service's Business Action Plan; and
- Review the content of the plan to ensure it continues to meet the needs of our stakeholders.

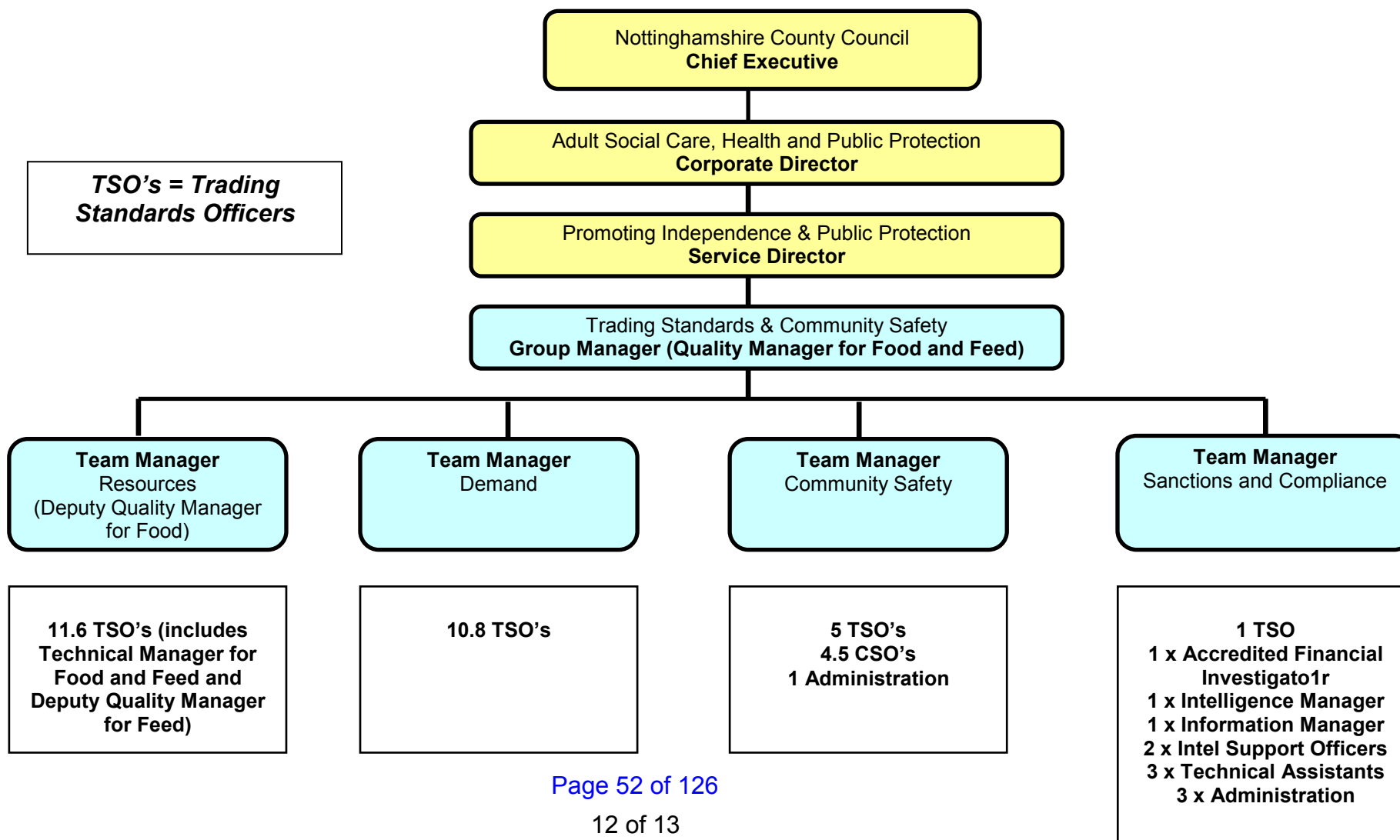
6.3 *Areas of Improvement*

In 2014-15, the Service will;

- Identify areas for improvement; and
- Incorporate in the 2015-16 food and feed law enforcement plan if appropriate, or deal with immediately if required.

Annex 1:

NOTTINGHAMSHIRE TRADING STANDARDS & COMMUNITY SAFETY SERVICE STRUCTURE



29 April 2014**Agenda Item: 10****REPORT OF THE SERVICE DIRECTOR ACCESS AND PUBLIC
PROTECTION****UPDATE ON REGULATION OF INVESTIGATORY POWERS ACT (RIPA)****Purpose of the Report**

1. To update Councillors on surveillance activity carried out under the Regulation of Investigatory Powers Act (RIPA).

Information and Advice

2. Where it is considered both necessary and proportionate to do so, the Council can undertake covert (secret) surveillance. The Regulation of Investigatory Powers Act 2000 (RIPA) regulates the use of surveillance in relation to certain investigations.
3. The Council's Trading Standards team occasionally undertakes covert surveillance in relation to investigations and as part of its work programme the Community Safety Committee is responsible for keeping an overview.
4. Since statistics were last reported to Policy Committee in November 2013 one directed surveillance application has been approved by the Magistrates Court. The investigation concerned the sale of counterfeit, and potentially unsafe, tobacco products.
5. The surveillance was considered necessary as witness evidence alone was insufficient. It was considered proportionate due to the level of potential harm caused by the products; this is reflected by the potential sanction on conviction of 10 years' imprisonment or an unlimited fine. Intrusion was kept to a minimum as the surveillance was carried out in relation to a business premises with no residential neighbours. Also officers noted their observations in a log rather than filming or taking photographs, and the number of attendances was limited to four. Alternative options such as overt surveillance including use of CCTV were considered, but it was concluded they were not practical options in the circumstances.
6. The outcome of the investigation was that there was insufficient evidence to pursue a prosecution.

7. Since November 2013 communications data, such as information relating to telephone or email accounts (but not the content of communications themselves) has been obtained on 5 occasions. This information has been used in relation to 3 investigations. The outcome of the first investigation was that the person subject to the application was prosecuted, they were given a six month community order, with a supervision requirement. The second and third investigations are still ongoing, these are Scambusters investigations. Scambusters is a regional enforcement and investigation team which is hosted by the County Council. It covers 8 areas around the East Midlands and deals with larger scale Trading Standards issues. As investigations are ongoing it is not possible at this time to provide further details regarding the surveillance operations.

Other Options Considered

8. None, this report is for information only.

Reason/s for Recommendation/s

9. This report is for information only.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

11. The information obtained through covert surveillance assists the Council's Trading Standards service to discharge its enforcement functions.

Human Rights Implications

12. Each application under RIPA takes human rights implications, such as individuals' right to privacy, into account.

Safeguarding of Children and Vulnerable Adults Implications

13. In discharging its functions effectively the Trading Standards service safeguards individuals against the activities of rogue traders.

RECOMMENDATION/S

- 1) That members consider the surveillance activity undertaken by the Trading Standards

Service under RIPA since November 2013.

Paul McKay
Service Director Access and Public Protection

For any enquiries about this report please contact:

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Constitutional Comments

14. As the report is for noting only no constitutional comments are required.

Financial Comments (KAS 14/04/14)

15. There are no financial implications contained within the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All

April 2014**Agenda Item: 11****REPORT OF THE SERVICE DIRECTOR FOR ACCESS AND PUBLIC
PROTECTION****UPDATE ON KEY TRADING STANDARDS MATTERS****Purpose of the Report**

1. To update the Committee on key Trading Standards matters.

Information and Advice

2. **Matters arising from the previous meeting – Residential Explosion in Newark, May '13** – Members will recall that quantities of expanding foam had been used at the property in question. Apart from discussions with Trading Standards Officers, the Police have also worked with the Health and Safety Executive (HSE) which examined the packaging, labelling and safety data sheets of the type of product that has been used. We understand no concerns in respect of these were identified.
3. **Scams – National Scams Hub: list of scam victims** – Officers have narrowed the list of victims down from 600 to 250. A sample of 25 victims were selected, 12 of whom were on the social care database Framework and sent a letter asking them if the Service could assist them. Officers have visited 6 of these individuals to discuss these matters further and offer assistance to stop the nuisance scam calls and mailings. Officers are also liaising with the Nottinghamshire Fire and Rescue Service who are currently undertaking a project on identifying vulnerable adults with a view to joint working in this area.
4. **Age Restricted Sales - Young people using someone else's identification to buy alcohol** – working with District Council Licensing Teams and the Police, 100 off-licences were recently visited to see how responsible retailers were acting when challenging young people using identification that did not belong to them. Challenge 21/25 schemes require off licences operating them to challenge anyone attempting to purchase alcohol that looks under these ages. Volunteers aged 15 and 18 were asked to buy alcohol from shops using an identification with a photograph of someone different.
5. Only 60% of premises visited asked for identity - 70% of premises sold alcohol to the volunteers. The majority of off-licences know they must challenge

young people and ask for ID, but when they do, our findings were they do not necessarily scrutinise it.

6. Traders visited were sent letters either praising their good work, or asking them to be more responsible. District Council Licensing Teams and Nottinghamshire Police have since made a special visit to each of the off-licences that sold alcohol to our volunteers to reinforce the message.
7. **E-Cigarettes Test Purchasing** – Nottinghamshire was one of a number of Trading Standards authorities nationally who assisted Public Health England with a project to assess the ease with which young people are able to buy E-cigarettes and associated products. The Government has plans to introduce age restrictions for these products, and this national exercise was designed to obtain base line data of the current scale of the problem. The Authority received £900 to conduct 20 test purchases, using a 14 year old volunteer who was able to purchase products at 4 (20%) of the premises visited.
8. **Animal Health – New movement recording system for animal movements.** On 1st April 2014 the Department of Environment Food and Rural Affairs (DEFRA) introduced a new electronic movement reporting mechanism. Up to this date, all livestock movements for sheep, goats and deer were hand recorded by farmers and the forms sent in to Trading Standards for manual input into the Defra database.
9. Now, farmers, markets, collection centres and abattoirs will all be able to report movements electronically, thereby reducing the administrative burden in the system. A target of 80% of all movements will be reported this way within the next 5 years.
10. **Animal Health - Animal by-products rules by dog rescue charity.** An unusual request for help was recently received from SARbot, a rescue charity who use dogs to find missing people. To train the dogs, the best material to use is parts of pig carcasses. For disease control reasons though, Animal By-Products Regulations set out strict rules about what can be done with dead livestock, requiring the disposal of dead livestock without undue delay by an approved route, and in a leak-proof container. Hence the dilemma for SARbot.
11. Trading Standards Officers worked with the Animal Health Veterinary Laboratories (AHVLA) to reach a lawful solution - it was agreed that SARbot could be licensed as a 'final user' of animal by-products, and our animal health officers would help advise them on how best to comply with licence conditions. SARbot are currently in the process of obtaining their final user licence, so important rescue dog training can continue.
12. **Elliott Review visit** - in March, the Scambusters team hosted a visit from Gary Copson, former Metropolitan Police Commander, and an advisor on enforcement to the Government commissioned Elliott review into the integrity and assurance of food supply network. There are growing concerns at the

increasing potential for food fraud which can be complex, widespread and organised. These incidents can have a huge negative impact on both consumer confidence about the food they eat, and on the reputation and finances of food businesses.

13. Gary is providing expert input into the review on intelligence and organised crime. The National Trading Standards Board recommended that he visit the Team to explore how the Scambusters national model is used within the Trading Standards arena to tackle cross border criminal activity. Gary's findings will form part of recommendations in the final report to Ministers.
14. **Public Health funding for illicit tobacco enforcement** – £91k of Public Health funding has been recently realigned into the Service to tackle the endemic problem of illicit tobacco in the county. The money will fund three Trading Standards Officers to focus on reducing supply and smoking prevalence.
15. Smoking is the greatest single cause of health inequalities. The supply of cheap illicit tobacco undermines national strategy to limit demand by keeping the price of tobacco high - price is the single most important determinant of demand for tobacco. Officers will work closely with Public Health Tobacco control colleagues, Her Majesty's Revenue and Customs and other agencies on targeted intelligence, prevention and enforcement initiatives to reduce the supply of cheap illicit tobacco.
16. **Safeguarding the vulnerable** – The Service recently intervened to assist a vulnerable 86 year old resident with alzheimers who had lost over £175k to a number of different connected scams. Criminals targeted the victim over a period of 18 months with a 'boiler room' scam (carbon credits), share fraud (gold mine shares) and commodity fraud (non-existent cases of wine).
17. Evidence has been submitted to the City of London police who are conducting a large scale investigation into the criminal network involved. Officers worked with the victim's relatives to put in place safeguards to ensure he won't fall victim to any future scams.
18. **The Multi Agency Safeguarding Hub (MASH)** – The Service is receiving national recognition for its innovative work within the MASH. Being an integral part of the MASH officers are able to identify victims of doorstep crime and scams and work more effectively with social care colleagues to protect them from repeat victimisation.
19. Both the national lead for doorstep crime, and the manager of the National Scams Hub have visited the Service recently to learn more about the partnership with the MASH. In early April the Service Director, Access and Public Protection and the Trading Standards Group Manager delivered a joint seminar with colleagues from Hampshire County Council at the national NTSB Doorstep Crime Conference regarding the effectiveness of a joint approach with social care colleagues to protecting the vulnerable.

20. **Rogue Trader day** – On 9th April officers took part in the annual national multi-agency event to raise awareness of the dangers of doorstep criminals who target vulnerable residents. Officers conducted high profile patrols in areas of the county identified from our data as having higher incidents of doorstep crime.
21. **Environmental Weight Restriction Enforcement** - Highways colleagues have recently agreed the support of Trading Standards to continue weight restriction enforcement work for 2014-15. Financial support will ensure that Trading Standards can continue to target enforcement activity effectively, particularly important as a number of new weight restrictions come into force.
22. During 2013-14 the Service worked more closely with local communities to explore solutions to the issues caused by heavy goods vehicles on their roads. This has included arranging improved signage, the possible amendment of current weight restriction Orders, working with other agencies and the consideration of local communities having the power to close a road off when there is severe congestion due to accidents on a nearby major highway.
23. **Environmental Weight Restriction Camera:** The implementation of the camera system is running slightly behind anticipated timescales. On a more positive note, the developer appears to have overcome the technical difficulties that were mentioned in the last report. The date for the factory test is currently awaiting confirmation from our Highways colleagues that they are satisfied with certain aspects of the design. The site tests will then follow.
24. The site tests will rigorously test the capability of the equipment, assess the aspects of pedestrian and vehicle safety, the suitability of street furniture on which to mount the camera, and the effect that varying levels of light will have on the quality of images produced.
25. **Chinese delegation Visit** – From June 2014, China will require all producers that export infant formula to it to be specifically approved. During March, a Chinese delegation visited Cropwell Bishop Creameries as part of a UK visit to assess the official control system for dairy products, from a food hygiene and food standards perspective. Officers from The Department of Environment Food and Rural Affairs (DEFRA) and the Food Standards Agency were also present.
26. During the visit, the delegation explored the roles of local authority Trading Standards and Environmental Health Services in providing assurance that strict controls over hygiene and food standards are maintained. What was thought to be a fact finding mission turned out to be a comprehensive audit of the production process. The Service has since received positive feedback from the Food Standards Agency.
27. **European Commission Food and Veterinary Office (FVO) Audit of the Food Standards Agency (FSA)** - Farming and the animal feed industry is a multi-million pound global industry, constantly evolving through scientific

developments in feed technology. When things go wrong, there are serious repercussions. In 2008, dioxins in pig feed caused a major crisis in the Irish pig industry with over 1800 jobs being lost within 2 days of the incidents and a further 6000 put at risk. It decimated the Irish pig industry, costing €100 million. The 2011 dioxin scare in Germany caused some 1000 farms to be closed and 100,000 eggs to be destroyed.

28. Appropriate regulation of the feed chain by Trading Standards protects livestock, the food chain and ultimately consumers from harmful or poor animal feed. The four biggest Nottinghamshire animal feed producers produce over 630,000 tonnes per year, including 18,000 tonnes of additives made by a world market leader.
29. Members will recall that the FVO were due to carry out an audit in January of the FSA who act as the UK's Central Competent Authority responsible for the animal feed control measures. The audit team were in the country for two weeks and spent two days in the East Midlands.
30. Nottinghamshire Trading Standards is at the forefront of designing a new regional delivery model, so the FVO were keen to discuss our work. Officers from the Service were questioned over the two days, which included a site visit to one of our main feed producers. The initial feedback from the FVO was very positive, and the final report is due imminently.
31. **Nottinghamshire Financial Inclusion Forum** – the Nottinghamshire Advice Network (NAN) is a partnership between advice providers in the County, across the public, private and voluntary sectors. Given the issues caused by indebtedness, the Network is currently seeking national funding to set-up a countywide Financial Inclusion Forum. The purpose of the forum will be to coordinate and deliver initiatives across the County to reduce the problem of debt, particularly to the most vulnerable. Discussions are underway with the NAN regarding possible endorsement of the bid and support for the forum going forward.
32. **Legal Update** - On the 24th February, seven defendants appeared in Crown court for a preliminary hearing, charged with offences under the Fraud Act 2006. The Authority alleges that they were involved in mis-selling financial products described as trusts, which were marketed as preventing assets being used to pay for care home fees. The 'victims' in this case are mainly older and vulnerable adults. An eighth defendant was also sent to the Crown Court on the 12th March to join the case. A plea and case management hearing is set for the 22nd April, with a six week trial commencing in November. Seven defendants have pleaded not guilty, whilst the eighth is yet to enter a plea.
33. On the 10th March, IRG Europe Ltd and Donal Sharkey from the West Midlands appeared in Magistrates court and pleaded guilty to charges of supplying dangerous products. The company sold a tread mill to a consumer whom on setting up the equipment the arms sprung out and severed his middle finger. The company were not able to show that they had a sufficient

due diligence system in place to ensure the products they supplied were safe. The matter was deemed too serious for the magistrate's court to deal with and they were sent to the Crown Court for sentencing. They were sentenced on the 8th April 2014. The Company was fined £30,000 and ordered to pay £3600 costs. Mr Sharkey was fined £6000. We received excellent media coverage including articles on both BBC and ITV local television stations.

34. Three people appeared in Crown Court on the 14th March charged with the supply of counterfeit dvd's through media such as Ebay and Amazon. We allege that not only have they acquired criminal property, but they have converted some of the proceeds. One of the defendants has pleaded guilty to 9 counts, while two further defendants have pleaded not guilty to all charges. A trial is currently set for the week commencing the 22 September.
35. Harjit Talwar was sentenced on the 21st March for the supply of counterfeit goods at Thoresby market. Talwar was found with 176 items of counterfeit clothing in his possession. The action followed the launch of the Real Deal Campaign between the Authority and the market. Mr Talwar was sentenced to 80 hours unpaid work, and ordered to pay £240 towards prosecution costs.
36. On the 31st March 2014 a Kirk Denton was due to appear in the Nottingham Magistrates court for alleged breaches of an environmental weight restriction. Mr Denton is alleged to have breached both the Papplewick/Linby and Blidworth restrictions. He did not attend, and the Service is now trying to locate him.
37. A licence review hearing for Kubus mini market, Gateford Road, Worksop was held on 10th April 2014. A number of counterfeit cigarettes were seized from the shop late in 2013. The owner of the business and the seller of the cigarettes were prosecuted and sentenced on the 17 January 2014, both were ordered to pay fines in this matter. The licence review application was made around concerns that the owner of the shop who is also the licence holder was rarely in the shop and was unaware of the illegal activities being carried on. Bassetlaw District Council Licensing Committee imposed conditions on the licensee's licence, namely that he has to be present 20 hours per week in the shop and for 48 weeks a year. The District Council's licensing officers will monitor his compliance with the licensing conditions and he will be back in front of the licensing committee if he breaches them.
38. Mr John Cooney of Simplify Leicester is due to be sentenced in the Nottingham Crown Court on the 22nd April 2014. Cooney has pleaded guilty to 10 counts of fraud all relating to the mis-selling of mobility aids to older and vulnerable adults. Mr Cooney worked with other defendants that have previously been prosecuted following investigations by the Scambuster team, namely Carl Mould, Darren Sharpe and Christopher Simpson.
39. Following the investigation of a roof coating company, Scambuster Team officers arrested and interviewed two individuals. Following the interviews, an application to Nottingham Magistrates court resulted in both being sent to the Crown Court regarding a variety of fraud charges. Martin Jacks was remanded

into custody, and will appear at a hearing on the 23 May 2014, while David Moth was given bail, and is due to appear on the 8th July.

40. On 3rd April, following arrests and interview on the previous day, four more men were remanded in custody at Mansfield Magistrates Court. Tyrone Beard, Marcus Reading, Simon Davis and Michael Sumner are due to appear before Nottingham Crown Court on 17th April charged with a variety of fraud offences.

Other Options Considered

41. None

Reason/s for Recommendations

42. This report is a regular update to the Committee to keep them abreast of developments in the Trading Standards Service.

Statutory and Policy Implications

43. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required

Financial Implications

44. There are no financial implications contained in this report.

RECOMMENDATION/S

- 1) It is recommended that the Community Safety Committee notes the updates from the previous meeting and the various developments in the areas of work contained in the report.

PAUL MCKAY

Service Director, Access and Public Protection

For any enquiries about this report please contact:

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Constitutional Comments

45. Constitutional Comments are not required as the report is for noting only.

Financial Comments (KAS 14/04/14)

46. There are no financial implications contained within this report.

Background Papers

None

Electoral Division(s) and Member(s) Affected

All

29th April 2014**Agenda Item: 12****REPORT OF THE SERVICE DIRECTOR,
ACCESS AND PUBLIC PROTECTION****POLICY AND STRATEGY FOR SAFETY AT SPORTS GROUNDS****Purpose of the Report**

1. To seek the Committee's endorsement of the proposed suite of policy and strategy documents for Safety at Sports Grounds in Nottinghamshire, and agreement for the Policy Documents to be referred to the Policy Committee for approval.

Information and AdviceBackground

2. The safety of spectators attending events at UK sports grounds is regulated by law. In Nottinghamshire, the County Council's emergency planning team is responsible for enforcing this legislation, and works with sports grounds to promote and encourage a proactive safety culture. In accordance with recommendations from Lord Justice Taylor following the Hillsborough disaster, the team chairs regular meetings of Safety Advisory Groups for each relevant sports ground. These bring together the emergency services, local authorities and representatives of the sports club to discuss safety matters.
3. Under the Safety of Sports Grounds Act 1975, a General Safety Certificate is required for each ground with a capacity of 10,000 or more (5,000 if the club is in the football league) and which have been designated by the relevant Secretary of State. Also, under the Fire Safety and Safety of Places of Sport Act, 1987, a General Safety Certificate is required for grounds with covered stands of a capacity of 500 or more according to a specific calculation. These are known as "regulated" stands. Responsibilities under the Regulatory Reform (Fire Safety) Order 2005 require the County Council to monitor and enforce fire safety at sports grounds.
4. A General Safety Certificate includes whatever conditions are deemed necessary to ensure the reasonable safety of spectators. It also includes a capacity for the ground or stand, and a list of activities that the club or ground is permitted to hold. A breach of a Safety Certificate is a criminal offence.
5. The designated grounds in Nottinghamshire are:

- The City Ground (Nottingham Forest Football Club)
 - Trent Bridge Cricket Ground (Nottinghamshire County Cricket Club)
 - The One Call Stadium - formerly known as Field Mill (Mansfield Town Football Club).
6. The regulated stands in the County are:
 - Grandstand and Tatts Stand at Southwell Racecourse
 - The main stand at Watnall Road, home of Hucknall Town Football Club.
 - The East and West Stands at Coronation Park, Eastwood, previously the home of Eastwood Town Football Club (not currently in use).
 7. The emergency planning team also has powers to issue a Special Safety Certificate if one of the grounds applies to hold an event not specified in their General Safety Certificate.
 8. The team monitors clubs and grounds regularly to ensure they are adhering to the conditions of their safety certificate. This includes match day or race day inspections.

Safety at Sports Grounds Policies

9. Good practice guidance from the Sports Grounds Safety Authority requires that local authorities record their policies for safety at sports grounds, and that these are agreed by the appropriate committee. Accordingly, this report provides the Community Safety Committee with a suite of draft documents for consideration, prior to submission of the Policy Documents to the Policy Committee for approval. These are as follows:
 - Policy (attached as Appendix A)
 - Enforcement Policy (Appendix B)
 - Framework (Appendix C)
 - Financial Framework (Appendix D)
10. The draft Safety at Sports Grounds Policy proposes that the County Council seeks to ensure the reasonable safety of spectators attending sports grounds within the County. The draft Enforcement Policy proposes that the County Council seeks to ensure compliance with all relevant safety at sports grounds legislation, and that any necessary enforcement action is proportionate, open, consistent and clear.
11. Of the four documents listed above, it is only the two Policies that require formal committee approval. The other two provide details of how the policies are carried out in practice. These are included for background information for members. The Service Director has authority to approve the framework document.
12. By means of this report, the Community Safety Committee is invited to endorse the Policy and Enforcement Policy, and then refer these to the Policy Committee for formal approval. These will then be added to the County Council's Policy Library.

Other Options Considered

13. The content of the policies and frameworks attached to this report describe the processes required to enable the County Council to meet the legal requirements in respect of safety at sports grounds.

Reason/s for Recommendation/s

14. The report provides the Community Safety Committee with the opportunity to consider in detail the policies and procedures required to ensure safety at sports grounds. The recommendation that these are referred to the Policy Committee for approval is made to conform to the good practice guidance of the Sports Grounds Safety Authority.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required:

Crime and Disorder Implications

Nottinghamshire Police are represented at Safety Advisory Group meetings and are closely involved in decision-making in respect of any implications a sporting event may have for crime and disorder.

RECOMMENDATION/S

- 1) It is recommended that the Community Safety Committee endorses the proposed suite of policy and strategy documents for Safety at Sports Grounds in Nottinghamshire, and agrees for the policy documents to be referred to the Policy Committee for approval.

PAUL MCKAY

Service Director, Access and Public Protection

For any enquiries about this report please contact:

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Constitutional Comments (NAB 31.03.14)

1. Community Safety Committee has authority to approve the recommendations set out in this report by virtue of its terms of reference.

Financial Comments (CS .14)

2. There are no financial implications contained in this report

Background Papers and Published Documents

None

The legislation cited in this report is publically available.

Electoral Division(s) and Member(s) Affected

The content of this report will be of interest to all Members as their constituents may attend sporting events as spectators. It will be of particular interest to Members who have relevant sports ground in their areas. These relate to the following Electoral Divisions:

West Bridgford Central & South - Nottingham Forest and Trent Bridge
South Mansfield - Mansfield Town Football Club
Eastwood – Coronation Park, Eastwood
Hucknall - Hucknall Town Football Club
Southwell and Caunton - Southwell Racecourse



(Draft) Safety at Sports Grounds Policy

Policy

It is the policy of Nottinghamshire County Council to seek to ensure the reasonable safety of spectators attending sports grounds within the County. In undertaking this duty, the Council works in partnership with sports clubs and grounds, the emergency services, other local authorities and the Sports Grounds Safety Authority, to promote a culture of safety at sports grounds.

Context

Nottinghamshire County Council recognises its statutory duty for the safety certification of sports grounds under the Safety of Sports Grounds Act 1975 (as amended) (1975 Act) and the Fire Safety and Safety of Places of Sport Act 1987 (1987 Act), (hereafter referred to as 'the Acts') and its responsibilities for the monitoring and enforcement of the Regulatory Reform (Fire Safety) Order 2005 in respect of sports grounds. The Council also recognises its responsibilities for the safety of spectators at all sports grounds in the County.

Scope of this policy

Nottinghamshire County Council has the statutory duty under the Safety of Sports Grounds Act 1975 (as amended):

- To issue a General Safety Certificate for each designated sports ground within the County, containing "such terms and conditions as the local authority consider necessary or expedient to secure reasonable safety at the sports ground"
- To serve a prohibition notice in respect of a sports ground if the Authority considers that "the admission of spectators to a sports ground involves or will involve a risk to them so serious that, until steps have been taken to reduce it to a reasonable level, admission of spectators to the ground or that part of the ground ought to be prohibited or restricted". It is important to note that this duty applies to any sports ground, not just those which are designated or have a regulated stand.
- To issue a Special Safety Certificate where required.

Fire Safety and Safety at Places of Sports Act 1987:

- To issue a General Safety Certificate for each regulated stand within the County, containing “such terms and conditions as the local authority consider necessary or expedient to secure the reasonable safety in the Stand when it is in use for viewing the specified activity or activities at the Ground”.

Regulatory Reform (Fire Safety) Order 2005

- To enforce the order, and regulations made under it, in relation to designated sports grounds and regulated stands.
- Under the Licensing Act 2003, where applications for, or variations to, premises licences are made by a designated sports ground or one with a regulated stand, Nottinghamshire County Council will be consulted as the responsible authority for fire safety.

The sports grounds covered by this policy are:

- Designated grounds for Nottingham Forest Football Club (the City Ground), Mansfield Town Football Club (One Call Stadium) and Nottinghamshire County Cricket Club (Trent Bridge);
- Regulated stands at Coronation Park (Eastwood), Watnall Road (Hucknall) and Southwell Racecourse;
- Any sports grounds in the County of Nottinghamshire which gives rise to serious concerns about spectator safety.

Principles and Commitments

Nottinghamshire County Council, working in conjunction with partner agencies, endeavours to ensure the reasonable safety of spectators attending any sports ground determined by the Acts in Nottinghamshire.

In undertaking its role in respect of safety at sports grounds, the Council will:

- Seek to ensure that a reasonable standard of spectator safety is maintained at all sports grounds but particularly those, which are designated or have regulated stands within the County of Nottinghamshire
- Encourage and promote a safety culture within sports grounds in the County of Nottinghamshire
- Delegate its power to take and implement decisions on safety certification to a designated council officer
- Appoint a lead council officer to chair the Safety Advisory Group (SAG) for each sports ground subject to a safety certificate
- Provide for adequate resources and appoint appropriate council officers as necessary to assist the council in carrying out its statutory duties relating to the

safety of spectators at sports grounds under the 1975 and 1987 Acts, and the 2005 Order

- Convene regular SAG meetings to assist in its statutory duty to sports grounds, whose membership will include representatives of the police, fire service, ambulance service, building control, relevant certificate holder and invite the Sports Grounds Safety Authority where applicable
- Determine if any sports grounds contain regulated stands and expediently process and issue safety certificates in respect of those stands and any sports grounds designated by the secretary of state under the provisions of the 1975 Act
- Put in place policies and procedures for monitoring, by inspection and audit, compliance with the terms and conditions of any safety certificate issued and taking appropriate and proportional action in response to any identified defect or incident compromising spectator safety
- Provide prompt advice on spectator safety on request from sports ground venue operators, and
- Keep under review its procedures and arrangements in pursuit of ensuring the reasonable safety of spectators at sports grounds within its responsibility.

Key actions to meet the commitments set out in the policy

Delegated powers

The Council has delegated its powers for the safety certification of sports grounds and the appointment of inspectors under the 1975 Act and 1987 Act and the Regulatory Reform (Fire Safety) Order 2005 to the:

Service Director for Access and Public Protection

The Service Director has delegated day to day responsibility to the Group Manager for Emergency Planning and Registration, who is nominated as the designated officer for safety at sports grounds.

Day to day operational management of the process is devolved by the Group Manager to the Team Manager, Emergency Planning, who is nominated as the lead officer and chairs the Safety Advisory Groups.

Consultation

In imposing terms and conditions for spectator safety (such as when issuing or amending General or Special Safety Certificates), Nottinghamshire County Council is legally required to consult with Nottinghamshire Police, Nottinghamshire Fire and Rescue Service and the relevant building authority (district or borough council).

East Midlands Ambulance Service, although not a statutory consultee, is in practice also consulted.

Suitably trained and competent staff

Individual officers who are responsible for the issue and review of safety certificates and the undertaking of inspection and enforcement duties under the 1975 and 1987 Acts will be suitably trained and qualified to ensure their competency.

The Council will ensure that:

Duties are specified in job descriptions and experience is built up over time with provision made in individual appraisals for monitoring progress.

All officers undertaking the above duties have professional qualifications, experience in other sectors and are on CPD cycles as well as regular participation in sports grounds work and SAGs, and appropriate succession planning is in place to ensure that staff have the necessary training and experience to carry out the roles they may be expected to undertake.

Officers involved in safety at sports grounds will be given the opportunity to share information with, and learn from, others through participation in the East Midlands Chairs of SAGs Group, the Test Cricket Grounds Chairs of SAGs Group and the Core Cities Sports Grounds and Public Events Safety Group.

Related documents

- Safety at Sports Grounds Enforcement Policy
- Safety at Sports Grounds Framework
- Safety at Sports Grounds Financial Framework



(Draft) Safety at Sports Grounds Enforcement Policy

Policy

It is the policy of Nottinghamshire County Council to ensure compliance with all relevant safety at sports grounds legislation. In undertaking this duty it is the Council's aim to ensure that any enforcement action taken is proportionate, open, consistent and clear.

Context

Nottinghamshire County Council has a statutory duty for the safety certification of sports grounds under the Safety of Sports Grounds Act 1975 (as amended) (1975 Act) and the Fire Safety and Safety of Places of Sport Act 1987 (1987 Act), (hereafter referred to as 'the Acts') and its responsibilities for the monitoring and enforcement of the Regulatory Reform (Fire Safety) Order 2005 in respect of sports grounds. The Council also recognises its responsibilities for the safety of spectators at all sports grounds in the County.

Scope of this policy

The Council seeks to ensure that in enforcement and regulation the interests of the public are protected.

The purpose of this policy is to ensure that the law is applied in a fair, equitable and consistent manner and to guide officers into taking the appropriate action.

In general and where appropriate, consideration will be given to alternatives to prosecution, for example giving advice and assistance, or obtaining assurances about future conduct.

Before formal action is taken, officers will normally provide an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference, unless immediate action is required (for example, in the interests of spectator safety, health and safety or to prevent evidence being destroyed).

All decisions will be impartial and will not be influenced by race, politics, gender, disability, age, sexual orientation, religious beliefs or any other belief or status of the alleged offender.

Officers will have due regard to the principles contained within the Enforcement Concordat, and any other published and relevant guidance and legislation including compliance with the Council's public sector equality duty.

The Council will take into account the comments of any victim, injured party or other relevant person to establish:

- His or her views about the circumstances in which enforcement action is deemed appropriate; and
- The nature and extent of any harm or loss, and its significance relative to the individual circumstances.

Principles and Commitments

The Council will seek to ensure that enforcement is fairly applied by committing to the following principles of fairness:

Proportionate – Any action taken by the Council, to achieve compliance or to bring regulated entities to account for non-compliance, will be proportionate to the risk to public safety, or to the severity of non-compliance, which includes any actual or potential harm arising from the failure under the law. We will seek to minimise the costs of compliance by ensuring that any action we require is in proportion to the risk.

Consistency – There will be a consistent approach from the Council in relation to any advice given, enforcement action, prosecutions and in response to incidents and complaints. The Council will discuss and compare enforcement decisions and policies amongst our own officers, and where appropriate, with other authorities and enforcement bodies.

Targeted – By adopting a risk based system for prioritising regulatory action the Council aims to make sure, through targeting, that the direction of regulatory effort takes account the level of risk and ensures action will be targeted at those situations that give rise to the more serious risks or the least well controlled risks.

Transparent – The Council will be open about how we set about our work and will provide information and advice in plain language. We will ensure we help those we regulate to understand the standards expected from them and the standards that they should expect from the local authority.

Accountable – The Council will be able to justify all enforcement decisions and be accountable for the efficiency, effectiveness and cost. Consultation and feedback opportunities are given to stakeholders. The emergency planning team reports regularly to the Community Safety Committee, including any pertinent developments and the outcomes of annual audits.

Key actions to meet the commitments set out in the policy are set out in the Safety at Sports Grounds Framework.

For further information on Nottinghamshire County Council's Safety at Sports Grounds work, please see www.nottinghamshire.gov.uk

Appendix C



Safety at Sports Grounds Framework

Version 3
April 2014

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1. INTRODUCTION

1.1 Scope and purpose

This document has been produced by Nottinghamshire County Council emergency planning team, following consultation with members of the Safety Advisory Groups for sports grounds within the County (see Appendix 1).

Nottinghamshire County Council recognises its statutory duty for the safety certification of sports grounds under the Safety of Sports Grounds Act 1975 (as amended) (1975 Act) and the Fire Safety and Safety of Places of Sport Act 1987 (1987 Act), (hereafter referred to as ‘the Acts’) and its responsibilities for the monitoring and enforcement of the Regulatory Reform (Fire Safety) Order 2005 in respect of sports grounds. The Council also recognises its responsibilities for the safety of spectators at all sports grounds in the County.

This document explains how we manage, monitor and enforce safety at sports grounds. It also incorporates terms of reference for Safety Advisory Groups for sports grounds within the County.

Please see also Nottinghamshire County Council’s Safety at Sports Grounds Policy, Safety at Sports Grounds Enforcement Policy, and Safety at Sports Grounds Financial Framework.

Any queries about this document should be directed to the Nottinghamshire County Council emergency planning team.

Telephone: 01159 773 471

Email: emergency.planning@nottsccl.gov.uk

1.2 Definitions

The Safety of Sports Grounds Act 1975 defines a *sports ground* as:

‘A place where sports or other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or of natural structures artificially modified for the purpose’.

Under the 1975 Act, a ‘*Designated Ground*’ is defined as ‘Any sports ground that has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and Football League grounds in England and Wales’. It is ‘designated’ as such by the Secretary of State.

The Fire Safety and Safety of Places of Sports Act 1987 defines regulated stands. Under this Act, the local authority decides which stands are regulated.

Under the 1987 Act, a ‘*Regulated Stand*’ is defined as ‘Any covered stand with accommodation for 500 or more spectators, whether seating or standing’. The determination calculation for Regulated Stands is outlined in the Home Office Circular 97/88.

A *Safety Advisory Group* (SAG) is a multi-agency advisory group consisting of officers of the County Council, District or Borough Council and representatives from Police, Fire and Rescue Service and Ambulance Service. Representatives of the Club (including the safety officer) and supporters club are also invited to attend. The primary function of the SAG is to provide specialist advice to the County Council on how it may effectively discharge its responsibilities under the 1975 and 1987 Acts.

1.3 Guidance

Guidance on the application of the legislation referenced above can be found in the following Home Office Circulars:

Home Office Circular No 7/1986 – Annex C of which provides guidance on the procedure regarding applications for general safety certificates under the provisions of the Safety of Sports Grounds Act 1975.

Home Office Circular No 96/1988 – which includes advice on the issue of safety certificates for regulated stands, including the determination calculation. In brief, this is calculated as:

- number of seats or marked places on bench seats in seated areas,
- number of places available on bench seats allowing 530mm per person,
- number of spectators who can be accommodated on a terraced or sloping viewing area at a rate of 2.7 per square metre after disregarding gangways, stairways and landings, or,
- number of spectators who can be accommodated in the front of two metres of a flat standing area at a rate of 2.7 per square metre.

This calculation is the determination calculation not a ‘safe capacity’, which would be calculated incorporating the “P” and “S” referred to in the current edition of the Guide to Safety at Sports Grounds (‘Green Guide’).

Home Office Circular No 97/1988 – which includes statutory guidance to local authorities under section 26 (8) of the 1987 Act on the methodology that must be applied in determining whether a stand at a sports ground is a ‘regulated’ stand, and on the frequency and scope of inspections of regulated stands. It also reminds local authorities that section 34 of the Act applies to the whole of a sports ground which contains a regulated stand but that the extent of the inspection of any un-certificated parts of the ground should be determined by the local authority.

Home Office Circular No 72/1987 – this circular sets out the statutory guidance given by the secretary of state on the scope of inspections of designated sports grounds.

DCMS Circular, 16 November 1995 – contains detailed guidance on prohibition notices.

Further advice is contained in the ‘Guide to Safety Certification of Sports Grounds’, published by the Sports Grounds Safety Authority.

The Sports Grounds Safety Authority also publishes guidance on the design of premises and safety of spectators within a “**Guide to Safety at Sports Grounds**” (known as the “Green Guide”), and on the safety management of such venues within a guide called “**Safety Management**”. Nottinghamshire County Council recommends that sports grounds follow this guidance.

Guidance is also issued from time to time by the Home Office and the Health and Safety Executive with regard to non-sporting activities taking place in grounds, i.e. concerts and mass gatherings. Nottinghamshire County Council will consider, and discuss in SAGs where appropriate, all applicable guidance in the event of proposals being made to hold other types of events at any of the designated or regulated sports grounds within the County.

2. ISSUE & REVIEW OF SAFETY CERTIFICATES

3.1 Introduction

This section sets out Nottinghamshire County Council’s approach to discharging its powers and responsibilities in respect of the issue and review of safety certificates for sports grounds.

3.2 Qualified person

Upon receipt of an application for a safety certificate the Council must determine if the applicant is a ‘qualified person’. This is defined in the 1975 Act as a person who is likely to be in a position to prevent any contravention of the terms and conditions of the safety certificate. The certificate holder should be in a position of authority within

the management of the sports grounds and could include the chairman, chief executive, club secretary, ground manager, safety officer or a director, depending on the sports ground/club.

Under the 1987 Act, the definition of a person qualified to hold the safety certificate for a regulated stand is more tightly drawn. In the case of a general safety certificate, it is the person responsible for the management of the sports ground; for a special safety certificate it is the person responsible for organising the activity being watched by the spectators. This apart, the procedure mirrors that for the issue of the safety certificate for a designated sports ground.

If the Council determines that the applicant is not a qualified person, it must notify him/her in writing. The applicant may then appeal against this determination to a magistrates court within 28 days or 7 days in the case of a special safety certificate.

3.3 Safety certificate applications and information required

The format of an application for a safety certificate for a designated ground or a regulated stand are set out in the Safety of Sports Grounds Regulations 1987 and Safety of Places of Sport Regulations 1988 respectively. In accordance with the European Services Directive of December 2006 the Council is required to make provision for online safety certificate applications. Application forms for a safety certificate under either the 1975 or 1987 Act are accessible on the Council's website.

Applications are processed through the Council's Emergency Planning Team. The Council must supply the chief officer of police, and, where it is not itself that authority, the fire authority or the building authority, with a copy of any application received. It will also formally consult them about the terms and conditions of the certificate. The normal forum for this consultation will be the SAG.

The application should be accompanied by detailed information as to structure, capacity and safety management systems. The Council may, by writing, require the applicant to submit within a reasonable period such additional information and plans it considers necessary to enable it to determine what terms and conditions to include.

3.4 Timetable

We would encourage any potential applicant to contact the emergency planning team to discuss the application and timeframe at the earliest opportunity.

Following receipt of a completed application form, the applicant will receive an acknowledgement by email within **2 working days**. This acknowledgement is the start of the application process and does not indicate automatic issue of the certificate.

We aim to process applications for new General Safety Certificates within four months of receipt of the application, and Special Safety Certificates within two months. However, this is a guide, and depending on the complexity of the application, it may take longer, particularly in the case of new designated grounds,

which will require liaison with the Department for Culture, Media and Sports, and the creation of a Statutory Instrument in Parliament.

3.5 Contents of a safety certificate

In accordance with section 2 of the 1975 Act and section 27 of the 1987 Act the Council is required to include in the safety certificate such terms and conditions it considers necessary or expedient to secure the reasonable safety of spectators. Safety certificates issued by the Council will include the capacity of the designated ground, or regulated stand, as well as capacities for each part thereof. The certificate will also include the terms and conditions with which the holder must comply to maintain that capacity. In determining the contents of a safety certificate the Council will take account of the advice of the safety advisory group and the guidance contained in the Guide to Safety at Sports Grounds (the Green Guide) and that published by the Sports Grounds Safety Authority in its 'Guide to the safety certification of sports grounds'.

The latter guidance document recommends a new style of safety certificate, with the onus placed upon the ground management to carry out risk assessments and develop an operations manual. Nottinghamshire County Council has committed to working in partnership with the sports grounds towards this risk based type of certificate, but will implement it only as and when it considers that each ground is ready to do so.

3.6 Ratification of the certificate

In accordance with its standing orders, the Council has delegated its power to issue and amend a safety certificate to the Group Manager for Emergency Planning and Registration.

3.7 Rights of appeal

The 1975 and 1987 Acts both provide right of appeal to the magistrate's court to:

- Any person against a determination by the local authority that he/she is not qualified to hold a safety certificate
- Any interested party against the inclusion of anything in, or omission or anything from a safety certificate or the refusal of the local authority to amend or replace it, or
- Any person, upon whom the local authority has served a notice that it, has determined that a particular stand is a regulated stand, against that determination.

Appeals must be lodged within 28 days if they relate to a general safety certificate.

3.8 Review of safety certificate

The Council will undertake a review of issued safety certificates on an annual basis, or at a lesser time in response to physical changes at sports grounds, incidents or 'near misses' brought to their notice, changes in safety management performance or in response to changes to legislation or spectator safety guidance.

The review will consider the terms and conditions of safety certificates to validate that they remain relevant for providing for the reasonable safety of spectators at the designated sports ground or regulated stand. The review will be undertaken by the Group Manager for Emergency Planning and Registration, who shall consult with the SAG and any other relevant parties at an annual audit meeting of the SAG. The outcome of the review shall be recorded and reported to the Community Safety Committee.

3.9 Public access

The safety certificate is a public document, to which any person who is either responsible for applying it or likely to be affected by it should have access. The Safety at Sports Grounds Regulations 1987 and 1988 require the Council to notify every interested party, as defined by the regulations as

- The holder of a safety certificate
- Any other person who is or may be concerned in ensuring compliance with the terms and conditions of a safety certificate
- The chief officer of police, and
- The building authority.

This notice must specify that a copy of the safety certificate and any application is available for inspection at a specified time and place. The Council must also publish a similar notice in a local newspaper.

4. INSPECTION & MONITORING

4.1 Purpose of monitoring and inspection

The monitoring and inspection regime is intended to provide reassurance to the Council that the terms and conditions of safety certificates issued under the provisions of the 1975 and 1987 Acts are being complied with and that ground management are maintaining the sports ground and its safety management regime at a level which provides for the reasonable safety of spectators.

The regime will include:

- Annual inspections; and
- During performance inspections (also known as match/race day inspections)

4.2 Annual inspection

An annual inspection of the ground will be undertaken at each designated ground at least once every 12 months.

The inspection of grounds with regulated stands will depend on the size of the largest regulated stand.

Where a ground contains a regulated stand that has accommodation for more than 2000 spectators an annual inspection of that stand, plus any other regulated stands and such un-certificated parts of the ground as the Council considers necessary, will be undertaken at least once every calendar year following the date of the last inspection.

At all other grounds with regulated stands an inspection of the regulated stands and such un-certificated parts of the ground as the Council considers necessary will be carried out at least once every alternate calendar year following the date of the last inspection.

All members of the Safety Advisory Group for the relevant ground will be invited to take part in the inspection, which will be chaired by the Council's designated officer for safety at sports grounds.

The inspection of designated sports grounds will include all items detailed in the Secretary of State's statutory guidance as set out in Home Office Circular 72/1987. For regulated stands the inspection will cover the items in the statutory guidance set out in Home Office Circular 97/1988. The inspections will encompass:

- The certificates covering structural, dynamic performance and electrical tests;
- The records maintained by the management of the sports ground, in particular of attendances, accidents, maintenance, equipment tests, steward training and contingency plans;
- The condition of the sports ground and its fixtures and fittings; and
- The lighting, public address, fire warning and entry control equipment.

4.3 During performance inspections

During performance inspections (also known as match/race day inspections) will be made from time to time, on event days, to ensure that the terms and conditions in the safety certificate are suitable and appropriate for the use taking place and to monitor the ground management's compliance with the terms and conditions of the safety certificate.

When undertaking during performance inspections the council's inspecting officer will work to a Standing Operational Procedure for during performance inspections, and will:

- Make their presence known to the duty safety officer and others in the control room;
- Tour all accessible parts of the sports ground and 'walk the ground', that is to say, not stay in one particular area of the sports ground for a large part of the time;
- Observe the safety management arrangements and crowd, recording any problems and noting the time of the incident etc;
- Record items examined in a log book or check sheet;
- After the event produce detailed reports of the management of the activity which shall be copied to the Council's lead and designated officers for safety at sports grounds, and sent to the club/ground, where appropriate with request for action or explanations to enable consideration to be given to further control and/or enforcement action.

During performance inspection reports will be shared with the relevant Safety Advisory Group for discussion at meetings, and where appropriate, with the Sports Grounds Safety Authority.

Where breaches in the terms and conditions of safety certificates are noted, these will be brought to the attention of the holder and duty safety officer immediately, and a record will be made in the log book of the inspecting officer. Following the inspection, the Council will write to the holder regarding the breach, indicating what action may be taken as a result.

The responsibility for the safety of spectators lies at all times with the holder of the general safety certificate. Therefore, when the inspecting officer is at the ground, s/he should not try to enforce the terms and conditions of the safety certificate on the spectators, but should refer breaches and concerns immediately to the club's duty safety officer.

The frequency of during performance inspections will be determined by risk assessment which will take account of the safety management culture at the ground and ground management's compliance with the safety certificate. However as a minimum, designated grounds will be inspected at least three times per season. One of these inspections will normally be carried out by the Chartered Engineer who is a member of the Safety Advisory Groups. Regulated stands will be inspected at least once per year, with an inspection carried out by the Chartered Engineer at least once every two years.

At either a designated ground, or regulated stand, inspections may be carried out more frequently if there are concerns about any aspect of safety management at the ground, or if there are significant changes to the ground, its management, or the type of events being held there.

During performance inspections will be undertaken in a variety of situations, for example, policed and police free fixtures, daytime and nighttime events, with notice and no-notice, and other times when it is necessary to monitor a specific issue.

5. ENFORCEMENT

5.1 Introduction

Nottinghamshire County Council's Safety at Sports Grounds Enforcement Policy sets out the overall approach and principles to be used in carrying out enforcement activities in relation to sports grounds. This section of the plan provides information about how the Enforcement Policy will be put into practice.

5.2 Risk assessed approach to enforcement

Any enforcement action should be proportionate to the risks and the seriousness of the situation. Officers will use their professional judgement and experience to make an assessment of the most appropriate enforcement action from the options specified in 5.6 below, taking account of the enforcement considerations at 5.5 below.

5.3 Enforcement considerations

The Council's officers dealing with safety at sports grounds will consider a number of factors and questions before deciding when to act. These questions will include:

- The seriousness of compliance failure i.e. could the offence lead to a serious risk of injury or has serious injury or death already occurred, if the problem is not rectified will it lead to a significant risk?
- The degree of wilfulness involved i.e. does the individual or organisation concerned appear to be willing to carry out the necessary action immediately or in a specified time frame or has the problem resulted from deliberately ignoring conditions or the law?
- The ground managements past performance and its current practice i.e. is this a recurring problem, has the business had a previous high standard of practice?
- The risks being controlled and their consequence – what type of risks are involved and will they have serious consequences that could affect the public?
- Legal, official or professional guidance – has all legislation and guidance been taken into consideration when taking a decision? Has the issue been referred to the local authority legal department for their consideration and interpretation?

5.4 Choices of enforcement action

There are several courses of action open to the Council's officers depending on the different circumstances that may apply to the situation. These are:

- Informal warning
- Reduction in capacity
- Prohibition notice
- Simple caution
- Prosecution

The following gives a more detailed explanation of each of the enforcement options:

Informal warning

Informal action includes offering advice, verbal warnings and requests for action, the use of letters/informal notices and reports.

Informal action is appropriate where:

- The act or omission is not serious
- It can reasonably be expected that informal action will achieve compliance
- Confidence in the business management is reasonably high, and
- The consequences of non-compliance will not pose a significant risk to health, safety or the public

An informal warning will be in the form of a written letter that clearly and in plain language will:

- Contain all information necessary to ensure that the club/organisation knows what is required and why it is necessary
- Indicate the regulations contravened and the measures that will achieve compliance with the legal requirements and that other means of compliance may be chosen
- Where recommendations of good practice are included make it clear that they are not legal requirements; and
- Set out the timescales for compliance.

Reduction in capacity

Reducing the capacity of all, or part of, a sports ground is a formal action which would be appropriate in the following situations:

if an incident suggests that the management of a sports ground is performing poorly;
or

if the Council's inspecting personnel identify any deficiencies in the fabric, equipment, records or management systems, which the authority has not already taken into account when accepting or calculating the permitted capacity.

Any new capacity should be properly calculated having regard to the change in circumstances and the procedures to be followed will be the same as during the routine annual review of the safety certificate. Ground management should be invited

to submit its proposed revised (P) or (S) factor, but the Council reserve the right to overrule this if appropriate.

When reducing capacity it is important that

officers act reasonably and in accordance with due process, not least because the certificate holder has a right of appeal against any reduction in capacity; and a formal amendment to the safety certificate is issued.

Once the remedial measures or improvements have been implemented consideration should be given to restoring the original capacity.

Prohibition notice

Unlike the other provisions of the 1975 and 1987 Acts, the power to issue a prohibition notice applies to all sports grounds, as defined in section 17 of 1975 Act, including those that are neither designated nor contain a regulated stand.

Section 10 of the 1975 Act empowers the Council to issue a prohibition notice in respect of all or part of any sports ground if it considers that “the admission of spectators to a sports grounds or any part of a sports ground involves or will involve a risk to them so serious, that, until steps have been taken to reduce it to a reasonable level admission of spectators to the sports ground or that part of the sports ground ought to be prohibited or restricted”. A prohibition notice is therefore a measure of last resort and should only be used where an amendment of the safety certificate (where issued) is not considered to be an effective way of dealing with the risk(s).

When issuing a prohibition notice consideration should be given as to whether the risk to spectators is or may be imminent and if so the notice should take effect as soon as it is served. In all other cases it should come into force at the end of the period specified in the notice.

A prohibition notice must specify:

- the nature of the risk to spectators; and
- the number of spectators that may be admitted to the sports ground, or any part of the sports ground, until appropriate steps have been taken to address those risks.

The notice may also include directions as to the steps which will have to be taken to reduce the risk to a reasonable level.

Under the Environment and Safety Information Act 1988 the local authority is required to keep a register of any prohibition notices that it has issued. Nottinghamshire County Council's register is kept on the safety at sports grounds page of the Council's website.

Simple cautions (formerly known as formal cautions)

A simple caution should only be issued for offences where there is no imminent risk or where the offence is readily admitted and immediate action has removed the imminent risk. A caution can be used to:

- deal quickly and simply with less serious offenders
- to divert them from unnecessary appearance in the criminal courts and
- to reduce the chances of their re-offending.

A record of the caution is required to be kept on the Council's computer system.

If the offender commits a further offence, the caution may influence our decision to take a prosecution.

Simple cautions should not be used as an alternative to prosecutions where insufficient evidence is available. Officers should be prepared to prosecute where an individual or business refuses to accept a simple caution.

More information can be found in Home Office Circular 016/2008 – "Simple Cautioning Adult Offenders".

Prosecution

The decision to prosecute is very significant and must be related to risk. In general, it should be reserved for those who

- blatantly disregard the law;
- refuse to implement basic legal requirements and who put the public at risk.

Factors to consider are:

- the seriousness of the offence, including the seriousness of the result of the offence
- the previous history of the defendant/organisation
- availability, co-operation and reliability of witnesses
- the willingness of persons involved to put matters right
- the probable public benefit and importance of the case
- whether other action e.g. prohibition notices would be more effective (if may be appropriate in some circumstances to serve a prohibition notice as well as to prosecute if the risk to employees or the public remains high)
- any explanation offered by the defendant/organisation.

Before deciding to proceed with a prosecution officers must be satisfied that there is a relevant, admissible, substantial and reliable evidence that the offence has been committed by the defendant and that there is a realistic prospect of conviction. Any prosecutions should be brought without delay.

5.5 Appeals

Appeals against a reduction in capacity imposed by way of an amendment to a safety certificate or against a prohibition notice are to a Magistrates Court. Where an appeal is made against an amendment to a safety certificate the amendment cannot take effect until the appeal is heard. However, in the case of an appeal against a prohibition notice any reduction in capacity remains in place until the appeal is heard.

5.6 Penalties

It is an offence for any responsible person, not merely the certificate holder, to contravene the terms and conditions of a safety certificate or a prohibition notice. These offences are associated penalties, along with the defences of absence of consent and due diligence, are listed in section 12 of the Safety of Sports Grounds Act 1975 and section 36 of the Fire Safety and Safety of Places of Sport Act 1987.

6. SAFETY ADVISORY GROUPS

6.1 Introduction

The County Council has established Safety Advisory Groups for each ground to provide specialist advice to the Council on safety at sports grounds. This includes the terms and conditions of the General Safety Certificate and the monitoring of those conditions. These are multi-agency groups and are chaired by the Team Manager, Emergency Planning as the Council's lead officer for safety at sports grounds.

6.2 Membership

A table showing the membership for Safety Advisory Groups is shown in Appendix 1. While Nottinghamshire County Council has chosen not to designate members of SAGs as 'core' and 'invited', the chair reserves the right to ask any member of the group to withdraw from a meeting or a particular agenda item if the chair deems it appropriate to do so. The chair may also invite any other specialist to attend a meeting if it is appropriate to assist the group in considering any issue.

6.3 Terms of reference

Safety Advisory Groups have been established to:-

- Provide a forum within which the Council and other agencies may develop a co-ordinated approach to spectator safety and assist in developing a safety culture at sports grounds in the County.
- Advise the Council in the exercise of its powers under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987.

- Provide advice and assistance to sports grounds certificate holders on public safety related issues
- Consider aspects of and possible changes to the terms and conditions in the General/Special Safety Certificate
- Consider the implications of changes to Operations Manuals produced by clubs operating under the new style of safety certification
- Receive and discuss all proposals for new sports grounds and public events taking place in sports grounds
- Receive and approve proposals, where acceptable, for alterations to the designated sports grounds and regulated stands.
- Receive any relevant reports in relation to matters found during inspections by group members
- Discuss any significant incidents with potential safety implications or “near misses” at a sports ground/public licensed event.
- Monitor the implementation of the terms and conditions contained within the General and Special Safety Certificates
- Receive notification of the issue of any prohibition notice and any prosecutions under sports grounds legislation
- Consider all relevant published guidance documents
- Provide a forum for the development of Major Incident Plans for sports grounds where it is considered necessary.

Members of the SAGs agree to:

- Attend SAG meetings to advise the County Council on safety issues.
- Attend an annual audit meeting, which will incorporate the annual inspection of the ground/stand and review of the General Safety Certificate.

6.4 Decision making

The Safety Advisory Group is not a legal entity and cannot take any decisions on behalf of the local authority. The local authority's decision making power is delegated as described in section 2.3 and 2.4 above.

6.5 Meetings

Designated ground Safety Advisory Groups will meet yearly for the purpose of undertaking the annual audit. This will incorporate the annual inspection of the ground/stand, and the review of the General Safety Certificate, including the P and S factors. This will normally take place prior to the start of the sporting season.

In addition, the designated football ground Safety Advisory Groups will meet at least three times per year. The designated cricket ground Safety Advisory Group will meet at least twice per year.

Regulated stand Safety Advisory Groups will meet at least every other year to carry out the annual audit, incorporating the annual inspection and review of the General Safety Certificate, including the P and S factors.

Ad hoc Safety Advisory Groups will meet as required to consider issues concerning safety at a particular ground following an emergency or other crowd safety issues that are not connected to a specific ground.

7. ROLES AND RESPONSIBILITIES

7.1 Introduction

Nottinghamshire County Council relies on a number of partner organisations to provide advice and support to assist in fulfilling its statutory duty. Working together will assist in developing a safety culture and help ensure the safety of the public attending events.

7.2 Designated Officer – Group Manager, Emergency Planning and Registration

To oversee the lead officer's role in ensuring that the Council properly discharges its responsibilities under safety at sports grounds legislation.

To ensure the elected members of the Community Safety Committee are kept informed of safety at sports ground activities by providing a committee report on a regular basis.

To be the authorised signatory for the County Council on General and Special Safety Certificates.

In the event of division or dispute emerging from a Safety Advisory Group, to ensure that any decisions reflect the policies of Nottinghamshire County Council.

To initiate and conduct prosecutions authorised by Nottinghamshire County Council for breach of the conditions of a General or Special Safety Certificate and any other offences under the Acts.

To nominate the Team Manager, Emergency Planning to act as his/her deputy should the designated officer not be available.

To attend on selected match / race days as appropriate to observe and understand the operation of the grounds.

In the absence of the lead officer, to issue and amend General and Special Safety Certificates.

In the absence of the lead officer, to draft, issue, suspend and withdraw Prohibition Notices under Section 10 of the Safety at Sports Grounds Act 1975 (as amended).

7.3 Lead Officer – Team Manager, Emergency Planning

To ensure that the County Council properly discharges its responsibilities under safety at sports grounds legislation.

To manage the day to day activities of safety at sports grounds work for the County Council and ensure that clubs / grounds satisfy the conditions as indicated in the General Safety Certificate or Special Safety Certificate.

To ensure that each SAG undertakes appropriate activities to determine the terms and conditions of General Safety Certificates and Special Safety Certificates and monitors their implementation.

To chair meetings of each Safety Advisory Group for designated grounds, regulated stands and any ad hoc SAG which is required, and to ensure that resulting decisions are implemented.

To ensure that membership of each SAG reflects the interests of all parties as recommended in the Taylor Report (Final Report by The Rt Hon Lord Justice Taylor, following the inquiry into the Hillsborough Stadium Disaster on 15th April 1989).

To issue and amend General and Special Safety Certificates, once signed off by the designated officer.

To draft, issue, suspend and withdraw Prohibition Notices under Section 10 of the Safety at Sports Grounds Act 1975 (as amended).

To act in a co-ordinating role for all members of a SAG and be responsible for arranging meetings and inspections as appropriate.

To attend on selected match / race days to observe and understand the operation of the ground and to undertake inspections on aspects that the lead officer is competent to inspect.

To attend any re-development sub-groups as required.

To deputise for the designated officer should he/she not be available.

To determine fees to be charged to sports grounds for work carried out to issue, amend or transfer general and special safety certificates, as permitted by the 1975 and 1987 Acts. See Nottinghamshire County Council's Safety at Sports Grounds Financial Policy for further details.

To determine fees to be charged to sports grounds for advice, guidance and other discretionary services relating to safety at sports grounds carried out on request of the sports ground. See Nottinghamshire County Council's Safety at Sports Grounds Financial Policy for further details.

To enforce the Regulatory Reform (Fire Safety) Order 2005 in respect of designated sports grounds and regulated stands (see section 5 for details).

To keep the designated officer informed of relevant issues.

7.4 Chartered Engineer

To provide technical advice to each SAG in respect of structural and safety matters as referred to in the “Green Guide” and other relevant documentation.

To consult with the Fire and Rescue Service as required to check information and proposals made by sports grounds on:

- safe capacities for sports grounds
- means of ingress and egress to and from sports grounds
- widths of all routes, staircases, gates, and vomitories
- siting of signage
- any other safety related matter.

Verify information and calculations provided by sports grounds to support their proposals as to the safe number of spectators for all areas of the sports grounds for all specified activities.

Attend meetings of Safety Advisory Groups for designated grounds and regulated stands.

Attend the annual audit of each sports ground to advise on structural issues and safety issues with reference to the ground structural inspection reports.

Review the annual structural assessment report for each sports ground, and monitor the progress of each sports ground in carrying out essential maintenance work as highlighted in the reports.

To attend on selected match / race days (as agreed in consultation with the lead officer) to observe and understand the operation of the ground and to undertake inspections on aspects that the Chartered Engineer is competent to inspect.

Advise on any developments, proposals, changes or proposed installations, including temporary demountable structures at the sports ground.

To chair any re-development sub-groups as required and advise on technical / specialist matters.

7.5 Safety Advisory Group liaison officer - Nottinghamshire Fire and Rescue Service

To advise the SAG and/or Nottinghamshire County Council on the implementation of fire safety matters referred to in the “Green Guide”; these include:-

- safe capacities for sports grounds, in liaison with the Chartered Engineer from the County Council.

- means of ingress and egress to and from sports grounds
- widths of all routes, staircases, gates and vomitories
- positioning of signage
- the provision of fire-fighting equipment and water supplies
- control of flammable materials and storage areas in sports grounds
- control of heating installations in sports grounds
- control and location of catering and merchandising outlets and other installations and provisions including the fire protection of temporary demountable structures.

[NOTE: Nottinghamshire Fire and Rescue Service can advise on fire safety matters but is not the responsible authority for fire safety at designated sports grounds, or regulated stands – this falls to Nottinghamshire County Council under the Regulatory Reform (Fire Safety) Order 2005. See section 5 for details.]

Attend meetings of the Safety Advisory Groups.

Attend annual audit meetings for each sports ground and advise as appropriate.

7.6 Safety Advisory Group liaison officer - Nottinghamshire Police

To attend meetings and advise the Safety Advisory Group on safety issues for designated grounds and regulated stands

To attend the annual audit meeting for each sports ground and advise on crowd management and public order issues as appropriate.

For football clubs, provide a match classification based on risk in order to determine the policing arrangements required for a particular event.

Where appropriate, and subject to data protection legislation, to advise the clubs / grounds of aspects of police risk assessments and intelligence in order to assist them in decisions around stewarding and crowd control measures.

To assist the issuing authority with the content and formulation of the General Safety Certificate.

To inform and advise any organisation that has responsibility for any aspect of crowd safety of any deficiency or issue, which may come to light through information received or through attendance at the ground.

To provide specialist advice from a police perspective at all stages of development or redevelopment of a sports ground.

In consultation with the club / ground, produce a Statement of Intent detailing how police will work with the club / ground.

7.7 Safety Advisory Group liaison officer - East Midlands Ambulance Service NHS Trust

To advise on health and first aid matters as referred to in the “Green Guide”.

To act as point of reference for first aiders attending for specified activities

Attend meetings of each Safety Advisory Group.

To attend on selected match / race days as appropriate to observe and understand the operation of the ground, or to undertake inspections on aspects that the liaison officer is suitably qualified to inspect.

Attend the annual audit meeting for each sports ground and advise on health issues as necessary.

To provide an ambulance officer to attend multi-agency control rooms as appropriate.

7.8 Safety Advisory Group liaison officer - District or Borough Council

To advise on building control issues with regard to the sports grounds.

To advise on environmental health issues with regard to the sports grounds.

To advise and enforce where necessary on licensing issues with regard to sports grounds.

To provide co-ordination between the Safety Advisory Group and the district or borough council on other issues such as town & country planning.

Attend meetings of the Safety Advisory Groups.

Attend the annual audit meeting for the appropriate sports ground/s and advise on safety issues as necessary.

To attend on selected match / race days as appropriate to observe and understand the operation of the ground or to undertake inspections on aspects that the liaison officer is suitably qualified to inspect.

7.9 Sports Grounds Safety Authority Inspector

The core functions of the Sports Grounds Safety Authority are to ensure the implementation of government policy concerning the safety and comfort of spectators at designated football matches (as developed from the recommendations of the late Lord Justice Taylor's Final Report on the Hillsborough Stadium Disaster) and specifically in relation to local authorities to:

Keep under review the discharge by the local authority of their functions under the Safety at Sports Grounds Act 1975 with regard to sports grounds at which designated football matches are played.

Offer guidance on good practice with regard to the organisation of Safety Advisory Groups.

Attend meetings of each Safety Advisory Group where possible.

Attend annual inspections of designated Sports Grounds where possible

Advise on crowd management and safety issues where appropriate.

7.10 General Safety Certificate Holder

To be responsible for the safe operation of the sports ground including crowd safety and movement, segregation, entering, exiting, ticketing, stewarding and first aid.

To ensure that all the terms and conditions of the General Safety Certificate and Special Safety Certificate, where applicable, are complied with at the sports ground.

Where applicable, to ensure that the ground is run according to the policies, plans and procedures set out in the club's Operations Manual, and to notify the Council of any changes to the Manual.

To provide relevant information as contained within the terms and conditions of the General Safety Certificate, as required to the Safety Advisory Group and / or Nottinghamshire County Council.

To notify the local authority of any developments, proposals, changes or proposed installations, including temporary demountable structures at the sports ground that affect the safety of spectators.

To complete and return the annual self-assessment questionnaire issued by the County Council, in order to assess the ground's compliance with the General Safety Certificate.

To bring to the attention of the lead officer any areas of concern with regard to technical equipment, e.g. turnstile operation, lighting etc.

To action requirements to promote safety issued by the Safety Advisory Group and / or Nottinghamshire County Council.

Attend meetings of the Safety Advisory Group.

Attend the annual audit meeting of the sports ground.

7.11 Supporters club representative

To provide a link between the recognised supporters club and the SAG at designated football grounds.

To communicate appropriate information between the Safety Advisory Group and supporters club.

To consider and input the views of supporters at SAG meetings.

Attend meetings of the Safety Advisory Group.

Attend the annual audit meeting of the sports ground.

8. REGULATORY REFORM (FIRE SAFETY) ORDER 2005

8.1 Legislative duty

The Regulatory Reform (Fire Safety) Order 2005 places a range of duties on the 'responsible person' for fire safety in public buildings including sports grounds. Local authorities are responsible for enforcing the Order at sports grounds covered by the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987.

For designated grounds, Nottinghamshire County Council's responsibilities under the Order apply to all buildings within the curtilage of the ground.

The duties placed on Nottinghamshire County Council under the Order apply to all activities taking place at the sports ground, at all times it is in use – not just during matches / race days.

For grounds with regulated stands, Nottinghamshire County Council is responsible only for the regulated stand itself, and the means of escape from the regulated stand to a place of safety. Nottinghamshire Fire and Rescue Service is responsible for enforcing the Order in the rest of the ground.

Within Nottinghamshire County Council, responsibility for enforcing the Order at sports grounds is delegated to the emergency planning team along with other safety at sports grounds matters.

8.2 Role of Nottinghamshire County Council

The County Council is responsible for ensuring that the occupier of the premises has provided suitable fire safety measures and management principles to ensure the safety of employees, spectators, contractors and those that use the premise.

In order to meet these responsibilities, officers will:

- Determine the 'responsible person' for fire safety at each sports ground
- Ensure that fire risk assessments are carried out by each sports ground
- Determine whether the fire risk assessments are suitable and sufficient
- Carry out fire safety inspections at each sports ground to identify any deficiencies in fire safety management, at suitable intervals determined by the level of risk
- Provide information to each sports ground following the fire safety inspection, on any deficiencies found, and remedies to be undertaken
- Where serious breaches of fire safety are found, to take enforcement action under the most appropriate legislation, up to and including prosecution where necessary.

8.3 Responsibilities of the sports grounds

The 'responsible person' for fire safety at each sports ground is ultimately responsible for ensuring that the fire safety arrangements meet the required standard and must provide evidence to the local authority that processes are in place to ensure this.

The responsible person at each sports ground shall ensure that a suitable and sufficient fire risk assessment is completed for each part of the ground as appropriate.

Fire risk assessments shall be reviewed on an annual basis, and following any redevelopment work, or any other change which may affect fire safety.

The responsible person for each sports ground shall ensure that appropriate fire prevention and detection measures are put into place as required by the fire risk assessment.

The responsible person for each sports ground shall ensure that a fire evacuation plan is produced for the ground, and that it is regularly tested.

Proposed structural alterations to the premises must be advised to the Council on plans to scale indicating the proposal before any alteration takes place. In some cases these may also require building approval and the lead officer of the Council will liaise with building control from the district or borough council and agree the process to be adopted.

8.4 Inspection and audit process

The lead officer will require copies of the fire risk assessments and records of fire safety arrangements such as test records and staff training records, to be made available for inspection on demand at any reasonable time, by an inspector authorised by the County Council.

Following inspection of the fire risk assessments, if it is deemed necessary, a fire safety inspection of the ground will be carried out by an inspector authorised by Nottinghamshire County Council, accompanied by the lead officer. The frequency of this inspection will be determined by reviewing the fire risk assessments, and making an assessment of the risk posed by the type and construction of building, its use, and the level of competence of the ground management in fire safety matters. Where the building is used for several different functions (ie. conferences and weddings as well as sporting events) it may be necessary to carry out an inspection during each type of event.

8.5 Enforcement

Following the review of fire risk assessments and the fire safety inspection, the sports ground will be notified of the outcome, including any defects which must be rectified, and any recommendations on good practice for the ground to consider.

If the review and inspection process reveals serious problems, the lead officer may deem it necessary to issue alterations, enforcement or prohibition notices, and in extreme circumstances, may consider prosecution. However the use of formal notices and prosecution will be a last resort. Attempts will be made to resolve issues with less formal action, unless serious and / or deliberate breaches of law have put people at serious risk.

The result of the review of the fire risk assessments and the fire safety inspection will be reported to the Safety Advisory Group, and will be taken into account by the County Council in issuing the General Safety Certificate and determining the P and S factors for the ground.

APPENDIX 1 Safety Advisory Group members

Organisation	Job title
Nottinghamshire County Council	Team Manager, Emergency Planning (Chair)
Nottinghamshire County Council	Chartered Engineer, Technical Advisor to SAG
Nottinghamshire Police	Major Incident Commander
Nottinghamshire Police	Liaison Officer
Nottinghamshire Fire & Rescue Service	Specialist Advisor
East Midlands Ambulance Service	Emergency Planning Manager
East Midlands Ambulance Service	Events Manager
District / Borough Council	Environmental Health Officer / Building Control Officer / Emergency Planning Officer
Sports Ground	Certificate Holder
Sports Ground	Safety Officer
Sports Ground	Deputy Safety Officer
Supporters club	Supporters representative (designated football grounds only)
Sports Grounds Safety Authority	Regional Inspector

APPENDIX 2. REFERENCES

The following publications have been referred to on the production of this policy:

- Safety of Sports grounds Act 1975 (As amended)
- Safety of Places of Sport Act 1987
- Guide to Safety of Sports Grounds Fifth Edition
- Regulatory Reform (Fire Safety) Order 2005: Guidance Note No.1: Enforcement
- Final Report of Lord Justice Taylor into the Hillsborough Disaster
- Guide to the Safety Certification of Sports Grounds (Sports Grounds Safety Authority)

(Draft) Safety at Sports Grounds Financial Framework

1 Introduction

This document sets out a framework for managing financial arrangements between Nottinghamshire County Council and sports grounds within the County, in relation to safety at sports grounds work.

Nottinghamshire County Council has a duty to provide value for money to taxpayers. This duty must be balanced with the duty to promote spectator safety, and to support local businesses and community organisations.

This document aims to set out a balanced approach, whereby routine safety at sports grounds services will be provided to sports grounds free of charge, with some services provided on request by the club to be charged for on a cost-recovery basis where legislation permits.

Nottinghamshire County Council considers that spectator safety is of primary importance. Sports grounds should not hesitate to contact the County Council if they have any issue relating to crowd safety which they wish to discuss.

Sports grounds will be informed at the time if the assistance they are seeking will be chargeable.

This document is produced by the Nottinghamshire County Council emergency planning team. Any queries about this document should be directed to the team:

Telephone: 01159 773 471

Email: emergency.planning@nottsccl.gov.uk

2 Legislative basis

The Safety of Sports Grounds Regulations 1976 and Fire Safety and Safety of Places of Sport Regulations 1988 make provision for the local authority to charge fees for the issue, amendment, replacement or transfer of a safety certificate, and for the cancellation of a certificate for a regulated stand.

In addition, under the Local Government Act 2003, local authorities are able to charge fees for discretionary services such as the provision of advice and guidance.

3 Chargeable services

Sports grounds will be charged for the issuing, amending, replacement or transfer of a general or special safety certificate, when it is done in response to a request by the ground, or in response to changes made or proposed by the ground (ie. not 'routine').

Charges will be made for the full amount of officer time spent in researching, liaising with other agencies, and preparing for changes to be made to certificates as well as the time taken to retype and reissue the document.

Sports grounds will be charged for the provision of technical advice on proposals to alter the structure of the ground, whether provided directly to the ground or to the architect working on behalf of the ground. This includes redevelopment sub-groups of the SAG formed to consider such proposals.

Charges may also be made for the provision of advice and guidance on safety at sports grounds issues, where a significant amount of officer time is involved in dealing with the issue. This will be discussed with the sports ground when the request for advice is made.

Charges will be made to cover the fees incurred in placing public notices in local newspapers regarding changes to safety certificates, where the change is in response to a request by the ground, or in response to changes made or proposed by the ground.

4 Non-chargeable services

Charges will not be made for routine safety at sports grounds work including:

- Routine Safety Advisory Group meetings
- Annual audit meetings including annual inspections and review of the General Safety Certificate
- Inspections and audit of policies, procedures and documents produced by the sports grounds
- During performance inspections
- Routine inspections on non-match days
- Fire safety inspections
- Review of fire safety risk assessments
- Routine queries, discussions and update meetings
- Major Incident Planning

Charges will not be made for changes to safety certificates which are due to changes in legislation or guidance, or initiated by the County Council (unless in response to actions taken or proposed by the ground).

Charges will not be made for advice or guidance given to assist grounds in complying with requests made by the safety advisory group (unless the SAG is responding to changes made or proposed by the ground).

Charges will not be made for minor enquiries or requests for advice.

5 Fees & administration

Sports grounds will be notified of the hourly rate for chargeable safety at sports grounds work.

A log will be kept by all officers involved in chargeable safety at sports grounds work, in order to enable an accurate fee to be determined.

Invoices will usually be sent out shortly after the completion of a significant project. An annual invoice may also be sent in February or March, to cover any miscellaneous chargeable services provided in that financial year.

29th April 2014**Agenda Item: 13****REPORT OF THE SERVICE DIRECTOR,
ACCESS AND PUBLIC PROTECTION****UPDATE ON EMERGENCY MANAGEMENT AND REGISTRATION SERVICES****Purpose of the Report**

1. To provide an update on recent key activities and events in the work of the Emergency Planning Team and of Registration and Celebratory Services.

Information and Advice**Emergency Management**Floods Response Plan

2. The risk of flooding in Nottinghamshire is ranked among the highest of the risks identified on the Community Risk Register for Nottingham and Nottinghamshire. Therefore, the emergency planning team continues to develop and improve the County Council's flood response planning work. The latest development has been the creation of a new County Council 'Flood Response Plan' to aid implementation of the County Council's part in existing Local Resilience Forum (LRF) plans.
3. The new plan has been considered and now approved by the Risk, Safety and Emergency Management Board. Its' aim is to outline how the County Council will respond to flood emergencies (or potential flood emergencies) across the county, and it contains details of the resources available to assess if flooding is likely, what the impact may be and what actions should be taken. The Plan will help enable the setting of response priorities at an early stage of a flood incident to ensure that resources are deployed appropriately to areas of greatest need. Alongside the new plan, a One Space 'flood response' folder is being established to include flood visualisation maps and the LRF's plans. Staff training on the new plan will be scheduled during 2014.

Community Flood Signage Scheme

4. The Nottinghamshire Community Flood Signage Scheme has been in place for more than two years in Woodborough and Bleasby. The aim of the scheme is to provide community volunteers with the equipment and skills to quickly close off

pre-designated (and Highways approved) roads when they are affected by flooding. This helps to prevent flooding of properties by stopping vehicles from driving through flood water and creating bow waves. It also helps to prevent drivers from entering flood water and becoming stranded. The scheme helps enable Highways resources to be focused on areas of greatest need. The scheme has featured recently on BBC East Midlands Today and has been promoted via various local print media. The scheme is currently being rolled out in Southwell, Collingham and Thurgarton.

5. The scheme in Southwell is particularly elaborate as it seeks to help defend the town against some of the worst effects seen by the flooding of July 2013, when more than 250 properties in the town were flooded. The developing scheme currently involves eight proposed sections of road closure, with 21 possible road closure points.

Exercise 'Rosedale' - NFRS simulated train derailment exercise – 17th Feb.

6. Exercise 'Rosedale' was a train derailment exercise led by Nottinghamshire Fire and Rescue Service, which took place on Monday 17th February at DB Schenker in Toton Sidings, Stapleford. A County Council emergency planning manager and one officer participated in the exercise to test arrangements for multi-agency working at the scene.
7. The aims of the exercise were to test individual agency procedures and demonstrate the integrated multi-agency response to a dangerous goods and passenger train derailment incident. The scenario was that a locomotive towing a tanker containing 20,000 litres of molten Phenol had derailed at a junction where the line is also utilised by passenger trains. It was supposed that a passenger train collided with the tanker causing a large leak of Phenol and derailling a passenger carriage.
8. Participants in the exercise included all emergency services (including British Transport Police), DB Schenker Rail UK, Network Rail, Environment Agency and Nottinghamshire County Council emergency planning. Volunteers from St John's Ambulance and the Casualty Union acted as casualties.
9. The main focus of the exercise focus was the emergency services training and exercising under the principles of JESIP (Joint Emergency Services Interoperability Programme). This is a scheme whereby 'blue light' services are trained and exercised to work together as effectively as possible in response to major or complex incidents so that as many lives as possible can be saved. The event also provided an opportunity to test initial activation and on scene arrangements, including multi-agency tactical-level command meetings. The exercise provided the opportunity for the County Council's participants to demonstrate and confirm the roles and responsibilities of local authorities and the train operating companies in relation to the welfare of passengers affected by a major incident on the rail network.

Ashfield District Council Senior Leadership Exercise 'Gusto' – 5th March

10. As part of the County Council's Service Level Agreements with District and Borough Councils, the emergency planning team devised and facilitated a half-day, no-notice, strategic-level major emergency exercise for the senior leadership team of Ashfield District Council. The aim of the event was to provide a simulated emergency experience to test the content and usefulness of the District Council's 'Major Emergency Plan' and 'Corporate Business Continuity Management Plan'.
11. The event took the form of a facilitated discussion exercise aided by simulated information bulletins and representations of key support officer roles. The discussions were structured into three phases; initial actions, recovery actions (one month on) and a hot debriefing discussion.
12. The scenario for the exercise supposed that gales had affected the whole area, and that a 130mph wind storm had caused severe damage in one particular area of Ashfield. Homes and businesses in the affected area were without power, and the emergency services were responding to a large volume of calls from the area. For the purposes of the exercise, it was supposed that 200 people had been evacuated from damaged homes and the Lamma Leisure Centre was being used as a 'Place of Safety'. The management team also faced the difficulty of responding to the emergency without their Chief Executive, who it was supposed had been seriously injured by a falling tree.
13. The Chief Executive observed the exercise, and participated in the debriefing discussions. Also, the leader of the Council, Councillor Baron, participated in the event by simulating the role he would play in a real event, providing support and challenge to senior managers. Feedback from all participants indicated that the event had been successful and worthwhile.

Safety at Sports Grounds

14. The annual, pre-season safety audit and inspection for Trent Bridge Cricket Ground took place on 25th March. Representatives of the Emergency Planning Team were joined by others from the Safety Advisory Group, including Police, Fire and Rescue Service, District Council and Sports Ground Safety Authority. All were in agreement that the Cricket Club continues to demonstrate exemplary standards of safety management. As a consequence, the General Safety Certificate for the ground was approved to continue for the forthcoming season.
15. In advance of this inspection, a Fire Safety Audit had been completed for the cricket ground. This found that fire safety management at Trent Bridge is of a high standard. A satisfactory Fire Safety Audit has also been completed recently for the City Ground, home of Nottingham Forest Football Club.
16. With regard to Mansfield Town Football Club, a change has been agreed to the Safety Certificate such that the club is now permitted to sell plastic bottles of soft drinks with the lids still on. The proposal to do this was discussed by the Safety Advisory Group, who noted that the practice has been introduced already at some other grounds, and that the effects will be monitored over the coming months. Two match-day safety inspections have been completed recently at Mansfield Town. One was the fixture against Bury on 25th February, and the other was the

local derby against Chesterfield on 22nd March. Both were uneventful from a safety perspective, and each demonstrated the high standard of safety management currently in place at the club.

17. An amendment has also been made to the General Safety Certificate for Southwell Racecourse, following a change of personnel at the course leading to a change to the holder of the certificate.
18. Unfortunately, Eastwood Town Football Club has ceased its' association with the Coronation Park ground in Eastwood. The General Safety Certificate for the ground was withdrawn following notice from the holder. The two regulated stands at the ground now have no Safety Certificate in force, and it would be an offence under the Fire Safety and Safety of Places of Sport Act 1987 to admit spectators to these stands. It has been emphasised to all relevant parties that a period of disuse may lead to deterioration in the fabric of the ground, making it unsafe. The boundary walls and floodlight masts are of particular concern.

Peer Review of South Yorkshire Local Resilience Forum

19. The Nottingham and Nottinghamshire Local Resilience Forum (LRF) were asked (via the Resilience and Emergencies Division of the Department for Communities and Local Government) to carry out a peer review South Yorkshire LRF. The County Council's emergency planning team participated in a Review Team, led by Nottingham City Council that undertook a 'Challenge Day' in South Yorkshire, and are currently considering the outcome of this, along with a review of extensive paperwork submitted by them.
20. Whilst the Peer Review process is essentially a one direction review, it nevertheless provided a useful opportunity to benchmark local arrangements against another LRF. Outcomes from the review will be reported to the Resilience Working Group of the Nottingham and Nottinghamshire LRF.

Incident - Armed siege in Hucknall

21. In March, the emergency planning team coordinated County Council assistance to Nottinghamshire Police during an armed siege at a premise on Vine Terrace in Hucknall. The immediately surrounding area was cordoned off by the police and local people were directed to a 'Place of Safety' set up in Hucknall Leisure Centre. An emergency planning officer attended the leisure centre as a point of contact and to assist with the provision of temporary overnight accommodation by Ashfield District Council for those who needed it. The siege ended in the early hours of the following morning.

Registration and Celebratory Services

Facility to register deaths at Kings Mill Hospital

22. The registration service has joined with Sherwood Forest Hospitals Trust to provide the facility to register a death or a still birth at Kings Mill Hospital. The new office is currently available from 9am to 4.30pm on Tuesday, Wednesday

and Thursday each week, with bookings being made by the hospital's Bereavement Centre.

23. Next of kin are able to collect a medical certificate of cause of death at the hospital and then register the death at the same time without the need to make an additional appointment to visit a register office elsewhere. Registrars also offer the 'Tell Us Once' service which notifies other local and national authorities that the death has occurred, so that passports, driving licences, blue badges and so forth can be cancelled without delay.
24. Appointments are also available for notices of marriage or civil partnership, individual citizenship ceremonies and change of name deeds. Additional services may be considered at a later date, including Nationality Checking and possibly birth registrations.

Introduction of same sex marriages

25. Following Royal Assent for the Marriage (Same Sex Couples) Act 2013, same sex couples have been able to give notice of marriage since Thursday 13th March 2014, and the first same sex marriages took place on Saturday 29th March. The first in Nottinghamshire was at 10 o'clock at Newark Registration Office.
26. The change in the law necessitated a change to the legal wording of the civil marriage ceremony. Previously, registrars explained that marriage, according to the law of this country, was the union of one man with one woman. Now the wording is that it is the union of two people. Also, the couple can select if they wish for the registrar, in declaring that they are legally joined together in marriage, to refer to them as husband and husband, wife and wife, or husband and wife, whichever the case may be.
27. In planning for the launch of same sex marriages, managers were mindful of the advice from the Registrar General that there was a possibility that some objectors to marriage of same sex couples might have sought to attend and disrupt ceremonies, as had been seen in some other countries that have introduced marriage for same sex couples. However, there were no incidents at all in Nottinghamshire.
28. As yet, there remains no confirmed timetable for couples who wish to convert an existing civil partnership into a marriage.

Nationality Checking Service

29. As previously reported, the Registration Service has commenced a Nationality Checking Service (NCS) for people who are applying for British Citizenship. This assists applicants to make a good quality and complete application, which the Home Office Nationality Group will be able to process quickly.
30. By the end of March, a total of 45 appointments had been booked with the service, raising an income of £2,300. In addition, two of the applicants from

outside the county chose also to complete their citizenship ceremony with the service, bringing further income from the applicants and from the Home Office.

31. Appointments are currently being offered at the registration offices in West Bridgford, Newark, Retford, Carlton and Mansfield, with County Hall proving to be a particularly popular venue (with 18 applications appointments). Investigations are being made for the Beeston Office to take appointments soon, and an online enquiry form is being developed to take customer applications outside office hours and thereby retain the business in Nottinghamshire. A second cohort of registrars will be trained during April to enable more appointments to be completed in more offices across the County. Marketing and promotional material has been distributed widely, and the service is beginning to see bookings coming through “word of mouth”.

Statutory and Policy Implications

32. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) It is recommended that the Community Safety Committee notes the Emergency Planning Team’s response to the recent siege incident in Hucknall, plus recent planning and training activities, and notes the successful commencement of same sex marriage ceremonies in Nottinghamshire.

PAUL MCKAY

Service Director, Access and Public Protection

For any enquiries about this report please contact:

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Constitutional Comments (Shb.03.04.14)

33. The Report is for noting only so no constitutional comments are required

Financial Comments (KAS 08/04/14)

34. There are no financial implications contained within this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All

29th April 2014**Agenda Item: 14****REPORT OF THE SERVICE DIRECTOR,
ACCESS AND PUBLIC PROTECTION****LEGISLATIVE BASIS OF PLANNING FOR MAJOR FLOODS****Purpose of the Report**

1. The purpose of this report is to provide an overview of the legislative basis for planning and preparation for the impact of major flooding in Nottinghamshire.

Information and AdviceBackground

2. Recent experience of severe flooding across the UK has raised concerns that flooding is becoming more frequent and more severe, with a growing number of communities affected each year. In such incidents, the victims may experience many weeks of hardship, and the local economy can be affected severely.
3. The risk of flooding in Nottinghamshire is ranked amongst the highest of the risks identified in the Community Risk Register (CRR) of the Local Resilience Forum (LRF). Small scale floods occur most years somewhere in the county and major wide-scale flooding has been experienced most recently in 2000, 2007 and 2013. Across the whole of Nottinghamshire there are around 40,500 people that could be affected by river flooding during an event with a 1% chance of happening in any given year. The floods of 2007 inundating some 1,400 Nottinghamshire properties.
4. Flooding from various sources may occur separately or in combination, and can vary considerably in magnitude and duration, with significant damage possible in both urban and rural areas. River systems cover much of Nottinghamshire and 'Fluvial' (river related) flooding may result from the overtopping and/or breaching of flood defences by:
 - Heavy rainfall and/or melting snow causing high water levels in rivers and tributaries
 - Dam/reservoir failure causing exceptionally high water levels in rivers downstream
 - Flash flooding due to intensive localised storms
 - Any combination of the above

5. Another type of flooding, called 'Pluvial' (or surface water) flooding occurs when the ground and drainage systems cannot cope with intense rainfall. This is typically associated with summer thunderstorms and is normally highly localised. This flooding tends to have a very short lead-time, making it difficult to predict, and it can occur where no natural watercourse exists.
6. Legislation governing local authorities' interest in flooding falls into two distinct parts; that relating to flood risk management / flood prevention work (which is led by Highways, and is reported to the Transport and Highways Committee) and that relating to the need to plan and prepare to respond when flooding occurs, which is led by the emergency planning team and is reported to the Community Safety Committee.
7. As witnessed during the flood events affecting Somerset Levels and the Thames Valley over recent months, major flooding events attract attention from local, national and international audiences. In such events, the response of local agencies (including County Councils) comes under intense scrutiny and attracts critical comment.

Flood Risk Management

8. Following the severe flooding of summer 2007, the government commissioned an independent review (the 'Pitt Review') which in 2008 recommended that local authorities should lead on the management of local flood risk, working in partnership with other organisations. Two key pieces of legislation have brought this forward; the 'Flood Risk Regulations' (2009) which transpose the EU Floods Directive into UK Law, and the 'Flood and Water Management Act' (2010). Under this Act, the County Council is a 'Lead Local Flood Authority' (LLFA) and has powers and duties for managing flooding from local sources (Ordinary Watercourses, surface water and ground water). The role includes investigations after flooding has occurred and flood risk assessment and management.
9. Although this particular legislation does not cover flood emergency response, residents in flood risk areas naturally look to the County Council for support during flooding due to the authority's status as the 'Lead Local Flood Authority.'

Floods Emergency Planning and Response

10. The Civil Contingencies Act (2004) is the most significant piece of legislation affecting emergency planning and response in the UK. Under this Act, the County Council and other Local Resilience Forum partners have seven duties:
 - Risk Assessment
 - Emergency Planning
 - Cooperation with Partners
 - Information Sharing with Partners
 - Warning and Informing the Public
 - Business Continuity
 - Business Continuity Promotion

11. In respect of the duty to assess the risk of emergencies impacting the County, the Community Risk Register of the Local Resilience Forum identifies the following four specific flood related hazards:

- Local fluvial flooding (High Risk)
- Local / urban flooding (fluvial or surface run-off) (High Risk)
- Localised, extremely hazardous flash flooding (High Risk)
- Major reservoir dam failure / collapse (Medium Risk)

12. The assessments identify some thirty communities in danger of flooding and the following rivers and watercourses as posing the greatest risk in the county:

- River Trent
- Lower River Soar
- River Devon
- River Smite
- River Erewash
- River Maun
- River Idle
- River Ryton
- The Cocker Beck
- The Dover Beck at Woodborough
- The Potwell Dyke at Southwell
- River Greet at Rolleston.

13. Having assessed the risk of flooding, other duties under the Civil Contingencies Act require the County Council, working in concert with partners, to prepare appropriate plans to be able to respond effectively to the impact of flooding and help to alleviate the effects on communities and infrastructure.

14. For the purpose of emergency planning, a major flooding incident can be considered as one that has a significant impact on a community including the flooding of multiple properties, disruption of road networks and the interruption of other transport systems. Often they will affect multiple locations, with fluvial flooding in particular likely to have countywide impact. The main elements of the County Council's planned response to a flood emergency are:

- On scene response / support – providing sandbags, closing off unsafe roads, pumping where appropriate, structural assessments (e.g. bridges), gully emptying.
- Warning and informing the public, providing timely information and advice.
- Identifying and supporting vulnerable residents that are known to the County Council.
- Supporting emergency services and other responding agencies (e.g. with evacuation).
- Providing emergency accommodation / transport for evacuees and addressing any other welfare needs.
- Responding to animal health / welfare issues (e.g. stranded livestock).

- Representation at multi-agency coordinating groups.
 - Ensuring that delivery of the County Council's critical services is uninterrupted.
15. The principle LRF emergency plans involved are the Flood Response Plan, Generic Reservoir Emergency Off-site Plan, Sandbag Policy, and Local Floods Response Plans for Newark and Sherwood, Bassetlaw and Mansfield. The County Council's plans include an internal Floods Emergency Plan plus generic NCC plans including:
- Major Emergency Plan
 - County Emergency Centre Plan
 - Elected Members Emergency Plan
 - Emergency Accommodation Plan
 - Emergency Transport arrangements
 - Community Flood Signage Scheme Policy
16. Other relevant plans include:
- LRF Communicating with the Public Plan
 - LRF Generic Major Incident Response Plan
 - LRF Recovery Plan
 - Community emergency plans
17. Responding effectively to significant flooding will usually demand a high level of resources and it is likely that some normal service delivery will be interrupted. In these circumstances, it is likely that the Nottinghamshire County Council response structure for major emergencies will be invoked and the 'County Emergency Centre' will be brought into use as a communication and coordination hub for the Council.
18. Training events are provided for staff, partners and volunteers, and the plans are validated through exercises. The most recent major exercise of local flood response plans was Exercise Diamond 3 held on 19th September 2013.

Community Resilience

19. Recent UK flood incidents have demonstrated the important leadership role of councils when emergencies affect local communities. As well as the immediate support for victims (as part of the multi-agency response), Councils play a significant role in helping households, communities and businesses to recover. In many areas, the recovery process stimulates an interest amongst householders, businesses' and community groups to take steps themselves to be prepared for future flooding. The emergency planning team support this by signposting to flood protection advice, providing business continuity advice and a template 'Community Emergency Plan' and guidance.
20. A particularly good example of a flood risk community taking steps to manage their own risks and to prepare for future floods is provided by the Southwell Flood Forum. This has evolved to be the most elaborate example of community resilience in Nottinghamshire. The emergency planning team has assisted by

providing support and guidance, participated in the development of a community flood signage scheme (involving up to 21 possible road closure points in severe flooding) and training for more than 50 Southwell Flood Wardens.

Statutory and Policy Implications

21. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATIONS

It is recommended that the committee:

1. notes the contents of this report, reflecting in particular that a variety of legislative instruments govern flood risk management and planning for the response to a flood emergency, and,
2. asks the Emergency Planning Team to brief individual Members on the plans in place for responding to flooding in their area.

PAUL MCKAY

Service Director for Access and Public Protection

For any enquiries about this report please contact:

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Constitutional Comments (SHB 10.4.14)

22. This report is for noting only so no Constitutional Comments are required.

Financial Comments (KAS 02/04/14)

23. There are no financial implications contained within the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- NCC Floods Response Plan

Electoral Division(s) and Member(s) Affected

- All

29 April 2014**Agenda Item: 15****REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's proposed work programme for 2013/14.

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. Further to discussions at the meeting on 5 November 2013, the next meeting of the Committee on 10 June 2014 – 2pm will be held at the Gilstrap Centre in Newark.
5. The proposed agenda item on the work of the Multi-Agency Safeguarding Hub (MASH) has been removed from the work programme as a briefing for all Members is being planned about adult and children safeguarding (including the work of the MASH). Further details of this Members' briefing will be circulated once finalised.

Other Options Considered

6. None.

Reason/s for Recommendation/s

7. To assist the committee in preparing its work programme.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the committee's work programme be noted, and consideration be given to any changes which the Committee wishes to make.

Jayne Francis-Ward
Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact:

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Constitutional Comments (SLB)

9. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (PS)

10. There are no financial implications arising directly from this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

COMMUNITY SAFETY COMMITTEE - WORK PROGRAMME

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>Lead Officer</u>	<u>Report Author</u>
10 June 2014 - GILSTRAP CENTRE, NEWARK			
Proposed new model for Adult Community Substance Misuse Treatment and Recovery System	Further to consideration by Committee in July 2013, update report following consultation exercise.	Martin Done	Tony Shardlow
Update on key Trading Standards matters	Update on important developments in the Service	Paul McKay	Mark Walker
Update on Emergency Management and Registration Services	Update report on key activities and events in Emergency Planning and Registration	Paul McKay	Rob Fisher
Update on Community Safety	Report outlining key issues for community safety in Nottinghamshire	Paul McKay	Sarah Houlton
22 July 2014			
Road Traffic Accidents update	Update on lessons learned from the recent increase in road traffic accidents that had resulted in people being killed or seriously injured and planned programme of activity.	Paul McKay	Sarah Houlton
Update on key Trading Standards matters	Update on important developments in the Service	Paul McKay	Mark Walker
Update on Emergency Management and Registration Services	Update report on key activities and events in Emergency Planning and Registration	Paul McKay	Rob Fisher
Update on Community Safety	Report outlining key issues for community safety in Nottinghamshire	Paul McKay	Sarah Houlton
30 September 2014			
Update on key Trading	Update on important developments in the Service	Paul McKay	Mark Walker

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>Lead Officer</u>	<u>Report Author</u>
Standards matters			
Update on Emergency Management and Registration Services	Update report on key activities and events in Emergency Planning and Registration	Paul McKay	Rob Fisher
Update on Community Safety	Report outlining key issues for community safety in Nottinghamshire	Paul McKay	Sarah Houlton
11 November 2014			
Registration Service Fees 2015-2016	Review of registration service fees for 2015-2016	Paul McKay	Rob Fisher
Update on key Trading Standards matters	Update on important developments in the Service	Paul McKay	Mark Walker
Update on Emergency Management and Registration Services	Update report on key activities and events in Emergency Planning and Registration	Paul McKay	Rob Fisher
Update on Community Safety	Report outlining key issues for community safety in Nottinghamshire	Paul McKay	Sarah Houlton
6 January 2015			
Update on key Trading Standards matters	Update on important developments in the Service	Paul McKay	Mark Walker
Update on Emergency Management and Registration Services	Update report on key activities and events in Emergency Planning and Registration	Paul McKay	Rob Fisher
Update on Community Safety	Report outlining key issues for community safety in Nottinghamshire	Paul McKay	Sarah Houlton

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>Lead Officer</u>	<u>Report Author</u>
24 February 2015			
Update on key Trading Standards matters	Update on important developments in the Service	Paul McKay	Mark Walker
Update on Emergency Management and Registration Services	Update report on key activities and events in Emergency Planning and Registration	Paul McKay	Rob Fisher
Update on Community Safety	Report outlining key issues for community safety in Nottinghamshire	Paul McKay	Sarah Houlton
Review of Fees and Charges to Businesses and other Trading Standards Authorities for 2015/16	To obtain approval for the annual review of metrology fees and to review fees for other services.	Paul McKay	Mark Walker
Review of Charges made for Advice and Support provided to Businesses in 2015/16	To obtain approval for changes to the pricing structure and fees charged for advice and support provided to Nottinghamshire Businesses from 1 April 2015.	Paul McKay	Mark Walker

