

## **Communities and Place Committee**

**Thursday, 22 June 2017 at 10:30**

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

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### **AGENDA**

- 1 To note the appointment by Council on 25th May 2017 of Councillor John Cottee as Chairman and Councillors Gordon Wheeler and Kevin Rostance as Vice-Chairmen.
- 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)
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## **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 Martin Gately (Tel. 0115 977 2826) 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>

**22 June 2017****Agenda Item: 4**

## **REPORT OF THE CORPORATE DIRECTOR, RESOURCES**

### **TERMS OF REFERENCE AND MEMBERSHIP**

#### **Purpose of the Report**

1. To note the membership and terms of reference of the Communities and Place Committee.

#### **Information and Advice**

2. The following councillors have been appointed to the committee:

Chairman – Councillor John Cottee  
Vice-Chairman – Councillor Kevin Rostance  
Vice-Chairman – Councillor Gordon Wheeler

Councillor Pauline Allan  
Councillor Glynn Gilfoyle  
Councillor Kevin Greaves  
Councillor Tony Harper  
Councillor Tom Hollis  
Councillor John Knight  
Councillor Bruce Laughton  
Councillor John Ogle

3. The County Council on 25 May 2017 established the committee with the following terms of reference:
  1. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to community and place activity:
    - a. All decisions within the control of the Council including but not limited to those listed in the Table below
    - b. Policy development in relation to community and place activity, subject to approval by the Policy Committee or the Full Council
    - c. Review of performance in relation to the services provided on a regular basis
    - d. Review of day to day operational decisions taken by Officers

- e. Approval of relevant consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
  - f. Approval of relevant staffing structures as required
  - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
2. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
  3. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.
  4. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for transport and highways including: <ul style="list-style-type: none"> <li>• the planning, management and maintenance of highways including traffic management and residents' parking schemes</li> <li>• the development of integrated transport systems</li> <li>• road safety</li> <li>• the provision of passenger transport services</li> </ul>
Responsibility for Community Safety
Responsibility for all Trading Standards functions and statutory duties
Responsibility for all matters relating to minerals and waste planning not falling within the delegation of any other committee
Responsibility for all matters relating to Council's role as Waste Disposal Authority.
Responsibility for making observations on planning matters on which the County Council is consulted, in accordance with the agreed protocol
Responsibility for all functions undertaken in relation to emergency planning including the safety of sports grounds
Responsibility for all duties arising in relation to the Coroner's Service
Responsibility for the registration services for births, deaths and marriages
Responsibility for statutory crime and disorder and flood risk management scrutiny

Table
Responsibility for libraries and archives, adult learning, development of the arts, cultural and heritage activities
Responsibility for support for sports development and sports facilities
Responsibility for country parks, open spaces, promoting public access to land except by highways means and other countryside services
Responsibility for conservation and archaeology
Responsibility for the Supporting Local Communities Scheme
Responsibility for all matters relating to environmental awareness and sustainability, the control of pollution or the management of air quality
Responsibility for Grant Aid as defined in the Grant Aid Strategy and for strategic engagement with the voluntary sector

### Other Options Considered

4. None.

### Reason/s for Recommendation/s

5. To inform the committee of its membership and terms of reference.

### 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 services), the public sector equality duty, safeguarding of children and adults at risk, 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

That the committee's membership and terms of reference be noted.

**Jayne Francis-Ward**  
**Corporate Director, Resources**

**For any enquiries about this report please contact:**

Paul Davies, Democratic Services  
T: 0115 977 3299

**Constitutional Comments**

7. As this report is for noting, no constitutional comments are required.

**Financial Comments (NS 6/6/17)**

8. There are no financial implications arising from this report.

**Background Papers and Published Documents**

None.

**Electoral Division(s) and Member(s) Affected**

All.

**22 June 2017****Agenda Item: 5****REPORT OF THE SERVICE DIRECTOR, COMMISSIONING, RESOURCES  
AND CULTURE****CULTURE, LEARNING AND LIBRARIES – INSPIRE: DEVELOPMENT  
UPDATE AND FIRST YEAR REVIEW****Purpose of the Report**

1. To update the Committee on the development of Inspire in the delivery of cultural, learning and library services across Nottinghamshire and its achievements in the first year of operation.

**Information and Advice****Context**

2. Inspire was established as an independent Community Benefit Society in June 2015 and undertook the delivery a range of cultural and learning services on behalf of the County Council from 1<sup>st</sup> April 2016. The change in operating model was part of the Council's 'Redefining Your Council' strategic vision.
3. There is a contractual arrangement between the Council and Inspire which outlines the scope and range of services to be delivered on its behalf. A detailed services specification and performance mechanism has been established and is reviewed and reported on between the Council and Inspire monthly.
4. Customers and learners have seen no significant change in the level and quality of service delivery.
5. Staff transferred to Inspire on 1<sup>st</sup> April 2016 and are members of the new Society, and have elected a staff member to the Inspire board.
6. In addition to the smooth transfer of staff, senior staff of Inspire have established systems and policies to enable the new organisation to be financially robust, be compliant with legislation, maintain its charitable status, ensure it can meet its contractual agreements and agreed levels of performance.
7. This report informs the Committee of progress since April 2016.



## Review of Year One

### Performance and Quality Assurance

8. Inspire has met the range of performance requirements laid out within the service specification (attached as **Appendix 1**).
9. Inspire has also achieved several external accreditations to validate its performance. These include:
  - **Archives accreditation** – Nottinghamshire Archives service meets the standards as inspected by The National Archives (TNA)
  - **Customer Service Excellence (CSE)** – Inspire wide accreditation to the government's standard
  - **MATRIX** – Inspire wide accreditation to the national Information, Advice and Guidance (IAG) standard.

### Finance

10. Inspire achieved £1m savings as it went live in April 2016 including £500,000 from the change to charitable status of the new organisation. Further savings of £350,000 are programmed to be made by March 2018.
11. In addition, Inspire has also made a number of savings and efficiencies within the contract price which reduces the burden on Council funding. This includes costs of pay awards, changes in National Insurance, the apprentice levy, VAT liabilities and one-off pressures that if the services were within the Council would present a financial risk to the Council.
12. Inspire as an independent organisation and employer can drive through greater efficiencies and is flexible enough to manage financial pressures.

### Entrepreneurial dividend / grants / continuous improvement

13. During its first year Inspire has started to develop its approach to attaining greater sustainability to meet the ongoing reductions in Council funding, to enable it to deliver and develop services on behalf of the Council.
14. Staff teams are focussed on cost efficiency and generating new streams of income. Reductions in running costs and smarter procurement have been successful. Further work to enhance and promote meeting space hire across the whole estate is underway. Through interviews with Inspire staff customer service excellence inspectors identified that the new operating model had empowered and motivated staff in new ways.
15. Seeking grant funding to develop and deliver services has resulted, in the first year, in additional one-off investments of over £400,000 in Nottinghamshire, resulting in

additional engagement and training of 2,036 people and working with 31 groups and schools.

16. Bidding for further grants will be pursued within the framework of the strategic aims of the organisation and where greatest impact can be made.

### **Governance**

17. The Inspire board has been operating since April 2016 and following elections is now fully established. The board recently agree to establish a number of sub-committees to support the development of the organisation. These include: Music; Culture and Heritage; Learning and Skills; Finance and Audit; Staffing and Standards and Development.
18. Inspire will continue to gain from the wide-ranging skills and experience of board members.

### **Achievements / Highlights**

19. These are as follows:
  - Archives – national accreditation as an approved place of deposit
  - Awards – a public awards scheme to celebrate achievement
  - Big Draw enhanced with grant funding to 1,500 people and 22 organisations
  - Christmas celebration – over 850 people saw Nottinghamshire young singers perform at the Royal Concert Hall
  - Commissioned rural touring ‘Village Ventures’ and ‘Earth and Fire’ ceramics fair
  - County Youth Arts – Able Orchestra participation in BBC Proms at the Royal Albert Hall
  - Establish and support community partnership libraries
  - Grant funding to deliver children’s theatre in libraries
  - Membership – over 39,000 people are members of Inspire
  - Music Hub – partnership delivery of music education - eg Big Sing / National Youth Choirs of Great Britain (NYCGB)
  - New external partners – Nottingham Trent University and Nottingham University, The Broadway Cinema
  - Skills service – achieving 68% progression to work or further training
  - Summer Reading Challenge – highest take up ever – 10,696, a 5% increase
  - Website – includes events and course directory, booking and online payment.

### **Customer and Learner satisfaction**

20. Across all services areas there is a regular process of gaining satisfaction levels and feedback. Complaints are very low and outnumbered by compliments, both are reported to the Council monthly. Customer and learner satisfaction levels (good or very good) target of 90% is set within the performance specification.

21. During the first year of operation the following satisfaction levels have been achieved:
- Community Learning - satisfaction score current running total for 2016/17 is 95.1%
  - Education Library Service customer satisfaction score currently 97%
  - Instrumental and Music Teaching customer satisfaction is 93%
  - Archives – overall customer satisfaction score of 95%.
22. Feedback from the Customer Service Excellence (CSE) inspection undertaken in March 2017 indicated high levels of satisfaction and engagement across all Inspire services.

### **Staff Feedback**

23. During the transition process staff were highly engaged in developing the new organisation and its values. The recent CSE and Matrix inspection identified positive feedback and engagement from staff in supporting the new operating model. It also identified a higher level of innovation and desire to ensure the success of the whole organisation. During 2017 a new workforce development strategy will be implemented to support staff and further engage with staff. A new staff forum model will be launched providing staff input into service developments, innovation and problem solving.

### **Relationship with the Council and stakeholders**

24. The Council has a good working relationship with the new organisation and maintains two nominated places on its main board. The Council also has board observer status for senior officers.
25. An agreed communications protocol between the Council and Inspire was approved by Culture Committee and is working well.
26. Other funders, Arts Council England, Education Funding Agency and Skills Funding Agency, have engaged in a positive way with Inspire during its first year.
27. New working relationships have been developed with a range of organisations, including - Nottingham Trent University, First Arts Creative People and Places, The Royal Concert Hall Nottingham, NYCGB, The Harley Foundation, UNESCO City of Literature and BBC Radio Nottingham (book club).

### **Other Options Considered**

28. The report is for noting only.

### **Reason/s for Recommendation/s**

29. The report is for noting only.

### **Statutory and Policy Implications**

30. 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 services), the public sector equality duty, safeguarding of children and adults at risk, 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**

31. There are no financial implications arising from this report.

## **RECOMMENDATION/S**

- 1) That the update on the development of Inspire in the delivery of cultural, learning and library services across Nottinghamshire and its achievements in the first year of operation be noted.

**Derek Higton**  
**Service Director, Commissioning, Resources and Culture**  
**Children, Families and Cultural Services**

**For any enquiries about this report please contact:**

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## **Constitutional Comments**

32. As this report is for noting only, no Constitutional Comments are required.

## **Financial Comments (SS 04/03/17)**

33. There are no 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.

Launch of Inspire – report to Culture Committee on 19 April 2016

Inspire review October 2016  
[https://www.inspireculture.org.uk/documents/148/IAR\\_FINAL.pdf](https://www.inspireculture.org.uk/documents/148/IAR_FINAL.pdf)

Inspire communications and marketing activity protocol – report to Culture Committee on 1 November 2016

**Electoral Division(s) and Member(s) Affected**

All.

C0970

## Service Performance Specification

Area of Service Delivery	Performance Standard	Measure
Records Management Service	26. Provide the timely delivery of records to agreed standards	All requested records provided the following working day or as agreed with client
Records Management Service	27. Maintain condition, confidentiality and security of records to agreed standards	No breaches
Nottinghamshire Archives service for Nottingham and Nottinghamshire	13. Provide opening hours to an agreed pattern	Opening Hours
Nottinghamshire Public Library Service	16. Provide opening hours to an agreed pattern	Opening Hours
Nottinghamshire Archives service for Nottingham and Nottinghamshire	14. Not exceed unplanned closure at an agreed level	0.5% of agreed Opening Hours
Nottinghamshire Public Library Service	17. Not exceed unplanned closure at an agreed level: a. Static; b. Mobiles	a. 0.5% of agreed Opening Hours b. 1.5% of agreed Opening Hours
Nottinghamshire Public Library Service	18. Achieve an agreed level of visits (annual target with % tolerance)	2.8 million (reporting tolerance – 5%)
Learning – community learning service	5. Deliver the SFA contract to meet the agreed levels: a. Target learners; b. Number of learners (SFA contract)	a) 68% of learners from top 250 Super Output Areas (SOAs) (per academic year); b) 7,500 adult learners* (per academic year) *related to SFA contractual targets
Learning – Skills for Employment	8. Deliver the EFA contract to meet the agreed requirements: a. Targeting this group of learners; b. Achieving an agreed level of progression of young people to employment or further training	a) Young people 16 to 19 with qualifications below 5 GCSE Grade A - C; b) 65%

Records Management Service	24. Deliver a records management function for NCC, achieving agreed customer satisfaction levels	Customer satisfaction 90% +
Records Management Service	25. Maintain and action retention schedules	Reviewed and updated with NCC services (annually)
Arts	2. Apply for external funding streams to enable strategic development	Applications (direct or supported) for external funding
Nottinghamshire Public Library Service	20. Provide quality stock, ensuring that: a. Items for loan do not exceed the agreed replenishment rates; b. The book and resource purchase fund is maintained at an agreed rate	a) 7 years (all stock); 8 years (children's stock) b) £800K
Nottinghamshire Public Library Service	19. Achieve agreed benchmarks for value for money and overall performance	Net expenditure – average and then review annually; Net income – increasing to average and then review annually; Volunteering – increasing to average and then review annually; Website Visits – average and then review annually
Arts	Co-ordinate key programmes 1. Rural Touring Programme 2. Arts Programme	6,000 attendances annually 2,000 attendances
Nottinghamshire Public Library Service	c. Information and Digital Universal Information Offer – free information service (face to face, email and via ASK Libraries), supported use of free public access ICT / information / government sites. Ability to search library catalogue and online resources, reserve/request/ renew items online and join online	Levels 1, 2 & 3 Free Wi-Fi/ free internet during opening hours

Nottinghamshire Public Library Service	<p>d. <u>Local Studies</u> – Provide access relating to Nottinghamshire its history and environment in all libraries and via digital sources and exhibitions.</p> <p>Provide onsite and where feasible access to online resources to support research into Nottinghamshire's story.</p> <p>Maintain a comprehensive photographic collection for Nottinghamshire via the Picture your Past partnership</p>	<p>Local Studies Offer:</p> <p>Level 1 – Comprehensive collection of published sources (including maps and photographs) covering the County and local town/district area;</p> <p>Level 2 – Provide a collection of published sources about Nottinghamshire and the immediate town/area;</p> <p>Level 3 – Provide a collection of published material relevant to the library catchment area</p>
Nottinghamshire Public Library Service	<p>e. <u>Health and Wellbeing</u></p> <p>Contribute to health and wellbeing through reading and information services</p>	<p>Health and Well-being Offer</p> <p>Level 1, 2 &amp; 3 – Books on Prescription Scheme; Dedicated space for health related activity in selected libraries;</p> <p>Level 1, 2 &amp; 3 – Free and supported access to health information resources (eg Help Yourself website);</p> <p>Level 1, 2 &amp; 3 - Access to targeted resources (eg memory lane bags) via request system</p>
Nottinghamshire Public Library Service	<p>f. <u>Learning Support</u></p> <p>Independent study and access to learning resources.</p> <p>Sign post learners to courses and information, advice and guidance.</p> <p>Learning Offer Level 1 ICT support session – 24 sessions per year</p> <p>Level 2 ICT support session – 6 sessions per year</p>	<p>Learning:</p> <p>Level 1 – Provision of study space, exhibition space and a wide range of non-fiction resources;</p> <p>Level 2 – Provision of study space; see Combined Core Service target</p>
Nottinghamshire Public Library Service	<p>23. Establish Community Partnership Libraries to agreed standards</p>	<p>Telephone helpline provided to all CPLs (Monday – Saturday);</p> <p>1 stock delivery / pick up per week;</p> <p>Access to Library Management System (LMS);</p> <p>Provision of County Library support as agreed with each CPL;</p> <p>16 CPLs established by end March 2019</p>



Nottinghamshire Public Library Service	<p>b. <u>Children</u></p> <p>To ensure the universal reading offer is available to children and young people. A dedicated children's area in every library, and a young adults area in larger sites. Children's offer:</p> <p>Level 1 – Under 5's event 2 per week (min); Introductory Class Visit; Book/Reading activity – 4 per year; School Exchange Visits;</p> <p>Level 2 – Under 5's event 1 per month (min); Introductory Class Visit; School Exchange Visits;</p> <p>Level 3 - Introductory Class Visit – teacher led; School Exchange Visits; Bookstart offer: Summer Reading Challenge – available at all libraries</p>	BookStart 95% + babies reached; Summer Reading Challenge target 8,000 + children participating
Learning – community learning service	6. Achieve agreed levels of learner satisfaction	90% of learners stated the course met or exceeded their expectations
Learning – Skills for Employment	9. Achieve agreed levels of learner satisfaction	90% of learners stated the course met or exceeded their expectations
Sold Services to Schools	28. Ensure that the Education Library Service achieves agreed customer satisfaction levels	90% + customer satisfaction rating
Sold Services to Schools	29. Provide an Instrumental Music Teaching service as a sold service, at the agreed cost to NCC	Nil cost to NCC
Sold Services to Schools	30. Ensure that Instrumental Music Teaching achieves agreed customer satisfaction levels	90% + customer satisfaction rating
Sold Services to Schools	31. Support the Music Continued Professional Development network	Provide a minimum of 3 CPD events for Nottinghamshire Schools and staff

Sold Services to Schools	32. Provide the Nottinghamshire Music Hub	<p>Provide access to whole class ensemble teaching programmes free to young people at the point of contact for a term in all 7 Nottinghamshire districts</p> <p>Provide continuation opportunities for young people in and out of schools in all 7 Nottinghamshire districts</p> <p>Provide discounted tuition and instrument loan scheme for those on low incomes</p> <p>Provide a minimum of 3 high quality/large scale music activities for young people working with professional musicians and/or venues</p>
Learning – community learning service	4. Achieve an agreed outcome of OfSTED Inspection	Good
Learning – Skills for Employment	7. Achieve an agreed outcome of OfSTED Inspection	Good
Nottinghamshire Archives service for Nottingham and Nottinghamshire	10. Achieve archives service accreditation as specified	Acquire and maintain the accreditation with The National Archives (TNA)
Nottinghamshire Archives service for Nottingham and Nottinghamshire	11. Ensure legal compliance	Meet the legal requirements for archives
Nottinghamshire Archives service for Nottingham and Nottinghamshire	15. Ensure that conservation meets an agreed standard	PD5454 compliant conservation unit or services
Nottinghamshire Public Library Service	21. Achieve agreed customer satisfaction ratings for the following areas:	CIPFA PLUS Survey Questions and targets
Nottinghamshire Public Library Service	a. Quality and choice of book stock (adults); Q - What do you think of the books in this library	Target 80% + (good or very good)

Nottinghamshire Public Library Service	b. Quality and choice of book stock (children); Q - The library having the books I need...	Target rating 8+ out of 10
Nottinghamshire Public Library Service	c. User satisfaction (adult); Q - Taking everything into account, what do you think of this library?	Target 90% + (good or very good)
Nottinghamshire Public Library Service	d. User satisfaction (children); Q - Overall, what do you think of this library?	Target 8+ out of 10
Nottinghamshire Archives service for Nottingham and Nottinghamshire	12. Achieve agreed levels of customer satisfaction measured through the PSQG survey of British Archives	90% overall customer satisfaction (Every 18 months)
Nottinghamshire Public Library Service	23. Community Partnership Libraries	16 CPLs established by end of March 2019

**22 June 2017****Agenda Item: 6****REPORT OF THE SERVICE DIRECTOR, COMMISSIONING, RESOURCES  
AND CULTURE****CULTURAL SERVICES – SERVICE UPDATE****Purpose of the Report**

1. To provide Committee with a high level update on key operational matters across the cultural services portfolio for the period April – June 2017.

**Information and Advice*****Rufford Abbey Country Park***

2. The County Council's contract with Parkwood Leisure for the operation and management of commercial and visitor services at Rufford Abbey Country Park commenced in February 2017. As part of the contract, the Council is investing £1million into the redevelopment of the commercial and visitor offer at the Park. Thus far, the following redevelopment projects have been completed:
  - transfer of the Outdoor Living shop from Rufford Mill to a new site in the main Abbey Courtyard, creating a Courtyard retail hub
  - opening of a new Rufford delicatessen/farm shop, stocking locally produced goods
  - refurbishment of the Coach House Café, Rufford's main catering facility, and the introduction of new food/beverage menus
  - introduction of a new "vintage" coffee van in the Courtyard area, to provide an additional "grab and go" food and drink selling point.
3. In addition, preparatory work is proceeding for the introduction of the following developments over the summer and autumn period, subject to final scheduling and planning approval/conditions
  - new "mini-golf" and outdoor/adventure play facilities
  - new plant sale facilities in the Orangery area (seasonal)
  - new boating facilities on the Lake (seasonal)
  - new Automatic Number Plate Recognition (ANPR) systems to manage car parking arrangements
  - extended car parking facilities to increase the volume of customer car parking facilities at the Park.

4. The capital developments are supporting the continuing financial viability of the Park, as well as significantly improving the overall customer offer.
5. In performance terms, the new arrangements with Parkwood are proceeding well, with both financial and visitor number targets being achieved.
6. The contract with Parkwood has reduced the cost of operating Rufford Country Park to the Council by approximately £300,000 per annum.

### ***Sherwood Forest Country Park***

7. The Council has contracted with the Royal Society for the Protection of Birds (RSPB) to develop a new Sherwood Forest Country Park Visitor Centre, and subsequently manage Sherwood Forest Country Park.
8. Groundworks for the new Centre, which will be located in the Forest Corner area of the Park, began in May. Main construction will commence in July/August, with completion due in Spring 2018.
9. Upon completion, Sherwood Forest Country Park will be operated at no cost to the County Council. Current costs are in the region of £400,000 per annum.

### ***Bestwood Country Park***

10. The Council is contracting with Gedling Borough Council for the future management of Bestwood Country Park. Final arrangements for the establishment of the contract are underway, and it is anticipated that the contract will commence from 1 July 2017. The new arrangement will save the County Council approximately £50,000 per annum.

### **Other Options Considered**

11. None.

### **Reason/s for Recommendation/s**

12. To ensure Committee is aware of key operational developments across the cultural services portfolio.

### **Statutory and Policy Implications**

13. 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 services), the public sector equality duty, safeguarding of children and adults at risk, 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**

14. These are detailed in the main body of the report.

## **RECOMMENDATION/S**

- 1) That Committee notes the key operational developments across the cultural services portfolio in the period from April to June 2017.

**Derek Higton**  
**Service Director, Commissioning, Resources and Culture**  
**Children, Families and Cultural Services**

**For any enquiries about this report please contact:**

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## **Constitutional Comments**

15. As this report is for noting only, no Constitutional Comments are required.

## **Financial Comments (SAS 09/06/17)**

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

## **Background Papers and Published Documents**

None.

## **Electoral Division(s) and Member(s) Affected**

All.

C0993



**22 June 2017****Agenda Item: 7****REPORT OF THE SERVICE DIRECTOR, COMMISSIONING, RESOURCES  
AND CULTURE****FUTURE MANAGEMENT ARRANGEMENTS – RUFFORD COUNTRY PARK****Purpose of the Report**

1. This report seeks approval for the commencement of an options appraisal that will examine the best way to deliver the grounds maintenance and rangering estate operations at Rufford Abbey Park in the future. A further report will then be brought back to Committee with recommendations.

**Information and Advice**

2. The Council is committed to maintaining Rufford Country Park both as a key tourism destination venue for Nottinghamshire, and as an important local leisure-time and heritage amenity for local people. Approximately 350,000 people visit Rufford each year.
3. In February 2017, following the completion of a competitive procurement process, Parkwood Leisure Ltd (a large leisure services company) assumed responsibility for the long term management and development of the commercial operations at Rufford. These operations include the catering and retail provision at the Park, and the overall visitor and event offer.
4. The new arrangement with Parkwood will see £1million worth of capital investment in the facilities at Rufford over the course of the current financial year, and a consequent reduction in the overall cost of operating the Park of around £300,000 per year for the duration of the contract, which initially extends to 2032.
5. At present, the County Council has retained direct responsibility for Park rangering and grounds maintenance work at Rufford. The cost of this work is approximately £250,000 per year.
6. Council officers meet with Parkwood Leisure representatives on a monthly basis to monitor contract performance and delivery. As a consequence of these meetings, it has become apparent that there could be potential benefits for the Council from delivering the grounds and rangering services differently.



7. When examining any options the Council will be looking to ensure there is a more:
- seamless visitor offer
  - cost effective grounds and environment management/development arrangement.

### **Other Options Considered**

8. This report seeks approval for officers to explore the operational and financial viability of different options to deliver the grounds and rangering services. Should no options prove worth pursuing, then it is anticipated that current arrangements will remain in place.

### **Reason/s for Recommendation/s**

9. To enable officers to examine the best option for delivering the grounds and rangering services in the future at Rufford Country Park on behalf of the Council.
10. The outcome of the options appraisal will be reported back to the September meeting of the Communities and Place Committee, with resultant recommendations.

### **Statutory and Policy Implications**

11. 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 services), the public sector equality duty, safeguarding of children and adults at risk, 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**

12. These are detailed earlier in the report.

### **Human Resources Implications**

13. In the event of an external partner taking over the grounds and rangering staff, any transferring employees would be protected under the Transfer of Undertakings (Protection of Employment) (TUPE) regulations.

### **Implications for Service Users**

14. A key consideration in the options appraisal would be a seamless visitor offer.

### **Implications for Sustainability and the Environment**

15. The future operations of the grounds maintenance and rangering arrangements at Rufford would be governed by an appropriate service specification that would be monitored through the already established contract monitoring arrangements.

## **RECOMMENDATION/S**

That:

- 1) approval be granted for officers to commence an options appraisal for future management of the grounds maintenance and rangering operations
- 2) a further report be brought back to this Committee with recommendations.

**Derek Higton**  
**Service Director, Commissioning, Resources and Culture**  
**Children, Families and Cultural Services**

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### **Constitutional Comments (CEH 02/06/17)**

16. The recommendations fall within the remit of the Communities and Place Committee under their terms of reference.

### **Financial Comments (SAS 25/05/17)**

17. There are no 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.

Commercial operations at Rufford Abbey Country Park – report to Culture Committee on 1 November 2016

### **Electoral Division(s) and Member(s) Affected**

All.

C0991



22<sup>nd</sup> June 2017

Agenda Item: 8

**REPORT OF THE SERVICE DIRECTOR, COMMISSIONING, RESOURCES  
AND CULTURE****COUNTRY PARKS AND GREEN ESTATE STAFFING RESTRUCTURE 2017****Purpose of the Report**

1. To seek approval to reorganise the staffing structure of the Country Parks and Green Estate Service in the light of the recent transfer of the commercial and visitor services elements to Parkwood Leisure at Rufford Abbey, the collaboration agreement with Gedling Borough Council for the management of Bestwood Country Park, and the impending transfer of responsibility for Sherwood Forest Country Park to the Royal Society for the Protection of Birds (RSPB).

**Information and Advice****Background**

2. The commercial and visitor services operations at Rufford Country Park transferred to Parkwood Outdoors (Parkwood) on 1<sup>st</sup> February 2017 leaving just the grounds maintenance and ranger elements in-house. Following Committee approval on 7<sup>th</sup> March 2017, final negotiations are underway with Gedling Borough Council (GBC) to enter into a new collaboration agreement with them for the management of Bestwood Country Park with a target date of 3<sup>rd</sup> July 2017. This will see the transfer under TUPE Regulations of five members of staff to GBC.
3. Both these events will impact on the remaining operational service, as some staff from the operational team have transferred to Parkwood from Rufford, and Bestwood is now temporarily covered remotely from Rufford as a combined ranger operation so there will be further changes as staff transfer to GBC management at Bestwood.
4. The County Council staff team at Bestwood nominally comprises a site manager, two rangers, two estate wardens (grounds maintenance operatives) and a temporary part-time janitor. The two ranger posts are combined with the remaining ranger team at Rufford which now consists of an assistant site manager, two rangers (plus the two from Bestwood), two wardens and a temporary warden.
5. The operational and commercial service at Sherwood is now being managed as a stand-alone entity pending transfer to RSPB in 2018 once the new visitor centre is complete. It is not envisaged that any of the changes discussed here will materially affect staff at Sherwood with the exception of the storeman post discussed below.

6. By the end of March 2018 the three staffed country parks of Rufford, Sherwood and Bestwood will therefore be largely managed under contract as commissioned services within the cultural portfolio. Consideration is being given to the Green Estate function merging with the Conservation Team in the Planning Group with effect from April 2018. Should this be agreed (a report will be brought to a future meeting of the Communities and Place Committee), the post of Countryside Service Manager will be disestablished from April 2018. Responsibility for contract management for the three Parks would transfer to the Cultural Services Commissioning Manager post. This post currently manages the Council's contractual arrangements relating to the National Water Sports Centre and Inspire.
7. The transfer of commercial functions at Rufford to Parkwood has also meant the closure of the central stores based at Rufford Mill which served both Rufford and Sherwood. The storeman role transferred to Sherwood to oversee the establishment of a temporary store whilst commercial operations continue there but it is clear that there is no longer a need for this position in the future.
8. The current staffing arrangement for the Service is shown at **Appendix 1**. The proposed structure is attached at **Appendix 2**. This will come into effect once the changes set out below have occurred.
9. The key proposed changes are as follows:
  - Disestablish the post of Bestwood Site Manager (Hay Band B) once the Bestwood Agreement with Gedling Borough Council commences
  - Disestablish 2 Ranger posts (Grade 5) once the Bestwood Agreement with Gedling Borough Council commences
  - Disestablish 2 Warden posts (Grade 2) once the Bestwood Agreement with Gedling Borough Council commences
  - Disestablish the post of Storeman, effective 23<sup>rd</sup> July 2017
  - Establish the post of Green Space Manager (Green Estate) at Hay Band A
  - Establish 3 Country Park Officer posts (Grade 4)
  - Establish 1 Trainee Country Park Officer post (Grade 2).
10. Staff will be enabled from the disestablished posts into the new posts following the normal procedure. There will be two voluntary redundancies.
11. The five posts to transfer under TUPE Regulations to GBC when that agreement is concluded are:
  - Two Ranger posts (2 FTE)
  - Two Estate Warden posts (2 FTE)
  - One part-time Janitor post (0.54 FTE).

## Other Options Considered

12. The current staffing structure is inefficient and no longer fits for the changed circumstances of service provision. The proposed structure is the most robust achievable.

## **Reason/s for Recommendation/s**

13. To ensure that the parks and green spaces are effectively, safely, and sustainably maintained, and that the current visitor offer is properly supported.
14. To minimise the impact of financial constraints on local residents and park users.

## **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 services), the public sector equality duty, safeguarding of children and adults at risk, 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**

16. The purpose of this restructure is primarily to realign staff roles to fit the changing position of the Service during the transition rather than to make a budgetary saving. The budgetary position is complicated by the transfer of functions making a direct comparison of staff costs very difficult but overall the effect on the staffing budget is neutral to potentially delivering a small additional saving of around £5,000 once potential protected pay provisions have worked through.

## **Human Resources Implications**

17. There is ongoing consultation with the affected staff and their union representatives about the proposed changes and the Bestwood restructuring was reported to the Joint Consultative and Negotiating Panel on 21<sup>st</sup> February 2017. No compulsory redundancies are expected as a result of the proposals.

## **RECOMMENDATION/S**

- 1) That approval to reorganise the staffing structure of the Country Parks and Green Estate Service (set out at **Appendix 2**) in the light of the recent transfer of the commercial and visitor services elements to Parkwood Leisure at Rufford Abbey, the collaboration agreement with Gedling Borough Council for the management of Bestwood Country Park, and the impending transfer of responsibility for Sherwood Forest Country Park to the Royal Society for the Protection of Birds (RSPB), be granted.

**Derek Higton**  
**Service Director, Commissioning, Resources and Culture**  
**Children, Families and Cultural Services**

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**Constitutional Comments (LM 24/05/17)**

18. The recommendations in the report fall within the Terms of Reference of the Communities and Place Committee.

**Financial Comments (SAS 05/04/17)**

19. The financial implications of the report are contained with paragraph 16 above.

**Background Papers and Published Documents**

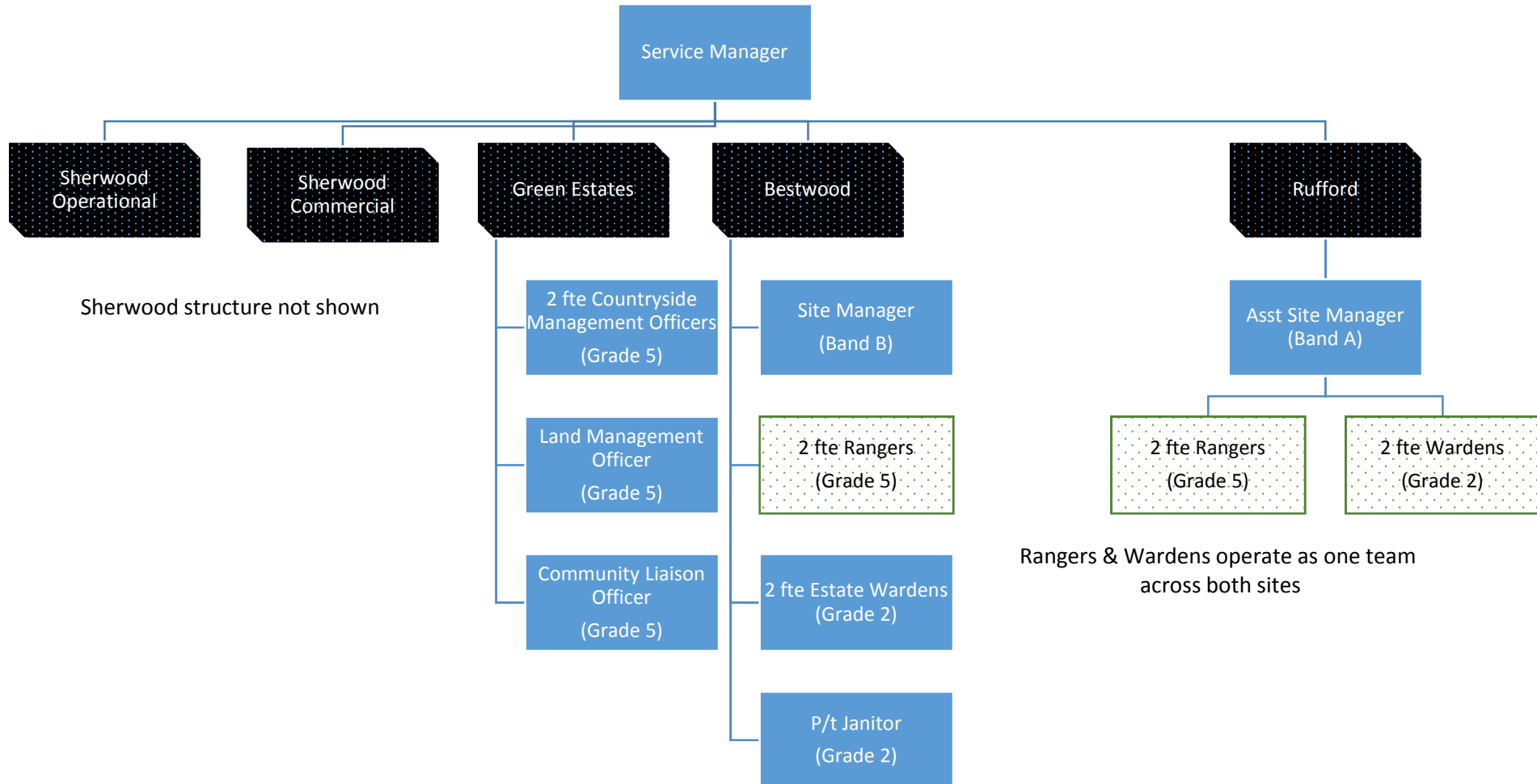
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Bestwood Country Park – collaborative agreement – report to Culture Committee on 7 March 2017

**Electoral Division(s) and Member(s) Affected**

All.

C0974

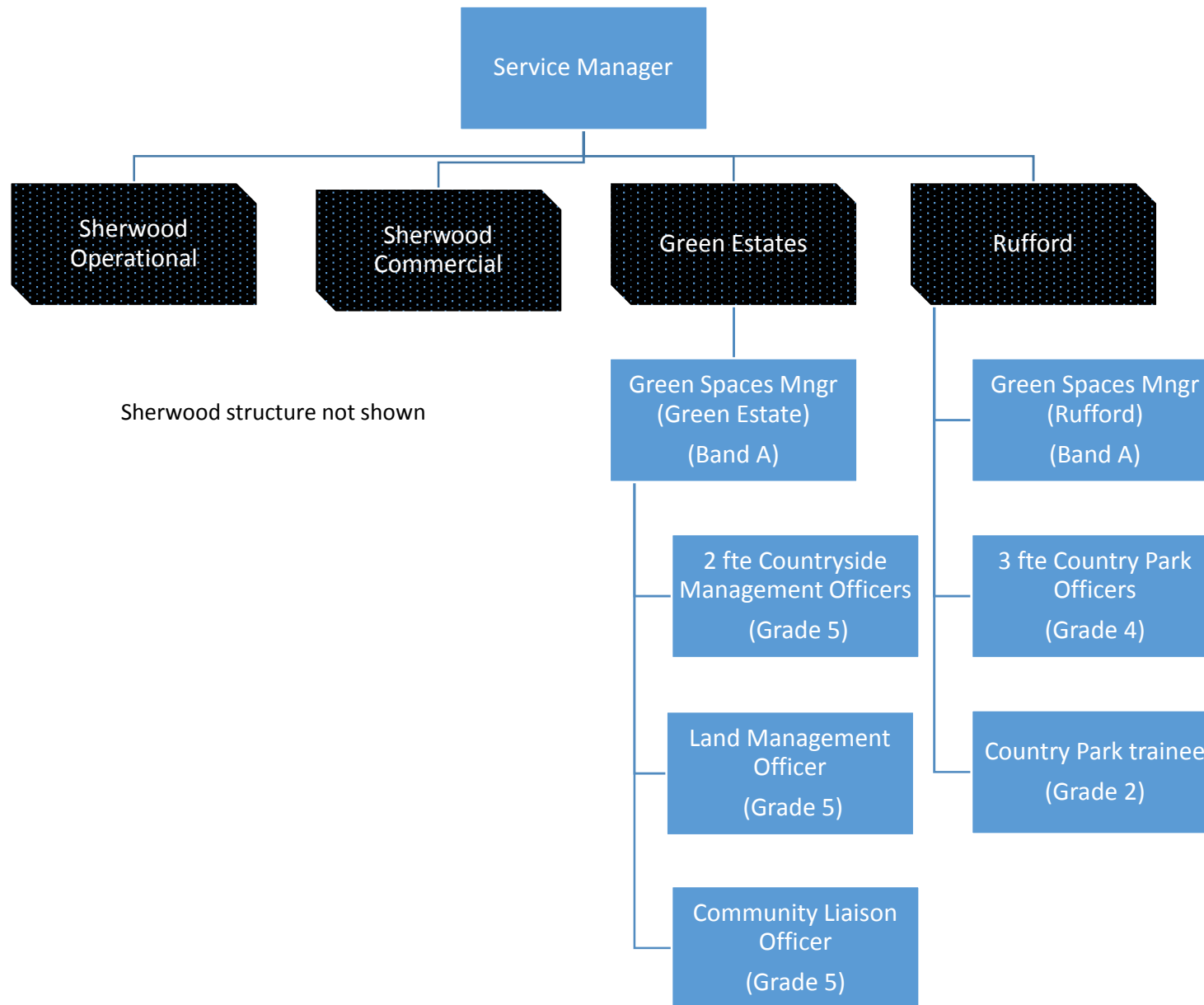






Country Parks Structure 2017  
after restructure

APPENDIX 2





**22 June 2017****Agenda Item: 9****REPORT OF THE SERVICE DIRECTOR, COMMISSIONING, RESOURCES  
AND CULTURE****SELSTON COMMUNITY PARTNERSHIP LIBRARY – PROPOSED  
RELOCATION****Purpose of the Report**

1. To seek Committee approval for the development of Selston Library as a community partnership library, subject to completion of the necessary service level agreement.

**Information and Advice**

2. The business case approved by Full Council in February 2014 identified the development of community partnership libraries (CPLs) as making a contribution to the £1m savings identified at that point for the Libraries, Archives and Information Group of Services.
3. CPLs are a form of community managed libraries delivered through partnership with local bodies and groups to support the continuing sustainability of local library services.
4. The Council's 'Redefining Your Council' strategic vision re-affirmed the Council's approach to the development of community partnerships to ensure a sustainable network of libraries, without the threat of closure. The approach is a voluntary involvement of communities in the creation of bespoke partnerships to ensure and embed the sustainability of small community libraries.
5. Selston Library is located adjacent to Selston High School, being one of the 28 Level 3 libraries in Nottinghamshire. In 2015/16, visits were 13,175 with 19,285 books and other items borrowed from the library.
6. The Library Service is in discussions with the nearby Tin Hat Centre to re-locate Selston Library into a space on the ground floor of their building. In addition to creating a more sustainable financial basis for Selston Library, the move would offer the opportunity for longer library opening hours and potentially extend the services offered by the library. The library would share the same building as the children's centre, an IT suite and café, bringing the opportunity to offer a range of learning opportunities and other community activities. The current Selston Library building will revert to the Academy when vacated by Inspire.
7. A service level agreement will be drawn up between Inspire and the Tin Hat Centre to reflect both parties' responsibilities and any necessary changes to the lease.

## **Other Options Considered**

8. No viable alternative locations for a library in Selston are currently available and it was concluded the Tin Hat Centre is most suited to delivery of the service.

## **Reason/s for Recommendation/s**

9. The proposed partnership in Selston builds on positive dialogue with the Tin Hat Centre. It is a sustainable model for delivery of accessible library services in Selston.

## **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 services), the public sector equality duty, safeguarding of children and adults at risk, 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**

11. The successful development of CPLs will contribute towards the £1M savings required as set out in Outline Business Case B13.
12. Capital investment requirements are included within the Council's capital programme.

## **RECOMMENDATION/S**

- 1) That the development of Selston Library as a Community Partnership Library be approved, subject to completion of the necessary service level agreement.

**Derek Higton**  
**Service Director, Commissioning, Resources and Culture**  
**Children, Families and Cultural Services**

**For any enquiries about this report please contact:**

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## **Constitutional Comments (LM 27/03/17)**

13. The recommendations in the report fall within the Terms of Reference of the Communities and Place Committee.

### **Financial Comments (SS 30/03/17)**

14. The financial implications of the report are contained within paragraphs 11 and 12 above.

### **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.

Annual Budget 2014/15 – report to Full Council on 27 February 2014

Update on the development of Community Partnership Libraries – reports to Culture Committee on 3 June 2014, 22 September 2015 and 6 September 2016.

### **Electoral Division(s) and Member(s) Affected**

Selston                      Cllr David Martin

C0971



**22 June 2017****Agenda Item:10****REPORT OF THE SERVICE DIRECTOR FOR SOUTH NOTTINGHAMSHIRE  
AND PUBLIC PROTECTION****UPDATE ON EMERGENCY PLANNING 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 Planning**UK Terrorist Threat Level

2. In accordance with the County Council's plans for major emergencies, the emergency planning team provided the link to Local Resilience Forum partners for sharing information following the Manchester Arena bombing on 22 May. The team facilitated two meetings of the Risk, Safety and Emergency Management Board, chaired by Paul McKay, to consider actions required during the escalation of the UK Threat Level. This had been raised to its highest level 'Critical' (meaning an attack may be imminent) from 23 May until 27 May. It then reverted to 'Severe', meaning that an attack is highly likely.
3. With regard to the Manchester Arena bombing, the County Council was advised that:
  - There were no known victims from Nottinghamshire
  - There were no known specific threats linked to Nottinghamshire
  - There would be no military presence in Nottinghamshire
  - There would be deployment of armed Police in town centres and crowded places
4. The emergency planning team drafted messages for use by senior managers to encourage staff to help security services by being vigilant for any sign that an attack is being planned and to report any suspicions to the Anti-Terrorist Hotline 0800 789321. This also highlighted the links from the County Council intranet to government advice on what to do if caught in an attack.

Safety of Sports Grounds – UK Threat Level

5. In view of the County Council's role in ensuring safety at sports grounds, the emergency planning team contacted major sports venues in the County, after the Manchester Arena



bombing, to pass on key advice in relation to security and counter terrorism. Sports clubs were encouraged to review security and protective measures for egress from grounds in view of fact that the Manchester attack targeted people exiting from the event.

#### Safety of Sports Grounds – Programme of notified inspections

6. The programme of in-performance safety inspections by the emergency planning team included the final home fixtures of the season for Nottingham Forest and Mansfield Town Football Clubs. The Nottingham Forest game was against Ipswich Town on 7 May, and Mansfield Town played Portsmouth on 29 March. No significant safety issues were found at either match. The programme of forthcoming inspections includes the higher profile fixtures at Trent Bridge Cricket Ground, when large crowds are expected.

#### Safety of Sports Grounds – SGSA Assessment Outcome

7. The Sports Ground Safety Authority (SGSA) have confirmed the outcome of their recent assessment of the County Council's performance in respect of Safety of Sports Grounds. The emergency planning team completed a self-assessment process which was then scrutinised and was subject to challenge by an SGSA Inspector as part of their role in monitoring local authorities' performance. The assessment covered ten topics each scored on a rising scale of satisfaction from 1 to 5. The outcome was as follows:

<u>Topic</u>	<u>Score</u>
• Capacity Calculations	4
• Safety Advisory Group Performance	5
• Safety Certification Processes	5
• Monitoring	5
• Procedures	5
• Safety Advisory Group Governance	5
• Policy	5
• Staff Training	5
• Enforcement	5
• Business Continuity Resilience	5

8. The highest possible score was achieved in all categories other than that relating the sports ground capacity calculations. Detailed calculations are in place for Nottingham Forest's City Ground, however the calculations for Mansfield Town Football Club are not of the same level of detail. They are based on the total number of seats, rather than taking account of detailed entry, exit and evacuation calculations. It is planned that a more comprehensive capacity calculation for this stadium will be completed during 2017.
9. The topics covered by the assessment have different weightings depending on their relative importance for spectator safety. The overall final assessment for the County Council was a score of 48.5 from a maximum achievable score of 50.

#### Safety of Sports Grounds – SGSA Consultation

10. During May, the emergency planning team contributed a response to a national consultation by the Sports Ground Safety Authority (SGSA). The SGSA is the national regulator of sports ground safety in England and Wales, and the consultation arose from

their review of current legislation. The consultation set out how safety at sports grounds is regulated, plus the remit of the SGSA and local authorities. The consultation was in two parts:

- Part 1 set out what 'Safety' means in the current context and explains the SGSA's view that it includes counter-terrorism, prevention of crowd disorder and anti-social behaviour, and consideration of all people in the sports ground.
- Part 2 set out the statutory powers the SGSA has and how they will use them to ensure reasonable safety at grounds which come under the SGSA's regulatory remit.

11. The consultation document made clear that sports grounds have been transformed since the tragic events at Hillsborough in 1989. Facilities have improved, and have qualified safety professionals working with the police, other emergency services and local authorities to ensure the safety of spectators. Nevertheless, the conclusion of the Hillsborough Inquests is a reminder that we must never be complacent about safety. The SGSA noted that financial pressures at sports grounds and on local authorities mean that investment in safety and in regulatory activity is under increasing scrutiny. They also made the point that following the attacks on the Stade de France in Paris in 2015, and subsequent attacks on other stadia, it is clear that sports grounds and other crowded places are a potential target for terrorist activity.
12. In response to the consultation, the emergency planning team drew attention to the resource implications for local authorities conducting in-performance inspections to encompass a wider definition of safety. It was also pointed out that the consultation raised potentially overlapping enforcement responsibilities between district/borough councils and county councils in relation to Health and Safety at Work Act (district/borough responsibility) and Safety of Sports Grounds legislation (county responsibility). Also, the means by which enforcing authorities should address safety concerns relating to non-spectators was questioned, given that the use of the current Safety Factor for each ground may not address such issues and current prohibition notices are not applicable in these circumstances.

#### Safety of Sports Grounds – Special Safety Certificate, Trent Bridge Cricket Ground

13. A Special Safety Certificate was issued to Nottinghamshire County Cricket Club in relation to a charity Zip Wire event at the Trent Bridge ground on 10 June. The event involved a zip wire running from the Trent Bridge Inn car park, across the outfield to a hard standing area between the Fox Road Stand and the Larwood & Voce Stand. The plans also included a climbing wall as part of the charity fund raising activities. A Special Safety Certificate was issued previously for a similar event held at the cricket ground on 4 September 2016, which passed off safely.

#### Contingency Planning for Waste Site incidents

14. The emergency planning team leads the work of the Local Resilience Forum's Industrial Hazards subgroup. This group has taken responsibility for the preparation of a generic 'Waste Site Emergency Off-Site Emergency Plan' for Nottingham and Nottinghamshire. Preparation of the plan was initiated as a result of the debrief report into a fire at a recycling centre in Walesby in September 2016. This fire continued to burn for over a month and caused significant disruption to the community and the emergency services. The emergency planning team facilitated the multi-agency incident debriefing that

followed this incident, and the report from this was presented to the Local Resilience Forum (LRF) Resilience Working Group meeting in March 2017. Recommendations from this were approved for action by LRF subgroups.

15. The plan in preparation relates to the off-site response to a large-scale incident at a waste site, and its aim is to detail the actions to be considered or undertaken to ensure an effective multi-agency response to the effects of a fire or flood emergency. For the purpose of the plan, a waste site is defined as premises which has previously or currently uses, recycles, treats, stores or disposes of waste or mining waste. Particular attention has been given to the former Trent Valley Recycling site on the Sandy Lane Industrial Estate in Worksop. The site lies within a built up area of the town, on land that has been disclaimed by the liquidator for the company, which went out of business, and which has therefore passed to the Crown Estate. The site has a history of hazardous materials on-site and so planning includes the assessment of risks to the local population, including vulnerable people, and risks to the local environment.
16. The County Council is also contributing information for inclusion in the Tactical on-site plan prepared by Nottinghamshire Fire and Rescue Service. Once plans have been prepared, training is required for the staff of all organisations that would have a part to play, and the plans will need to be validated through simulation exercises.

#### Withdrawal of DHL Harworth Off-Site Emergency Plan

17. The current emergency plan for dealing with any impact on the local area arising from an emergency at the DHL Supply Chain (Harworth) site will be formally withdrawn on 30 June following the company's decision to leave the site on Brunel Industrial Estate in Harworth. The emergency planning team will notify holders of the plan, plus the Resilience Working Group of the Local Resilience Forum, and the County Councillor for the Blyth and Harworth, and other relevant County Council contacts. The plan detailed the procedures to be followed in the event of a major accident at the site, and had been prepared by the County Council under Regulation 13 of the Control of Major Accident Hazards (COMAH) Regulations 2015.

#### Business Continuity Awareness Week, 15 – 19 May

18. Business Continuity Awareness Week is an annual national event to encourage organisations to review how they would maintain business-as-usual during a disruption such as loss of a building, an IT failure or sudden loss of staff. The event this year focused primarily on protecting against cyber threats.
19. Participation in the week of activities contributed to the County Council's response to a statutory duty under the Civil Contingencies Act 2004, to promote business continuity within the County. The use of Business Continuity tools and methodology can help to identify where a business is vulnerable and how to limit losses if an interruption does occur. The local Business Continuity Awareness Week campaign this year, was carried out as a collaboration between Nottinghamshire, Derbyshire and Leicestershire, along with local Chambers of Commerce. Within the overall 'Cyber Resilience' theme for the campaign, there was a separate theme for each day of the week, and each organisation led the information to go out that day. This took the form of web articles, blog posts, tweets, facebook posts, and a video clip developed by Leicestershire County Council.

Each day participants were involved in sharing and retweeting these posts, and using the hashtags for the local and national campaigns.

### Emergency Planning Team Business Continuity Plan

20. As an NCC Critical Service, the emergency planning team has recently completed a routine review of its Business Continuity Plan. The plan details minimum staffing levels required in normal times and during emergencies, fuel shortage arrangements, and staff remote working information, including back-up communication arrangements. It details arrangements for maintaining the County Council's Emergency Centre facility, and back-up arrangements for this, and safety at sports grounds contingency procedures. The plan will be activated if a business continuity incident occurs that causes, or may cause, disruption to the delivery of the team's critical functions. These functions are:

- 24 hour / 365 days per year emergency response capability, Including District and Borough Council Service Level Agreement emergency response
- Enforcement of Safety at Sports Grounds
- Facilitation of the Risk, Safety and Emergency Management Board
- Provision of Emergency Centre facilities
- Responding to partners urgent requests (Civil Contingencies Act duty)
- Provision of Rushcliffe emergency planning Service Level Agreement
- Updating Emergency Plans and associated emergency response information
- Maintaining statutory emergency plans e.g. Pipelines Safety, COMAH regulations

### Recent incidents

21. The emergency planning team supported the County Council's response to an internal business continuity incident involving loss of hot water supply to a large part of County Hall. The response was led by Paul McKay and included the rapid installation of a temporary boiler to provide hot water to affected area while parts were being delivered to complete necessary safety repairs.

22. The emergency planning team was also involved when surface water flooding occurred in Radcliffe-on-Trent in May. The team was able to call contacts at Severn Trent Water who attended the scene to investigate and take remedial action when sewers were overwhelmed by rain water and appeared to be compromised by a blockage.

### Community Resilience

23. The emergency planning team's recent work to support communities wishing to plan and prepare for their own part in responding to emergencies included a presentation to volunteers in Caunton. The event provided general information about being prepared for incidents, particularly those relating to flooding, and included a contribution from the County Council's health and safety manager regarding water safety.

24. Specific details were given about the County Council's community flood signage and road closure schemes, with a view to a scheme being established in Caunton. Schemes of this nature currently exist in Bleasby, Woodborough, Collingham, Thurgarton and Southwell. The volunteers in Caunton are reflecting on the information provided and will consider how they wish to proceed.

## **Registration and Celebratory Services**

### Wedding Fair at the Gilstrap, Newark

25. On Sunday 9 April 2017, the Registration Service co-hosted a multi-site Wedding Fair that included activities at the Newark Registration Office (The Gilstrap), The Ram Bar and Brasserie, and Newark Castle. The event was organised in collaboration with the Newark Advertiser Media Group and was supported by thirty-two exhibitors. Visitors were able to view premises offering wedding services and view stalls to showcase products and services including flowers, cars, stationery, dresses, honeymoons and catering. The day attracted 244 visitors, from whom three couples made bookings during the event. More bookings followed in the coming days and other customers indicated they would be in touch again at a later date.
26. The event raised the profile of the Grade II listed Victorian Gilstrap building, and feedback from exhibitors and visitors was very positive. The office contains two ceremony rooms, of which the Salvin Suite can accommodate up to one hundred guests. This is a particularly impressive room with high ceilings and original features such as stained glass windows. The smaller Library Room, with seating for up to twenty people, is no less impressive and also boasts features of historic character. Following a ceremony, the wedding party and guests can move out into a Victorian ornamental garden area at the rear of building for photographs. The grounds feature a bandstand and have impressive views of Newark Castle.

### West Bridgford Registration Office, Bridgford Hall

27. Bridgford Hall, owned by Rushcliffe Borough Council, has been the home for registration services serving the West Bridgford area for many years. The service was temporarily re-located to County Hall recently, while the Hall underwent extensive refurbishment with funding from the Heritage Lottery Fund. However, the service has now returned to the building with the first appointments taking place in early April. The owner's official re-opening of the building was on 13 June.
28. The Registration Office now occupies the whole of the ground floor of the building while the upper floors are given over to Birchover Residences who provide luxury suites for the public to hire. The registration office offers two beautifully restored ceremony rooms fitted with chandeliers and fine furnishings, and there is a separate access and area of the building for those wishing to register births or deaths or to give notice of marriage. The success of the project demonstrated the strong working relationship established between the County Council and Rushcliffe Borough Council.
29. Registration staff are pleased with their working environment, which is reflected in how proudly they present the building to visiting customers. An Open Day event took place on 4 May and a Wedding Fair is planned for October. The Open Day enabled customers to view the rooms, particularly the many who booked before the refurbishments were completed and so had booked the venue sight-unseen. Approximately 400 people visited on the day and many couples have booked since the event. By the end of May this year, the service had taken more than 250 marriage ceremony bookings for Bridgford Hall.

## **Other Options Considered**

30. None.

## **Reason/s for Recommendation/s**

31. To update the Committee on this area of work contained within its remit.

## **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.

## **Financial Implications**

33. There are no financial implications for Emergency Planning or Registration budgets.

## **RECOMMENDATION**

It is recommended that the Committee notes the update on recent key activities and events in the work of the Emergency Planning Team and of Registration and Celebratory Services.

**PAUL MCKAY**

**Service Director, South Nottinghamshire and Public Protection**

**For any enquiries about this report please contact:**

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## **Constitutional Comments**

34. As this report is for noting only, no Constitutional Comments are required.

## **Financial Comments**

35. There are no financial implications

## **Background Papers and Published Documents**

- SGSA Joint Consultation, February 2017.

## **Electoral Division(s) and Member(s) Affected**

- All





**22 June 2017****Agenda Item: 11****REPORT OF THE SERVICE DIRECTOR FOR SOUTH NOTTINGHAMSHIRE  
AND PUBLIC PROTECTION****REVIEW AND UPDATE OF THE ELECTED MEMBERS EMERGENCY PLAN****Purpose of the Report**

1. To seek approval for the revised Elected Members Emergency Plan and associated training.

**Information and Advice**Background

2. Nottinghamshire County Council maintains a comprehensive set of specific and generic plans for responding to major emergencies in the County. These include an Elected Members Emergency Plan to provide key information and advice for County Councillors whose communities are impacted by an emergency. The plan aims to give an overview of how emergency planning, response and recovery are coordinated in Nottinghamshire, and outlines how Elected Members can play an important role in this. The plan is revised on a four year cycle following County Council Elections. On this occasion, updates to the plan include:
  - A reference to the Local Government Association publication 'A councillor's guide to civil emergencies'
  - The revised UK definition of a major incident
  - Removal of references to the former County Council 'Business Continuity Forum'. The role and responsibility for business continuity now rests with the Risk, Safety and Emergency Management Board (RSEMB)
  - Additional contact numbers have been included to enable County Councillors and members of the public to contact specific managers for Highways and Social Care emergencies.
3. The full draft plan is reproduced at Appendix A to this report.
4. Information about major emergency risks in Nottinghamshire are included in the Local Resilience Forum Community Risk Register. Copies of this are available from the emergency planning team or online at <https://www.nottinghamshire.police.uk/site-page/emergency-planning-preparing-nottingham-and-nottinghamshire>



## Training for Elected Members

5. In previous years, the emergency planning team has delivered training events to assist Elected Members to develop their understanding of emergency planning and response and to help them prepare for their role in emergencies. Previous events have been run over a half day and have included a mixture of presentations and discussion. It is proposed to offer similar events this year, and that these will take place in the autumn. A draft programme for the training is given at Appendix B to this report.

## **Other Options Considered**

6. Following the 2013 County Council Elections, the emergency planning training was delivered by means of briefings at political group meetings.

## **Reason/s for Recommendation/s**

7. To gain committee approval of the revised Elected Members Emergency Plan and associated training proposals.

## **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**

- 1) It is recommended that approval be given for:
  - a) The revised Elected Members Emergency Plan.
  - b) The delivery of Emergency Planning training events for Elected Members.

**PAUL MCKAY**

**Service Director, South Nottinghamshire and Public Protection**

**For any enquiries about this report please contact:**

Robert Fisher, Group Manager, Emergency Planning and Registration

Tel: 0115 977 3681, Email: robert.fisher@nottsc.gov.uk

## **Constitutional Comments**

9. There are no constitutional issues in the report.

## **Financial Comments**

10. There are no financial issues in the report.

## **Background Papers and Published Documents**

- Local Resilience Forum Community Risk Register
- Local Government Association publication 'A councillor's guide to civil emergencies'.

## **Electoral Division(s) and Member(s) Affected**

- All.



# **Nottinghamshire County Council**

## **Elected Members' Emergency Plan**

**Version 4**  
**June 2017**

<b>Produced by:</b>	<b>Emergency Planning Team</b>
<b>Approved by:</b>	<b>Communities &amp; Place Committee</b>
<b>Approval date:</b>	<b>June 2017</b>
<b>Next version due:</b>	<b>June 2021</b>

**NOT PROTECTIVELY MARKED**

# FOREWORD

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It is a sad fact of life that on rare occasions a major incident will occur that disrupts normal life and brings tragedy to the communities affected. It might be an incident of natural causes, such as severe flooding, or a transport or industrial accident, or it might be a terrorist act. Whatever the cause, the County Council is ready to respond quickly and effectively (in collaboration with the uniformed emergency services and others) to provide care and support to victims.

I am reassured to know that the County Council, and our Local Resilience Forum partners, have a suite of well-developed plans for coping with the impacts of emergencies, and that these have been validated through staff training and exercises. The Elected Members Emergency Plan is an important element of the County Councils preparedness for emergencies. It provides all the information County Councillors need to help us to best support communities that are affected by an emergency.

I am delighted to commend the 'Elected Members Emergency Plan' to you. I encourage you to study the plan carefully and to attend the accompanying training provided by our emergency planning officers. By doing so you will be well placed to make a positive difference before, during and after any major incident occurring.

Thank you for your consideration of this important topic.

**Councillor Gordon Wheeler**

**Vice Chairman of the Communities & Place Committee**

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# 1. INTRODUCTION

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## 1.1 Aim

This plan aims to provide Elected Members with a clear overview of how emergency planning, response and recovery are coordinated in Nottinghamshire.

## 1.2 Objectives

The objectives of the plan are to outline:

- How emergency planning is managed in Nottinghamshire
- The responsibilities of the County Council under the Civil Contingencies Act 2004 including how we work with our partner organisations
- The important role that Elected Members can play before, during, and after an emergency
- The role the community can play before, during and after an emergency

## 1.3 Scope

The term 'emergency' can be used to cover a wide range of scenarios. As part of their existing arrangements services and teams within the County Council will have arrangements in place to deal with a variety of situations that require responding to something out of the ordinary for their usual day to day practices.

This plan and the guidance it includes is for those examples of emergencies defined in section 2.3, where an incident has had a significant impact on communities within Nottinghamshire and a specific management structure is required within the Authority to manage and coordinate the wider response.

The plan outlines where Elected Members can play an important role in planning for, responding to and recovering from major emergencies.

## 1.4 Related documents

The emergency planning team in conjunction with various County Council departments, and other organisations such as the emergency services, have produced a range of generic and specific plans and arrangements to respond to those risks outlined in the [Community Risk Register](#). Further details can be found in section three.

Further details on how the County Council plans for and responds to both emergencies and business continuity incidents are outlined in the *County Council Major Emergency Plan* and the *County Council Corporate Business Continuity Plan*. Both plans are available on the NCC intranet.

For a more detailed overview of emergency planning Elected Members may also find the following documents useful (copies available from the emergency planning team):

- Local Resilience Forum Community Risk Register
- Local Resilience Forum Generic Response Plan
- Local Resilience Forum Constitution
- Cabinet Office Responding to Emergencies, The UK Central Government Response - Concept of Operations
- Local Government Association – A councillor's guide to civil emergencies

## **1.5 Distribution and version control**

The plan will be distributed to all NCC Elected Members.

The following Nottinghamshire County Council (NCC) staff hold copies of this plan:

- The Emergency Planning Team
- Members of the Risk, Safety and Emergency Management Board
- Democratic Services Team
- Media Relations Team

The latest version of this document is available on the intranet at:

[Emergency plans - Managers' Resource Centre - Intranet](#)

Recipients of this plan should ensure they have the most up-to-date version of this document.

## **1.6 Preservation of documents**

In the event of an emergency it is important that all documentation, both historic and current, is preserved. An official investigation into the cause and circumstances of an incident is possible and evidence may be required by:

- The appropriate enforcement authority (e.g. Health and Safety Executive, Environment Agency, Air Accidents Investigation Branch)
- A judicial inquiry
- A coroner's inquest
- The police
- A civil court hearing compensation claims.

Organisations may be required to provide access to documents, created or received, which are potentially relevant to the emergency.

## **1.7 Information governance**

Nottinghamshire County Council is subject to the following legislation:

- The Data Protection Act 1998
- The Freedom of Information Act 2000
- The Environmental Information Regulations 2004
- The Equality Act 2010.

For more information on Nottinghamshire County Council's legal responsibilities when responding to an incident, please contact the emergency planning team.

## **1.8 Contact details**

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

Telephone: 01159 773 471

Email: [emergency.planning@nottscc.gov.uk](mailto:emergency.planning@nottscc.gov.uk)



## 2. BACKGROUND

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### 2.1 What is the Civil Contingencies Act?

During the early part of the previous decade, the United Kingdom experienced the impacts of a number of large-scale emergencies. The widespread flooding, fuel shortages, the outbreak of foot-and-mouth in 2000, along with the subsequent terrorist attacks in New York on 9/11, demonstrated the need for a more integrated approach to emergency planning.

This led to a Government review of emergency planning in England and Wales. The outcome of this was the Civil Contingencies Act 2004, which provided an improved, more consistent, and more resilient, approach to emergency planning. The Act is in two parts:-

- Part One relates to local arrangements;
- Part Two covers emergency powers that can be used by Central Government.

Part One of the Act places statutory duties on those organisations that have responsibilities to respond to major emergencies affecting communities. These include the emergency services (Police, Fire and Ambulance), health agencies, Local Authorities, the Environment Agency and others.

These 'Category One' responders, are subject to six duties:

1. A duty to carry out **risk assessment** and publish all or part of a Community Risk Register
2. A duty to **plan for emergencies**
3. The requirement to have robust **business continuity** arrangements in place to maintain service delivery
4. A duty to have arrangements in place to **warn & inform the public** both before and during emergencies
5. A duty to **co-operate with partner agencies**
6. A duty to **share Information with partner agencies.**

In addition, Local Authorities have a seventh statutory duty:

7. To **promote business continuity** to local businesses and the voluntary sector.

In practical terms, this means advising and guiding the business community and voluntary sector to ensure they have their own robust business continuity arrangements to continue their business during and following emergencies that have an effect on their business.

The Act also defines a secondary group of responders. These 'Category Two responders' are those organisations which, although not 'primary' responders, could potentially have a significant role. For example, utility companies, communication agencies and transport operators. Category Two responders have statutory duties to **co-operate** and to **share information** with Category One responders in the planning and response to major emergencies.

Part Two of the Act gives Central Government Emergency Powers for use in catastrophic emergency situations, for example; they could nominate a Minister to co-ordinate the response to a regional emergency.

## 2.2 What other legislation affects emergency planning in Nottinghamshire?

Other specific legislation includes:

**Control of Major Accident Hazards (COMAH) Regulations, 2015.** Requires the County Council to prepare off-site emergency plans for sites identified by the Health and safety Executive and the Environment Agency as storing above the prescribed thresholds of hazardous substances.

**Pipeline Safety Regulations 1996.** Requires the County Council to prepare an emergency plan for all pipelines identified by the HSER as Major Accident Hazard Pipelines in Nottinghamshire.

**Rabies (Control) Order 1974.** Imposes a statutory duty on county councils to maintain a contingency plan for a rabies outbreak that could affect part or all of their area.

**Local Government Act 1972 – Section 138.** Allows local authorities to invoice expenditure to avert or alleviate the effects, or potential effects, of an emergency or disaster which could involve destruction of property or danger to life and where there is reasonable ground for apprehension of such an emergency.

**Radiation Emergencies Preparedness and Public Information Regulations 2001.** For Nottinghamshire, these regulations require the County Council to have arrangements in place to inform the public promptly in any radiation emergency.

**Safety of Sports Grounds Act 1975 (as amended), Fire Safety and Safety of Places of Sports Act 1987 and Regulatory Reform (Fire Safety) Order 2005.** Requires the County Council's to carry out its statutory function to ensure "Safety of Sports Grounds" in Nottinghamshire.

## 2.3 What is an emergency?

For the purposes of this document, and the Nottinghamshire County Council Major Emergency Plan, a major emergency is any of the following:

- where significant resources are required to respond effectively to an emergency
- where significant disruption to public service is incurred, or
- where a response over and above day-to-day working practices is required.

## 2.4 What is a major incident?

A major incident is defined thus:

*An event or situation, with a range of serious consequences, which requires special arrangements to be implemented by one or more emergency responder agencies.*

Notes:

- a) 'Emergency responder agencies' describes all Category 1 and 2 responders as defined in the Civil Contingencies Act (2004) and associated guidance
- b) A major incident is beyond the scope of business-as-usual operations, and is likely to involve serious harm, damage, disruption or risk to human life or welfare, essential services, the environment or national security
- c) A major incident may involve a single-agency response, although it is more likely to require a multi-agency response, which may be in the form of multi-agency support to a lead responder
- d) The severity of consequences associated with a major incident are likely to constrain or complicate the ability of responders to resource and manage the incident, although a major incident is unlikely to affect all responders equally
- e) The decision to declare a major incident will always be a judgement made in a specific local and operational context, and there are no precise and universal thresholds or triggers. Where LRFs and responders have explored these criteria in the local context and ahead of time, decision makers will be better informed and more confident in making that judgement.

## 2.5 What is emergency planning?

Emergency planning is a comprehensive, multi-agency process to identify and assess relevant risks, to plan and prepare, to train and exercise, to mitigate the effects, and respond effectively to incidents when they happen. In the aftermath, the role of emergency planning is to support the recovery of affected communities, and the return to normality, and then to review and revise arrangements for future incidents.

The County Council's *Risk, Safety and Emergency Management Board (RSEMB)* brings together key officers from all departments to coordinate emergency planning activity across the Council. During an emergency the RSEMB may convene to coordinate the County Council's emergency response.

## 2.6 What is business continuity?

Business Continuity is similar to emergency planning, but is focused internally. It is about planning to mitigate the effects of a potential disruption to our own vital public services, so that they can continue to be delivered regardless. Whatever the incident the County Council should strive for 'business as usual' in service delivery.

## **2.7 What is community resilience?**

Community resilience is about communities and individuals harnessing their local resources and expertise to help themselves in an emergency, in a way that complements the response of the emergency services and other responding agencies.

Through the work of the NCC emergency planning team and the Local Resilience Forum, communities are encouraged to plan for emergencies. It is likely that communities who do so will cope better if disaster does strike as they will be more resilient.

A key way in which we do this is to promote the development of community emergency plans. All major emergencies are dealt with by the emergency services and other category 1 and 2 responders in a combined response. In extreme conditions such as heavy snow and flooding, there is a possibility that responding agencies may not be able to reach the scene immediately. In such circumstances, the initial response may rely entirely on local people. A community emergency plan can help a community prepare for an emergency and minimise its impact should they be affected.

Specific advice, guidance and support has also been provided by the County Council to communities affected by flooding or for during times of severe snow and ice.

## **2.8 What is the Local Resilience Forum?**

The Nottingham & Nottinghamshire Local Resilience Forum (LRF) is the senior management group for the co-ordination of emergency planning within Nottingham and Nottinghamshire in accordance with the Civil Contingencies Act 2004. The Nottingham & Nottinghamshire Local Resilience Forum sits at the apex of this area's local civil protection arrangements. Its overall purpose is to ensure that there is an appropriate level of preparedness to enable an effective multi-agency response to emergencies which may have a significant impact on the communities of this area. The LRF is chaired by the Chief Constable of Nottinghamshire Police and the County Council are represented by the Chief Executive.

## 3. EMERGENCY PLANNING IN NOTTINGHAMSHIRE

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### 3.1 Command, Control and Coordination

The terms Gold / Silver / Bronze are used by all emergency responders to describe the Strategic / Tactical / Operational command structure in use during a major emergency to co-ordinate the multi-agency response. The Gold / Silver / Bronze system enables effective decision making. Each agency involved in response is expected to provide an officer with the appropriate decision making powers to attend meetings of these groups.

In Nottinghamshire responding agencies will refer to their single agency command groups or officers as Gold, Silver or Bronze. If a multi-agency group is called together to coordinate the response these groups will be referred to as Strategic, Tactical and Operational.

So, while there may be many individual agency Gold, Silver or Bronze groups established as part of the response there will only ever be one Strategic, Tactical or Operational group.

### 3.2 How do we manage the County Council's response to an emergency?

The overall deployment of the County Council's resources and response to a major emergency will be managed and co-ordinated by the Council's Risk, Safety and Emergency Management Board (RSEMB). This is made up of senior management representatives from each department along with specialist advisors. It is led by the Service Director (South Nottinghamshire & Public Protection) and is supported and facilitated by the Emergency Planning Team.

The RSEMB meets regularly to consider the preparedness of the County Council for emergencies. Additionally, the group will come together during emergencies to co-ordinate the tactical (silver) level response of the County Council, for both emergency planning and business continuity emergencies.

The Group Manager, Emergency Planning and Registration and the Emergency Planning Team provide specialist advice and guidance to the Board.

Should the incident or emergency require a strategic (gold) level of response this will be led by the Chief Executive and Corporate Leadership Team.

Should the size, scale or nature of the emergency require it, the overall management and co-ordination of NCC's response to a major emergency will be conducted from the County Emergency Centre (CEC) facility. The CEC is located in the basement of County Hall, in West Bridgford. It has IT and control room technology to aid the co-ordination of NCC's response. The centre is available on a 24 hour basis.

Nottinghamshire County Council has a 'Major Emergency Plan' which describes this management structure, and outlines the roles and responsibilities of the key responders within the County Council.

### **3.3 What is the role of the emergency planning team?**

The Emergency Planning Team coordinates the planning and preparation, training and exercising for emergencies on behalf of Nottinghamshire County Council. The team manage minor emergencies, calling out relevant departments, personnel and resources as appropriate.

The team works in close collaboration with all internal departments, plus the emergency services, health organisations, government agencies and other partners, to ensure the response to a major emergency is co-ordinated between all the agencies involved.

The team also provides support and guidance to those communities and community groups who have in place or are wanting to develop their own arrangements for dealing with the impact of an emergency.

The team provides a 24-hour out-of-hours duty officer and is the first point of contact within the County Council for the emergency services whenever they require our support.

The team also undertakes the County Council's statutory function of "Safety of Sports Grounds," as well as coordinating and facilitating the County Council's business continuity arrangements.

### **3.4 What are the roles of County Council Departments?**

All departments have different resources, staff and specialties that may be useful in the response to a major emergency. Each department has a representative on the County Council's Risk, Safety and Emergency Management Board, who provides information as to the capabilities of individual departments in preparing for emergencies, and what actions have been taken in response to an emergency.

Each Department also has its own Risk, Safety and Emergency Group (RSEMG) that coordinates emergency planning and business continuity across its department, and feeds into the RSEMB.

### **3.5 How will Elected Members be kept informed during an emergency?**

During an emergency, the Service Director (South Nottinghamshire & Public Protection) will ensure that the Leader, the Vice Chairman of the Communities & Place Committee and relevant local Councillor(s) are kept informed of events.

Where necessary the Chief Executive will discuss significant issues of strategy and policy with the Leader.

The County Council's own intranet, internet and social media sites will be updated as frequently as practicable with information about the emergency. Other methods of keeping Elected Members informed, such as emails, text messages and briefings, will be used as appropriate.

In addition the Emergency Planning Team has provided within the County Emergency Centre a dedicated Elected Member information line. This information line is specifically for the use of Elected Members, and is only operational during an emergency. This telephone number is:

**0115 977 3899**



### **3.6 What emergency plans exist in Nottinghamshire?**

The emergency planning team has produced a wide range of generic and specific emergency plans. Generic emergency plans cater for the consequences of emergencies, rather than for a specific hazard or threat. These include:

- NCC Major Emergency Plan
- NCC County Emergency Centre Plan
- NCC Emergency Transport Plan
- NCC Flood Response Plan
- Multi-agency Emergency Accommodation Plan
- Local Resilience Forum Flood Response Plan
- Local Resilience Forum Humanitarian Assistance Plan
- Local Resilience Forum Chemical, Biological, Radiological and Nuclear (CBRN) Plan
- Local Resilience Forum Pandemic Influenza Plan
- Local Resilience Forum Mass Fatalities Plans
- Local Resilience Forum Exotic Animal Disease Plan
- Local Resilience Forum Communicating with the Public in an Emergency Plan
- Local Resilience Forum Recovery Plan

Specific Emergency Plans cater for incidents occurring at specific sites. These include:

- Misterton Petroleum Storage Depot Off-Site Emergency Plan
- Major Accident Hazard Pipelines Plan
- Nottingham Forest Football Club Major Incident Plan
- Mansfield Town Football Club Major Incident Plan
- Nottinghamshire County Cricket Club Major Incident Plan
- Local Resilience Forum Local Flood Response Plans

### **3.7 Business continuity plans**

There are several Nottinghamshire County Council business continuity plans in place detailing corporate contingency arrangements and information.

- NCC Corporate Business Continuity Plan
- NCC Loss of Utilities Plan for County Hall
- NCC Corporate Influenza Pandemic Plan
- NCC Industrial Action Plan
- NCC Fuel Emergency Response Plan

Each department is responsible for developing their own business continuity plans for those services identified as 'critical services' by the departmental RSEMGs.

### 3.8 Who are our partner organisations and how do we work with them?

Nottinghamshire County Council has well established links with the full range of relevant statutory agencies, as well as non-statutory bodies. These include:

- Police, Fire & Rescue and Ambulance Service
- Borough and District Councils
- Health agencies, including Public Health England
- Relevant government agencies and departments such as the Environment Agency
- Voluntary agencies
- Local power, transport and communications companies
- Industry
- Sporting clubs and arenas.

All these agencies contribute to the planning and preparation for emergencies.

The partnership is formalised through the Nottingham & Nottinghamshire 'Local Resilience Forum' (LRF), which is the senior co-ordination group for this area. It meets regularly in normal times to discuss the emergency planning and preparation work that is being undertaken within Nottinghamshire. Then, in the event of a major emergency the group would come together to form the Strategic Co-ordinating Group for the emergency.

Nottinghamshire County Council is represented on this group by the Chief Executive (or deputy), along with the Group Manager, Emergency Planning and Registration in support.

Reporting to the Local Resilience Forum, there are a variety of subgroups for specific activities. Officers of Nottinghamshire County Council participate in the work of all these groups. The groups include:

- Resilience Working Group
- Risk Advisory Group
- Local Authorities Group
- Humanitarian Assistance Group
- Flood Planning and Warning Group
- Critical Infrastructure Group
- Voluntary Agencies Steering Group
- Training Sub Group
- Industrial Hazards Group
- Animal Health Group
- Recovery and Site Clearance Group

### 3.9 How can Elected Members obtain further information about emergency planning?

Elected Members can obtain further information about Emergency Planning by:

- Contacting the Emergency Planning Team by telephone on 0115 977 3471
- Visiting the Nottinghamshire County Council website [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)
- Visiting the Local Resilience Forum website <https://www.nottinghamshire.police.uk/site-page/emergency-planning-preparing-nottingham-and-nottinghamshire>



## 4. THE ROLE OF ELECTED MEMBERS

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### 4.1 Overview of Elected Members' role in emergency planning

The overarching role of Elected Members before, during and after an emergency includes:

- Support for County Council officers of all departments who have an active involvement in emergency planning work
- Providing members of the public with information about emergency planning, through surgeries, word-of-mouth and meetings
- Evaluating the County Council's planning for and response to any emergency
- Supporting the public with advice and assistance during their long-term recovery
- Projecting a positive image of the County Council's role in an emergency.

### 4.2 What is the role of Elected Members before an emergency?

In the planning and preparation period, prior to an emergency occurring, Elected Members have a number of vital roles. These include ensuring that an effective emergency planning team is in place, and monitoring their activities to ensure that the right plans are in place, that staff are being trained, and that arrangements are being tested through effective simulation exercises. Also, Elected Members provide a vital interface with the communities they serve, and are well placed to pass information to and from local people affected by the hazards for which plans are prepared.

Essentially, the key role of Elected Members before an emergency embraces:

- Being aware of the County Council's responsibilities under the Civil Contingencies Act.
- Maintaining an awareness of the hazards and risks in their own local area and where necessary passing on local knowledge to the emergency planning team
- Providing advice to members of the public, and directing them to the expertise provided by the emergency planning team or other relevant NCC departments
- Encouraging individuals and communities and to take appropriate steps to ensure their own resilience to emergencies
- Contributing to emergency planning awareness-raising and training events
- Gaining an understanding of the emergency planning arrangements in Nottinghamshire that enables a successful multi-agency response
- Considering reports provided by the emergency planning team

A small number of Elected Members have specific roles in the preparation for emergencies. These are as follows:

#### The Leader of the County Council

- Overall strategic leadership of the County Council's corporate arrangements for emergency planning and response.

#### The Chair of the Communities & Place Committee

- Leadership and monitoring of appropriate planning, training and exercising for emergency planning and business continuity
- Support and encouragement of officers engaged in emergency planning and business continuity
- Monitoring the work of the emergency planning team in respect of its Safety of Sports Grounds activities

### **4.3 What is the role of Elected Members during an emergency?**

In overall terms, Elected Members can participate in the County Council's response to an emergency by:

- Providing support and encouragement for the efforts of officers of all departments involved in the response to the emergency
- Attending and being a familiar 'face' of the County Council at locations set up to deal with the emergency
- Participating as a member of any emergency committee which may be established to consider issues such as provision of additional funding to aid relief efforts
- Focus on lifting morale both amongst staff and the affected community
- By prior arrangement with the Emergency Centre Manager, members can periodically attend the County Emergency Centre (Lower Ground Floor, County Hall) to meet staff, acquire information and relay the perspectives and priorities of local people
- Keeping a log of significant actions and events for use in subsequent debriefings and any official inquiries related to the emergency.

Throughout the emergency response, Communities & Place Committee Members and other key Elected Members will receive briefings as appropriate from the Chief Executive, Chair of the RSEMB and the Group Manager, Emergency Planning and Registration.

Experience elsewhere demonstrates that a local authority is never scrutinised more closely, by its various audiences, than it is in its response to a major emergency in its area. Accordingly, the Communities & Place Committee Members and key individual Elected Members have specific key roles in an emergency. These are described below.

#### The Leader of the County Council

Strategic policy creation and decision making for the County Council's overall response, in collaboration with the Chief Executive

#### Communities & Place Committee

- The County Council's constitution allows that Chief Officers may incur expenditure to meet any immediate needs created by a sudden emergency. This is subject to the action being reported immediately to the Chief Executive and Corporate Director of Resources (represented by the Service Director of Finance and Procurement), and thereafter to the next meeting of the Communities & Place Committee.

#### The Vice Chairman of the Communities & Place Committee

- Support and encouragement of officers engaged in emergency response.
- Interface between other Elected Members and emergency managers

#### The local Elected Member

Elected Members for the areas affected by an emergency can contribute to the response in a number of important ways, as listed below. In all of these roles, it is important that the Elected Member keeps in touch with the County Emergency Centre (if established), and with members of the emergency planning team. This will ensure that everyone is working with up-to-date information on the response and on the concerns of affected communities. The local Elected Member should also establish and maintain contact with the Leader and the Chair of the Communities & Place Committee.

### Community Leader Role

Emergencies, by their nature, tend to be chaotic. In the early stages, there may be a degree of confusion and apparent disarray. This should pass quickly, not least because of the calm assurance of civic leaders such as County Councillors. In times of emergency the community looks to their elected representatives for assurance and leadership. In this role the Elected Member is well placed to pass important safety information and other advice from emergency managers directly into affected communities.

### The Community Representative Role

The Elected Members' close links with their local communities enables them to represent the views of affected people and to ensure that these are known to the emergency managers. This role may also lead to local Elected Members being asked to undertake particular roles in the community response, for example by being a Trustee for a Disaster Fund.

### A public face of the County Council

The Leader of the Council, Chief Executive, RSEMB members or Group Manager, Emergency Planning and Registration will deal with most enquiries from the media. However, representatives of the news media will also seek out local Elected Members for their perspectives on the emergency response. In general terms, Elected Members need to exercise caution when speaking publicly in this situation, and leave officers to respond on technical points. Please refer to the advice and pre-prepared sound bites included in Section 5 of this Plan.

Elected Members need to be prepared to be interviewed by the media about the County Council's response to an emergency, and provide the political link to the media.

### The Civic Dignitary Role

A vital role of the Elected Member is to be the figurehead local dignitary in welcoming visitors to the area of the emergency. This may involve:

- Greeting VIPs such as members of the Royal Family or government ministers
- Receiving delegations of representatives from other areas
- Meeting representatives of the victims of the emergency
- Representing the local community at memorial services and other events.

#### **4.4 What is the role of Elected Members following an emergency?**

Elected Members of the community affected have an important role to play in assisting with the recovery process. As the community representatives they will gather and make known the concerns of their community and feed them into the recovery process. They also have a very important role in disseminating credible information and advice back to the community.

As civic leaders, Elected Members will be involved with many other aspects of community life through such things as school governing bodies, local charities and various community groups. They can be a valuable source of help and specialist advice.

Elected Members have a role as:

- The focus for community concerns
- Identifying problems and vulnerabilities of their community that may require priority attention and feeding them back to the relevant recovery group
- The knowledge bank of local personalities and resources
- Encouragement and support to recovery teams working within their community
- Enhancing local community liaison
- Visiting people affected to be a listening ear and to give them reassurance
- Consulting with the community on rebuilds or modernisation
- Assisting with the media in getting messages to the community (following established policy guidelines)
- Assisting with VIP visits
- Liaising with other elected representatives (MPs/MEPs/other LA's representatives, etc.)
- Assisting (and possibly chairing) debrief sessions with the community

Through their normal duties as committee members, Elected Members give the Authority strategic direction and decide policy. They will scrutinise decisions of officers and other committees and suggest improvements. They will ultimately authorise actions affecting the local authority's functions, so they will need to be kept well informed with accurate and up to date information to enable them to make credible and well informed judgements.

#### **4.5 What arrangements are there for the safety of Elected Members?**

The scene of an emergency can of course be a dangerous place. For safety, Elected Members should observe the following precautions:

- The emergency services will establish cordons (as soon as they are able to) around any dangerous areas; normally by means of high-visibility tape. These cordons must not be crossed under any circumstances
- Maintain continuous surveillance for possible dangers seeking advice as necessary from the emergency services personnel or from the County Emergency Centre or emergency planning / health and safety staff
- Do not approach the scene of an emergency without the advice and support of the emergency services and County Council emergency managers
- Ensure that the County Emergency Centre is aware of your movements, and is able to contact you with safety information
- Consider seeking advice on debriefing and emotional support services.

## 5. MEDIA AND COMMUNICATIONS

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### 5.1 Media

Normally, during emergencies, the Leader of the Council, the Chief Executive, or another senior manager will be the key spokesperson for enquiries from the media on behalf of the Council.

Individual Councillors may be approached by the media directly. They should be aware that the media may be looking for access to information that is not available to them from other sources. Councillors should be cautious about commenting on the incident itself and how it is being handled.

Essentially, Elected Members should re-direct to specialist officers any questions they receive that are technical in nature. However, it may be of considerable benefit to affected communities if councillors give messages of reassurance, sympathy and support, and to highlight their own role as described in this Plan.

### 5.2 Social Media

Social media is used by an increasingly significant proportion of the world's population to communicate, to share information, images and footage, to comment on news stories, issues and incidents, to create news and to lobby for change. Journalists regularly monitor such comments placed on Twitter and Facebook, using such platforms as sources for news and information which they, in turn, report on.

Public, private and voluntary sector bodies in Nottingham and Nottinghamshire are also making increasing use of such platforms as a means by which they can engage in two way communications with the public.

Sites like Facebook and Twitter can be accessed via mobile phone applications, remotely and at the touch of a button and therefore, in the context of an emergency or major incident, they offer huge opportunities to relay real time information directly to the public without fear that that information may be delayed in its transmission or altered and its meaning lost by placing it solely in the hands of the mainstream media.

For Elected Members the principles of communicating using social media during an emergency are the same as when dealing with mainstream media. County Councillors should signpost enquiries to the County Council's use of social media channels.

### 5.3 Additional support and guidance

For any further advice and guidance on dealing with the media you can contact Media Relations on:

**0115 977 2438**

# Appendix 1 - Emergency contacts

For emergencies out of office hours please use the telephone numbers below:

## Major emergencies

A major emergency is one which:

- Requires significant resources in order for NCC to respond effectively
- Causes significant disruption to public services, or
- Requires a response over and above day-to-day working practices.

For the NCC emergency planning duty officer contact **0115 9773674** or call **0115 977 3899** if notified that the County Emergency Centre (CEC) has been opened **(both non-public numbers)**

The numbers below are for use by the general public and advertised on the County Council website

## Social care emergencies

Between 5.30pm - 8am Monday to Thursdays, 4.30pm Friday to 8.30am Monday, or Bank Holidays please phone our Emergency Duty Team on **0300 456 4546**.

If a person is in immediate danger call **999**.

Social Care emergencies could include:

- you suspect a child is being abused
- you suspect a vulnerable adult is being abused
- you come across someone who seems to be having a mental health crisis
- your home care worker has not arrived and you need help to get into bed.

## Highways emergencies

Between 8pm - 8am Monday to Friday, weekends and Bank Holidays please phone FirstCall on **01253 502776**.

Highways Emergencies could include:

- streetlight with exposed wires
- tree fallen in the road.





## **Proposed Emergency Planning Training for Elected Members**

### Objectives

- To outline how emergency planning is managed in Nottinghamshire
- To explain the responsibilities of the County Council under the Civil Contingencies Act 2004, including how the County Council works with our partner organisations
- To explore the role that Elected Members can play before, during, and after an emergency
- To consider the role the community can play before, during and after an emergency

### Topics to be covered:

- Definition of an 'Emergency'
- Role of the County Council
- Role of the Emergency Planning Team
- Partnership / Multi-Agency working
- Emergency Plans
- Elected Members role
- Communications





**22<sup>nd</sup> June 2017****Agenda Item:12****REPORT OF CORPORATE DIRECTOR OF PLACE DEPARTMENT****RESPONSES TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE  
COUNTY COUNCIL****Purpose of the Report**

1. The purpose of this report is to recommend to Committee the responses to the issues raised in petitions to the County Council on 23<sup>rd</sup> February 2017 and 23<sup>rd</sup> March 2017.

**A. Petition to improve the visibility at the junction of Owlston Close and Greenhills Road, Eastwood (Ref 2016/0220)**

2. A 29 signature petition was presented to the 23<sup>rd</sup> February 2017 meeting of the County Council by Councillor Keith Longdon. The petition is to improve the visibility of this junction for residents who need to exit Owlston Close onto Greenhill Road.
3. A site meeting was held on the 6<sup>th</sup> February 2017 involving Councillors Greaves and Longdon, the District Manager for the Broxtowe area and interested residents when residents' concerns were discussed along with possible remedial measures.
4. Potential options to resolve the residents' concerns for this location are currently being considered and if a satisfactory solution can be agreed it will be considered for inclusion in a future highways programme.
5. It is recommended that the lead petitioner be informed accordingly.

**B. Petition requesting a residents' parking scheme on Charles Street, Ruddington (Ref: 2016/0221)**

6. A 12 signature petition was presented to the 23<sup>rd</sup> February 2017 meeting of the County Council by Councillor Reg Adair on behalf of residents of Charles Street, Ruddington. The petition requests that a residents' parking scheme is introduced on Charles Street, Ruddington due to parking by non-residents.
7. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town

centres, or increase rat running or vehicle speeds. Schemes are prioritised based on the level of non-resident parking.

8. Charles Street is a residential, one-way street situated to the east of the town centre with no off-street parking. Whilst there are some existing on-street parking restrictions on the road; a parking survey will be undertaken to determine whether a residents' parking scheme should be considered a priority at this location for possible inclusion in a future year's integrated transport programme.
9. It is recommended that the lead petitioner be informed accordingly.

**C. Petition requesting a residents' parking scheme on Montague Road, Hucknall (Ref: 2016/0222)**

10. A 76 signature petition was presented to the 23rd February 2017 meeting of the County Council by former Councillor John Wilmott on behalf of residents of Montague Road, Hucknall. The petition requests that a residents' parking scheme is introduced on Montague Road, Hucknall.
11. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or vehicle speeds. Schemes are prioritised based on the level of non-resident parking.
12. Montague Road is a residential road situated to the north-west of the town centre, has a school located off the road and has some existing on-street parking restrictions.
13. The County Council proposes to undertake an area wide review of parking in Hucknall during 2017/18 following the completion of the Hucknall town centre improvement scheme. The review will consider non-resident parking on a number of streets in Hucknall and it is proposed that Montague Road be included in the proposed review.
14. Following the completion of the Hucknall parking review, a residents' parking scheme (or alternative parking restrictions) on Montague Road will be considered for inclusion in a future integrated transport programme should it be considered appropriate (subject to Transport and Highways Committee approval).
15. It is recommended that the lead petitioner be informed accordingly.

**D. Petition requesting a residents' parking scheme on Peveril Street, Hucknall (Ref: 2016/0223)**

16. An 18 signature petition was presented to the 23rd February 2017 meeting of the County Council by former Councillor John Wilmott on behalf of residents of Peveril Street, Hucknall. The petition requests that a residents' parking scheme is introduced on Peveril Street, Hucknall.

17. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or vehicle speeds. Schemes are prioritised based on the level of non-resident parking.
18. Peveril Street is a residential road situated to the north-west of the town centre, there are currently no parking restrictions and three parking bays located on the road.
19. The County Council proposes to undertake an area wide review of parking in Hucknall during 2017/18 following the completion of the Hucknall town centre improvement scheme. The review will consider non-resident parking on a number of streets in Hucknall and it is proposed that Peveril Street be included in the proposed review.
20. Following the completion of the Hucknall parking review, a residents' parking scheme (or alternative parking restrictions) on Peveril Street will be considered for inclusion in a future integrated transport programme should it be considered appropriate (subject to Transport and Highways Committee approval).
21. It is recommended that the lead petitioner be informed accordingly.

**E. Petition to re-open the car park at Shireoaks railway station (Ref 2016/0224)**

22. An 86 signature petition was presented to the 23rd February 2017 meeting of the County Council by Councillor Sybil Fielding. The petition requests the re-opening of the station car park as its closure is impacting on local residents, rail customers and part of the national cycle network.
23. The station at this location, which is not staffed, is managed by Northern Rail. The County Council has contacted Northern Rail to discuss these issues and request a speedy resolution to the problems that have been highlighted in the petition; and is now waiting for the Northern Rail station manager to respond to the issues raised.
24. It is recommended that the lead petitioner be informed accordingly.

**F. Petition requesting a residents' parking scheme on East Lane, Edwinstowe (Ref: 2016/0225)**

25. A five signature petition was presented to the 23rd February 2017 meeting of the County Council by Councillor John Peck on behalf of residents of East Lane, Edwinstowe. The petition requests that a residents' parking scheme is introduced on East Lane, Edwinstowe due to parking by non-residents.
26. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or vehicle speeds. Schemes are prioritised based on the level of non-resident parking.

27. East Lane is a residential road situated to the east of the town centre. There is a mixture of properties on the road, there are currently no parking restrictions, but the majority of properties have off-street parking. There is a car park located off East Lane, managed and operated by Edwinstowe Parish Council.
28. As most of the properties on East Lane have off-street parking the introduction of a residents' parking scheme at this location would not currently be considered a priority.
29. It is recommended that the lead petitioner be informed accordingly.

**G. Petition requesting a residents' parking scheme on Lovers Lane and Meyrick Road, Newark (Ref: 2017/0226)**

30. A 45 signature petition was presented to the 23<sup>rd</sup> March 2017 meeting of the County Council by former Councillor Tony Roberts on behalf of residents of Lovers Lane and Meyrick Road, Newark. The petition requests that a residents' parking scheme is introduced on the roads due to parking by non-residents accessing Newark Northgate rail station and the town centre.
31. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or traffic speeds. Schemes are prioritised based on the level of non-resident parking.
32. Lovers Lane and Meyrick Road are residential roads situated to the north-west of the town centre. Lovers Lane has a mixture of properties, some of which have off-street parking, with some existing on-street parking restrictions. Meyrick Road has no off-street parking and there are currently no on-street parking restrictions.
33. Parking surveys have consequently been undertaken on Lovers Lane and Meyrick Road and once the results have been analysed they will be used to consider the request for possible inclusion in a future year's integrated transport programme.
34. It is recommended that the lead petitioner be informed accordingly.

**H. Petition requesting a residents' parking scheme on Newstead Avenue, Newark (Ref: 2017/0227)**

35. A 16 signature petition was presented to the 23<sup>rd</sup> March 2017 meeting of the County Council by Councillor Maureen Dobson on behalf of residents of Newstead Avenue. The petition requests a residents' parking scheme is introduced on the road.
36. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or traffic speeds. Schemes are prioritised based on the level of non-resident parking.

37. Newstead Avenue is a residential road situated to the north-west of the town centre and whilst there are currently no parking restrictions on it, the majority of the properties have off-street parking.
38. As the majority of the properties have off-street parking, the introduction of a residents' parking scheme at this location would not currently be a priority. Residents are, however, able to fund the provision of white advisory H-bar markings to prevent obstruction of their driveways.
39. It is recommended that the lead petitioner be informed accordingly.

**I. Petition requesting a residents' parking scheme on Barton's Close, Newthorpe (Ref: 2017/0228)**

40. A 24 signature petition was presented to the 23<sup>rd</sup> March 2017 meeting of the County Council by Councillor John Handley on behalf of residents of Barton's Close. The petition requests that a residents' parking scheme is introduced on the road.
41. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or traffic speeds. Schemes are prioritised based on the level of non-resident parking.
42. Barton's Close is a residential road situated to the north of the village with no off-street parking. There are currently no on-street parking restrictions. It is unclear from the petition as to the nature of the parking issue or its causes and therefore the lead petitioner will be contacted to discuss these in more detail.

**J. Petition requesting a the resurfacing of Bagshaw Street, Pleasley (Ref: 2016/0229)**

43. An 83 signature petition was presented to the 23<sup>rd</sup> March 2017 meeting of the County Council by former Councillor Darren Langton on behalf of local residents. The petition requests that the whole length of Bagshaw Street is resurfaced as a priority.
44. All roads in the county are subject to an annual safety/enhanced inspection by the local highway inspector and a 'visual engineering inspection' every 3 years. The analysis of the technical condition survey data from these surveys, supplemented with local knowledge/judgement are then used to help develop future maintenance programmes.
45. Bagshaw Street was last inspected in February 2017 but we will undertake further inspections to determine if the road condition has deteriorated further and should be prioritised for maintenance works. Poplar Drive will be included as part of this assessment with a view to combining any proposed works if it is determined that such works are a priority.
46. It is recommended that the lead petitioner be informed accordingly.

**K. Petition requesting the adoption of a footpath between Blackhill Drive and Burton Road, Carlton (Ref: 2016/0230)**

47. A 29 signature petition was presented to the 23<sup>rd</sup> March 2017 meeting of the County Council by Councillor Jim Creamer on behalf of local residents. The petition requests that the footpath between Blackhill Drive and Burton Road be formally adopted, to make it clean and tidy and to install lighting.
48. According to the County Council's records this footpath is currently not adopted highway or a public footpath.
49. Requests for the Council to adopt a footpath can be made by the landowner of the footpath; and such requests would be subject to the processes set out in Section 38 of the Highways Act. The landowner would, however, be required to pay for the path to be brought up to the Council's required design and maintenance standards (the former of which is not possible in many cases) before it could be adopted.
50. It is recommended that the lead petitioner be informed accordingly.

**L. Petition concerning proposed traffic restrictions on Ilkeston Road, Stapleford (Ref: 2016/0231)**

51. A 64 signature petition was presented to the 23<sup>rd</sup> March 2017 meeting of the County Council by former Councillor Stan Heptinstall on behalf of local residents. The petition is in response to consultation undertaken on proposed Traffic Regulation Order to introduce waiting restrictions on Ilkeston Road and Melbourne Road, Stapleford.
52. Planning approval has been granted for up to 450 new homes on land north of Ilkeston Road and the proposed development will be accessed from Ilkeston Road. The new access will require a number of alterations to the layout of Ilkeston Road and the safety audit of the proposed new road recommended that parking restrictions be introduced to help ensure the safe and efficient operation of the proposed new junctions and pedestrian refuges along the road. Consequently, a Traffic Regulation Order (TRO) for the introduction of 'no waiting at any time' (double yellow lines) along sections of Ilkeston Road and Melbourne Road was consulted on.
53. Whilst the petition was submitted after the consultation closing date the objections highlighted in the petition were considered when determining whether to proceed with the waiting restrictions. A report on the proposed TRO ('THE NOTTINGHAMSHIRE COUNTY COUNCIL (A6007 ILKESTON ROAD AND MELBOURNE ROAD, STAPLEFORD) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2017 (5218) – CONSIDERATION OF OBJECTIONS') was presented to 16<sup>th</sup> March 2017 Transport & Highways Committee for consideration; at which time the Committee overruled the objections and determined to proceed with the TRO as advertised.
54. It is recommended that the lead petitioner be informed accordingly.

**M. Petition requesting a residents' parking scheme on Magdalene Way, Hucknall (Ref: 2017/0232)**

55. A 22 signature petition was presented to the 23<sup>rd</sup> March 2017 meeting of the County Council by former Councillor John Wilmott on behalf of residents of Magdalene Way. The petition requests that a residents' parking scheme is introduced on the road.
56. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or traffic speeds. Schemes are prioritised based on the level of non-resident parking.
57. Magdalene Way is a residential road situated to the north-west of the town centre and whilst there are currently no parking restrictions on it, all of the properties have off-street parking.
58. As all the properties on Magdalene Way have off-street parking, the introduction of a residents' parking scheme at this location would not currently be considered a priority. Residents are, however, able to fund the provision of white advisory H-bar markings to help prevent obstruction of their driveways.
59. It is recommended the lead petitioner is informed accordingly.

**N. Petition requesting a pedestrian crossing on Bingham Road, Cotgrave (Ref: 2016/0233)**

60. A 40 signature petition was presented to the 23<sup>rd</sup> March 2017 meeting of the County Council by Councillor Richard Butler. The petition requests the installation of a pedestrian crossing on Bingham Road, Cotgrave.
61. The County Council has negotiated contributions from the developer to provide measures that will help mitigate traffic from the proposed nearby development (such as improved bus services) but these do not include new pedestrian crossing facilities on Bingham Road.
62. The County Council receives far more requests for such crossings than it is able to fund. Requests for crossings are therefore prioritised based on the numbers of people crossing, traffic volumes and other relevant factors such as accident history so that the available funding helps the greatest number of people. Surveys will therefore be undertaken to determine whether a crossing at this location should be prioritised for possible inclusion in a future year's integrated transport programme.
63. It is recommended the lead petitioner is informed accordingly.

**O. Petition requesting double yellow lines at the junction of Northwold Avenue and Loughborough Road, West Bridgford (Ref: 2016/0234)**

64. A 57 signature petition was presented to the 23<sup>rd</sup> March 2017 meeting of the County Council by Councillor Gordon Wheeler. The petition requests the installation of double yellow lines at the junction of Northwold Avenue and Loughborough Road.



65. Northwold Avenue forms part of the recently delivered West Bridgford cycling network and a puffin crossing has recently been installed close to the junction. As part of these improvements the County Council proposes to introduce a Traffic Regulation Order (TRO) at this junction to install 'no waiting at any time' (double yellow lines) restrictions; and has recently undertaken consultation on the proposals. A separate report on the proposed TRO will be presented to Community & Place Committee to consider the proposals.

66. It is recommended that the lead petitioner be informed accordingly.

## **Statutory and Policy Implications**

67. 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**

It is recommended that the proposed actions be approved, the lead petitioners be informed accordingly and a report be presented to a County Council meeting for the actions to be noted.

**Adrian Smith - Corporate Director Place Department**

## **Background Papers and Published Documents**

- None

## **Electoral Division(s) and Member(s) Affected**

-

22<sup>nd</sup> June 2017

Agenda Item: 13

**REPORT OF CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (CYRIL ROAD, ELTHAM ROAD,  
GERTRUDE ROAD, HOLME ROAD, NORTHWOLD AVENUE, WEST  
BRIDGFORD) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER  
2017 (8258)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. To consider objections received in respect of the above Traffic Regulation Order and whether it should be made as advertised with the amendments detailed in the recommendation.

**Information and Advice**

2. West Bridgford is located within the Nottingham conurbation and as such links with pedestrian and cycle routes to destinations such as Nottingham city centre, the railway station and university areas. A report was presented at the Transport and Highways Committee meeting on 17<sup>th</sup> November 2016 providing information on the proposed network of cycling routes in the West Bridgford area. The cycle network is designed to improve access to jobs, local shops, schools and other local services to help cater for increased demand for cycling facilities for local residents, and encourage more people to cycle more often. Given the proposals' ability to help deliver the national and local aims to address local congestion, air quality and health issues, as well as help deliver new development; the County Council was successful in securing approximately £1m external funding to help deliver the proposed routes (as detailed in paragraph 15 of this report).
3. As part of the implementation of the cycle strategy, "No Waiting At Any Time" restrictions (double yellow lines) have been proposed at a number of junctions to keep the designated cycle routes clear of parked vehicles. The junctions covered by the proposals include:
  - Cyril Road from its junction with Eltham Road for 10 metres;
  - Eltham Road from its junction with Cyril Road for 15 metres;
  - Holme Road from its junction with Gertrude Road for 10 metres;
  - Gertrude Road from its junctions with Holme Road for 10 metres; and
  - Northwold Avenue from its junction with A60 Loughborough Road for 20 metres.
4. The roads included in the restrictions are mainly residential with some properties having off-street parking provision. The proposals at Northwold Avenue are close to a nearby orthodontist and a Toucan crossing has recently been installed on the A60 at this location.

5. The statutory consultation and public advertisement of the proposals, as detailed on the attached drawings H/TRO8258/001, 002 and 003 Rev A, was carried out between 9<sup>th</sup> January 2017 and 17<sup>th</sup> February 2017.

## Objections received

6. During the advertisement period, fifteen responses were received. Of these, five responses, including a petition of 57 signatures from residents of Northwold Avenue were in support of the proposals. The remaining ten responses were objections, one related to the proposals on the Gertrude Road / Holme Road junction, four to Northwold Avenue and five to the Cyril Road / Eltham Road junction.
7. On review of comments received, the proposals on the Cyril Road / Eltham Road junctions are not considered essential to achieve the wider cycling objectives so have been removed from the proposed scheme. As such, it is not necessary to further consider these five objections.
8. This means there are five responses considered as outstanding objections to the scheme, either in part or entirely.
9. Objection – Gertrude Road and Holme Road  
The objection is from a local resident on the basis that the restrictions will further reduce parking availability, which is already limited in this area.

10. Response – Gertrude Road and Holme Road  
The purpose of the highway is to facilitate the movement of vehicles and people and whilst the demand for on-street parking is noted; it is not the primary purpose of the highway. The Highway Authority has no duty to provide on-street parking and there is no legal right for a householder to park in close proximity to their property. It is recognised however, that demand for parking exists, particularly in residential areas with limited off-street parking.

There is always a balance to be struck between competing demands for a finite resource; it is considered that the proposed scheme offers a balanced solution to enhance the safe operation of the junction with minimal loss of parking.

11. Objection – Northwold Avenue  
Four residents are objecting to the proposal on Northwold Avenue. Respondents report issues with inconsiderate parking across driveways and concerns were raised by some respondents that the proposals will displace parked vehicles further along the road pushing issues to neighbouring properties. A range of further comments are made by the respondents; such as that issues are the result of patients' parking for the Orthodontist at 166 Loughborough Road and commuters' vehicles being left parked whilst drivers use public transport into the City.

Suggestions and requests made by objectors include a mandatory requirement for the orthodontist to provide suitable car parking for staff and patients, installing dropped vehicle accesses to residents where properties do not have them and the introduction of 'resident only' parking.

12. Response  
Residents parking schemes are prioritised to those streets where people do not have off-street parking facilities and where a scheme won't negatively affect nearby streets, increase

rat running or traffic speeds. On Northwold Avenue most properties have access to off-street parking so the introduction of a residents' parking scheme would not be considered a priority.

It should be noted that the use of Northwold Avenue, part of the public highway, by non-residents is completely legal. However, the frustration felt by residents, who are regularly affected by obstructive parking is recognised. It is an offence to obstruct a dropped vehicle crossing and if this occurs is a matter for the Police, who are empowered to enforce on this matter. An appropriate measure to help alleviate residents' difficulties with vehicle access / egress to properties is the provision of advisory 'H bar markings' and these can be provided in line with the County Council's charging policy (£185) on request from residents.

The request for the free installation of a vehicle dropped kerbs to properties on Northwold Avenue cannot be granted. Vehicle dropped accesses of this nature benefit only the individual property that it serves, not the wider highway network. Therefore, it is County Council policy that all private vehicle accesses are subject to approval from NCC and must be undertaken at the applicant's own expense, either by a private approved contractor or by the County Council.

The County Council has no power to require a private business (such as the Orthodontist), which is currently operating to provide any parking facility on their premises or elsewhere; rather this issue is one to be considered by local planning authorities when receiving planning applications.

## **Other Options Considered**

13. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. The restrictions as currently proposed are considered to strike a reasonable balance between the need to maintain the safe operation of the highway and recognition of the demand for on-street parking.

## **Comments from Local Members**

14. The restrictions advertised were in the former West Bridgford Central and West Bridgford West Electoral Divisions. During consultation County Councillor Wheeler (West Bridgford West) supported the amended proposals and Councillors Calvert and Plant (West Bridgford Central) did not comment on the proposals.
15. The proposals are now in the West Bridgford West and West Bridgford North Electoral Divisions and both current Councillors were consulted.

## **Reasons for Recommendations**

16. The recommendations represent the most appropriate action to reduce / prevent danger to highway users; particularly vulnerable users and for facilitating the safe, convenient and expeditious passage of traffic, having had regard to all feedback received.

## **Statutory and Policy Implications**

17. 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.

## **Financial Implications**

18. The current overall cost estimate of delivering the whole proposed West Bridgford cycle network is estimated to be £1.33m of which the County Council is contributing £0.25m from its integrated transport block allocation. The remaining funding for the delivery of the scheme has been secured from the D2N2 LEP Sustainable Transport Programme Local Growth Fund allocation (£0.685m); developer contributions from the Rushcliffe Arena development (£0.095m); and works negotiated to be carried out by the developers of the Sharphill Wood development (estimated at £0.3m). The cost of the works and implementation of the traffic order considered in this report are estimated to be in the region of £3,500 which is included in the overall cost estimates.

## **Crime and Disorder Implications**

19. Nottinghamshire Police expressed no opinion on the proposal.

## **RECOMMENDATION/S**

### **It is recommended that:**

The Nottinghamshire County Council (Cyril Road, Eltham Road, Gertrude, Holme Road, Northwold Avenue, West Bridgford) (Prohibition of Waiting) Traffic Regulation Order 2017 (8258) is made as advertised with the following amendment and the objectors advised accordingly.

- Remove the proposed “No Waiting At Any Time” restrictions on Cyril Road and Eltham Road

**Adrian Smith**  
**Corporate Director, Place**

**Name and Title of Report Author**  
Mike Barnett - Team Manager (Major Projects and Improvements)

## **Constitutional Comments (SJE – 27/03/2017)**

20. This decision falls within the Terms of Reference of the Transport and Highways Committee to whom responsibility for the exercise of the Authority's functions relating to traffic management have been delegated.

## **Financial Comments (GB 27/03/17)**

21. The financial implications are set out in paragraph 18 of the report.

## **Background Papers**

All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements section at Trent Bridge House, Fox Road, West Bridgford, Nottingham.

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**

West Bridgford West ED  
West Bridgford North ED

Cllr Gordon Wheeler  
Cllr Liz Plant





#### KEY

— Proposed DYL's

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Project

**WEST BRIDGFORD  
CYCLEWAY IMPROVEMENTS**

Drawn

JE

Date

Property No.

Project No.

H/TRO/8258

Auth

Traced

Title

**ELTHAM ROAD  
DYL'S**

Scale

N.T.S

Drawing No.

**H/TRO/8258/001**

Rev







Holme Road

Gertrude Road

156

KEY

— Proposed DYL's

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Project

**WEST BRIDGFORD  
CYCLEWAY IMPROVEMENTS**

Drawn

JE

Date

Ch'kd

Date

19/12

Auth

Traced

Property No.

Project No.

H/TRO/8258

Title

**HOLME ROAD**

**DYL'S**  
Page 90 of 153

Scale

**N.T.S**

Drawing No.

**H/TRO/8258/002**

Rev





Nursing  
Home

166

20m

Northwold Ave

20m

168

Dental  
Practice

173

173a

175

Loughborough Road

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#### KEY

— Proposed DYL's

A	Existing Toucan crossing shown on Loughborough Road. Dental Practice shown.	JWB		MB	05/17
Rev	Description	Drawn	Ch'kd	Auth	Date



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Project

## WEST BRIDGFORD CYCLEWAY IMPROVEMENTS

Drawn

JE

Date

19/12/16

Ch'kd

Date

Status

Project No.

H/TRO/8258

Auth

Traced

JWB

Title

NORTHWOLD AVENUE  
Page 92 of 153  
DYL'S

Scale

N.T.S.

Drawing No.

H/TRO/8258/003

Rev

A



## REPORT OF THE CORPORATE DIRECTOR (PLACE)

### PERFORMANCE REPORT – HIGHWAYS

#### Purpose of the Report

1. This report provides information to the Committee on the performance of the Highways Service provided by Via East Midlands and the County Council – updated to the end of quarter 4 2016/17.

#### Information and Advice

2. The Highways Service is delivered primarily through a joint venture company, Via East Midlands, to the County Council for the benefit of the County's residents, visitors, businesses and highway users, with some key strategic functions retained by NCC e.g. development control.
3. There are a range of performance measures which support performance management for the company and County Council and these cover the large range of services provided, including road maintenance, casualty reduction, street lighting and development control. This report covers Q4 of 2016/17 which is the third quarter of Via's operation.
4. The attached appendices focus on the following key service areas and should be read in combination with this report:
  - Highway Repairs & Enquiry Indicators (Appendix 1A)
  - Highway Complaints (Appendix 1B)
  - Road Safety Indicators (Appendices 2A & B)
  - Highway Claims Data (Appendix 3)
  - Planning Application Indicators (Appendices 4A & B)

#### Performance Analysis

5. The following analysis highlights key performance indicators.

##### Highway Repairs & Enquiry Indicators (Appendices 1A & 1B)

- a. *Street Lighting* – The time taken to repair a street light continues to reflect good performance. At Q4 the figure for the average Street Lighting repair rate was 6.59 days compared against a target of 7 days. This figure typically falls further in Q1, after the switch back to British Summer Time.

- b. *DNO Street Lights* –The average time taken by the District Network Operator to rectify faults under its control in Q4 was 33.2 days, which is within the target of 35 calendar days.
- c. *Potholes and Repairs* – For Q4 there were 6,167 defects repaired compared with 5,852 in the same quarter in 2015/16. The average repair time for all categories of repair is well within the target timescales.
- d. *Highways Recorded Complaints* – A breakdown of complaints is contained in Appendix 1B and compares the number of complaints (40) to the number of service enquiries (15,234). A large proportion (78%) of complaints are not upheld, many because they relate to dissatisfaction in policy or factors out of the service's control.

Since the first quarter of 2016/17 the NCC website has provided details of enquiries already received, and allows users to receive updates through automated messaging. This improvement appears to have resulted in a reduction in the number of enquiries as the service is not receiving as many multiple enquiries about the same matter. This change was expected but will continue to be verified over the coming months. One effect of the number of enquiries reducing is that the proportion of enquiries that are complaints has increased.

The total number of Highways related customer enquiries in 2016/17 was 55,229.

### **Road Safety Indicators (Appendices 2A & 2B)**

- e. Part A of this appendix illustrates the annual change over a 10-year review period, whilst Part B details the quarterly change compared with the previous 4 quarters.

*Highway Safety* - Despite quarter on quarter variation, the overall trend in the numbers of people and children killed or seriously injured in road accidents is still on course to achieve the 2020 target.

The 2020 target is to reduce the number of people killed or seriously injured in road accidents by 40% from the 2005-09 average (the baseline). Overall in 2016 a 38% reduction has been achieved, i.e. a reduction to 323 from the baseline figure of 517.

The 2020 target is also to reduce the number of children killed or seriously injured in road accidents by 40% from the 2005-09 average (the baseline). Overall in 2016/17 a 63% reduction has been achieved, i.e. a reduction to 20 from the baseline figure of 54.

### **Highway Claims Data (Appendix 3)**

- f. *Highways Claims Data* – This data illustrates the variation in the number of claims over the last 5 years and the associated repudiation rates. As a claim can be received up to 3 years after the date of the accident, the data may change as further claims occur, and cases are settled, relating to previous years.

The data for 2016/17 nonetheless appears to show a continuing reduction in the number of claims, and the data for 2015/16 (the latest year for which a significant number of cases have been settled) shows repudiation rates steady at around 80%.

## **Highway Development Control & Flood Risk Management Indicators (Appendices 4A & 4B)**

- g. *Highway Development Control* – These quarterly indicators monitor the processing of development control applications and pre-applications with targets set at 95% and 90% of all enquiries being dealt with within 21 days. For Q4 the figures for both indicators are 92%.
- h. *Flood Risk Management* - These quarterly indicators monitor the processing of flood risk management planning applications with the targets set at 95% of all enquiries being dealt with within 21 days. For Q4 the figures are 91.6% for all applications and 96.3% for major and bespoke applications.

### **Other Options Considered**

- 6. None – this is an information report.

### **Reasons for Recommendations**

- 7. None – this is an information report.

### **Statutory and Policy Implications**

- 8. 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.

### **Financial Implications**

- 9. The monitoring of service performance will ensure that the Highways Budgets will be used efficiently and effectively.

### **Implications for Service Users**

- 10. The continued monitoring and management of performance will ensure that quality standards are maintained and appropriate services provided to meet local needs.

### **Recommendation**

- 11. That Committee note the contents of the report.

**Gary Wood**  
**Group Manager, Environment & Highways**

For any enquiries about this report please contact:  
Kate Butler, Head of Performance & Programme Management, Via East Midlands Ltd  
Tel: 0115 977 4548



## **Constitutional Comments**

None – report for information.

## **Background Papers**

None

## **Electoral Divisions**

All

## Highways Complaints Data Q4 Period

## Appendix 1B

Highways Complaint Outcomes	Q4 2015/16	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Trend from same quarter last year	Trend from previous quarter
Upheld or Partially Upheld	17	25	36	18	9	↑	↑
Not Upheld or Still Active	32	38	53	29	31	↑	↓
Total for Period	49	63	89	47	40	↑	↑


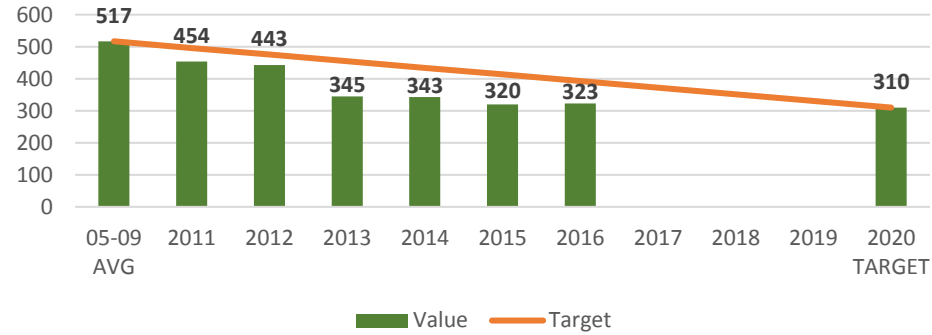

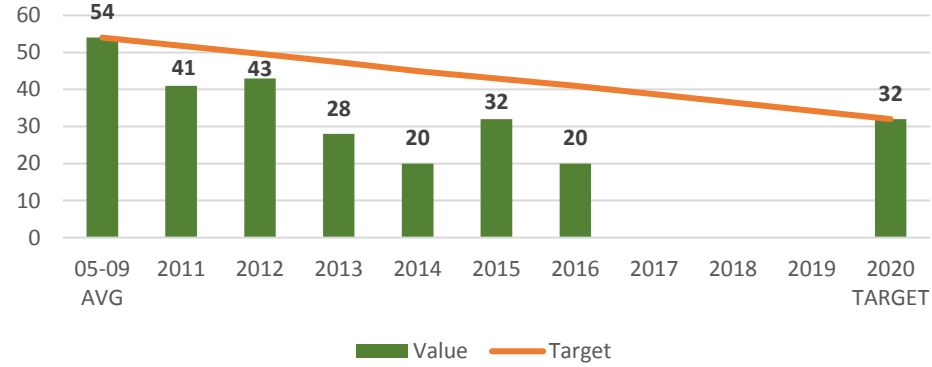
Number of Enquiries received by Highways Services	Enquiries Received & Percentage Related to Highways						
	Q4 2015/16	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Trend from same quarter last year	Trend from previous quarter
Total No.of Highways related enquiries	16,113	13,648	13,389	12,958	15,234	↑	↓
Proportion of enquiries that are highways complaints related	0.3%	0.5%	0.7%	0.4%	0.3%	▬	↑

Trend	Base this on change from same period last year
↑	Improving trend
↓	Deteriorating trend
▬	No change



## Road Safety Performance Indicators (Annual)







## Appendix 2A

Indicator description	Actual Value	Target	Status	Chart	Comments																											
Reduce the number of people killed or seriously injured in road traffic collisions	323	393		<p><b>Progress on Nottinghamshire County 2020 target for a 40% reduction in KSI casualties</b></p>  <table><thead><tr><th>Year</th><th>Value</th><th>Target</th></tr></thead><tbody><tr><td>05-09 AVG</td><td>517</td><td></td></tr><tr><td>2011</td><td>454</td><td></td></tr><tr><td>2012</td><td>443</td><td></td></tr><tr><td>2013</td><td>345</td><td></td></tr><tr><td>2014</td><td>343</td><td></td></tr><tr><td>2015</td><td>320</td><td></td></tr><tr><td>2016</td><td>323</td><td></td></tr><tr><td>2020 TARGET</td><td>310</td><td>310</td></tr></tbody></table>	Year	Value	Target	05-09 AVG	517		2011	454		2012	443		2013	345		2014	343		2015	320		2016	323		2020 TARGET	310	310	In 2016 there were 323 people killed or seriously injured. This is a reduction of 37.5% compared with the 2005-9 average of 517 and puts us on target to meet the 40% reduction required by 2020.
Year	Value	Target																														
05-09 AVG	517																															
2011	454																															
2012	443																															
2013	345																															
2014	343																															
2015	320																															
2016	323																															
2020 TARGET	310	310																														
Reduce the number of children killed or seriously injured in road traffic accidents	20	41		<p><b>Progress on Nottinghamshire County 2020 target for a 40% reduction in child KSI casualties</b></p>  <table><thead><tr><th>Year</th><th>Value</th><th>Target</th></tr></thead><tbody><tr><td>05-09 AVG</td><td>54</td><td></td></tr><tr><td>2011</td><td>41</td><td></td></tr><tr><td>2012</td><td>43</td><td></td></tr><tr><td>2013</td><td>28</td><td></td></tr><tr><td>2014</td><td>20</td><td></td></tr><tr><td>2015</td><td>32</td><td></td></tr><tr><td>2016</td><td>20</td><td></td></tr><tr><td>2020 TARGET</td><td>32</td><td>32</td></tr></tbody></table>	Year	Value	Target	05-09 AVG	54		2011	41		2012	43		2013	28		2014	20		2015	32		2016	20		2020 TARGET	32	32	In 2016 there were 20 children killed or seriously injured. This is a reduction of 63% compared with the 2005–9 average of 54 and puts us on target to meet the 40% reduction required by 2020.
Year	Value	Target																														
05-09 AVG	54																															
2011	41																															
2012	43																															
2013	28																															
2014	20																															
2015	32																															
2016	20																															
2020 TARGET	32	32																														









## Road Safety Performance Indicators Q4 Period

## Appendix 2B

Road Safety Indicators		Performance Measures								Comments	
		Q4 Actual	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Target	Status	Trend from same quarter last year		Trend from previous quarter
		2016	2017	2017	2017	2017					
People killed or seriously injured in road traffic collisions	% Change	38%	32.5%	40.3%	42%	37.5%	40%				The figures at the end of the 4 <sup>th</sup> quarter of 2016 show a reduction of 37.5% (from 517 to 323) against the equivalent baseline average figure for 2005-2009. This keeps us on course to meet the national casualty reduction target of 40% by 2020.
	Baseline Value	517	123	248.6	392	517					
	Quarterly Value	320	83	148	228	323					
Number of children killed or seriously injured in road traffic accidents	% Change	40%	59%	73%	62%	63%	40%				The figures at the end of the 4 <sup>th</sup> quarter of 2016 show a reduction of 63% reduction (from 54 to 20) against the equivalent baseline for 2005-2009. This keeps us on course to meet the national casualty reduction target of 40% by 2020.
	Baseline Value	54	12.2	26	42	54					
	Quarterly Value	32	5	7	16	20					

### Key symbols table:

Status	Indicators	Trend	Base this on change from same period last year
	Below target by more than 10%		Improving trend
	Below target by up to 10%		Deteriorating trend
	On or above target		No change

	No reported data or no target		
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## Highway Claims Data Q4

## Appendix 3

Highway Claims Data	Highways Claims				
	2012-2013	2013-2014	2014-2015	2015-2016	2016-17
<b>(A)</b> Number of claims received <b>(C+D+E)</b>	671	706	577	495	450
<b>(B)</b> Number of claims settled <b>(C+D)</b>	664	695	556	456	182
<b>(C)</b> Number of above claims Defended / Repudiated	513	512	445	371	110
<b>(D)</b> Number of claims finalised/settled	154	187	119	102	72
<b>(E)</b> Active claims	7	11	21	39	266
<b>(F)</b> Percentage Repudiation Rate <b>(C/B x 100)</b>	<b>77%</b>	<b>74%</b>	<b>80%</b>	<b>81%</b>	<b>60%</b>

**Note as more claims are settled the defendable rates will change.**

Also, further claims may occur related to previous years; claims can be made up to 3 years from the date of the accident.












## Highways Development Control Indicators Q4 Period

## Appendix 4A

Highway Development Control	Performance Measures									Comments
	Q4	Q1	Q2	Q3	Q4	Target	Status	Trend from same quarter last year	Trend from previous quarter	
	15/16	16/17	16/17	16/17	16/17					
Development Control Applications	86.75%	87.0%	93.0%	94.0%	92.0%	95.0%	⚠️	⬆️	⬇️	There have been a total of 728 formal applications received with 92% of these responded to within the 21-day deadline with the target being 95%.
Development Control Pre-applications	93.7%	91.0%	95.0%	95.0%	92.0%	90.0%	✅	⬇️	⬇️	There have been total of 143 informal applications received with 92% responded to within the 21-day deadline, this is above the target of 90%.





### Key symbols table:

Status	Indicators	Trend	
	Below target by more than 10%		Improving trend
	Below target by up to 10%		Deteriorating trend
	On or above target		No change
	No reported data or no target		









## Highways Flood Risk Management Indicators Q4 Period

## Appendix 4B

Highway Flood Risk Management	Performance Measures								Comments
	Q1	Q2	Q3	Q4	Target	Status	Trend from same quarter last year	Trend from previous quarter	
	16/17	16/17	16/17	16/17					
Flood Risk Management (total) Planning Application Consultations	98.5%	98.3%	97.2%	91.6%	95.0%		N/A		There have been a total of 564 formal applications received in 2016/17 with 91.6% of these responded to within the 21-day deadline with the target being 95%
Flood Risk Management Major and Bespoke Planning Application Consultations	98.2%	98%	96.9%	96.3%	95.0%		N/A		There have been total of 389 formal applications received in 2016/17 with 96.3% of these responded to within the 21-day deadline, this is above the target of 95%.

### Key symbols table:

Status	Indicators	Trend	
	Below target by more than 10%		Improving trend
	Below target by up to 10%		Deteriorating trend
	On or above target		No change
	No reported data or no target		



22 June 2017

Agenda Item: 15

## **REPORT OF THE SERVICE DIRECTOR FOR SOUTH NOTTINGHAMSHIRE AND PUBLIC PROTECTION**

### **UPDATE ON PROGRESS OF THE TRADING STANDARDS COMMERCIAL DEVELOPMENT PROGRAMME**

#### **Purpose of the Report**

1. To provide an overview and update to the Committee on the progress made by Trading Standards following the outcome of the Service's involvement in the Authority's Commercial Development Programme.

#### **Information and Advice**

##### **Commercial Development Unit (CDU) Pilot Outcome**

2. The Trading Service was one of three services involved in the pilot of the Authority's Commercial Development Unit process. The commercial proposal and commercialisation plan developed passed the scrutiny test by the Chief Executive panel, and was then subsequently considered and approved by Policy Committee on 16th November 2016 for implementation.
3. The Policy Committee report outlined how the proposal offered the potential opportunity to reduce the net budget of the Service by £320k per annum by the end of 2019/20. This would be achieved by following the commercial plan to generate additional income. The approach in the plan involves redeploying staff resource away from core enforcement work, and into discretionary income generating activity.
4. The report also set out that the services that had gone through the pilot process needed to be supported and monitored as the commercial plans that had been developed were implemented. It concluded that *"This will remain in place for at least the first 12 months, with regular reports taken to the appropriate service committee. Services that fail to hit predicted income targets will be helped by the commercial team to address any issues. Service Committees will be recommended to stop early any commercial activity that is failing with no viable intervention plan."*

## **Trading Standards Implementation Plan**

5. In order to capture all the necessary actions to implement the new approach, the Trading Standards Commercialisation Key Action Plan was developed as part of the process. An outline of this plan was included in the report to the Community Safety Committee on the 10 January 2017. This plan is being amended and revised on an ongoing basis.
6. A number of key performance indicators have been devised by officers and it is believed that these measures will enable the Committee members to adequately monitor progress of the work being carried out by the Service against the targets set to increase its income. These will be subject to ongoing development and will reflect activity within the 'sales funnel' and assists with remedial actions should financial results fall short of projected performance. These key performance indicators were approved by the Community Safety Committee on 10 January 2017.
7. One key issue identified as part of the pilot process was a potential conflict of interest situation between the Service's role as regulator, and as an advisor. To address this, a new team to deliver all commercial work was created to resolve this issue, and all commercial work is being carried out by this team. New control and monitoring systems were introduced to improve management information, service to customers, and to manage potential conflict of interests in the team.
8. Apart from increasing the volume of sales, the increase in income in the proposal is partly derived from increasing the rates charged for services, up to the full cost recovery rate, where the market allows. A report outlining the proposed pricing structure was approved by the Community Safety Committee on the 10 January 2017.
9. A new marketing and communications plan has also been created and will be reviewed as necessary. Work has started to create new marketing support material in order to reposition the service offer. In addition, existing webpages and content are being refreshed and enhanced to create separate content for the new commercial services pages, distinct from the free business advice material the authority needs to provide as part of its statutory services.
10. Once new marketing and website material is available, a monthly electronic newsletter, focused on compliance and business advice will be launched to provide an active way to communicate with current clients and to attract potential customers. The newsletter will be a key cost effective tool in increasing market awareness of the commercial services currently on offer, and be used to launch new services we have in development.
11. A number of market sectors have been identified as areas to initially approach businesses in order to develop new contracts.

## **Progress to Date**

12. Whilst the website development and the production of some of the marketing material is still ongoing, the Commercial Services Team officially started to offer its commercial service packages to businesses at the beginning of April.

13. One of the packages that businesses can elect to have is to set up a Primary Authority Partnership (PAP). The benefit of a PAP is that it enables the Service to provide advice that is legally binding on other local authority enforcers. This means that once the advice has been issued, as long as the business follows that advice, it will offer them protection from prosecution or other sanctions. This is particularly beneficial in areas of complex legislation such as product safety or food safety. It gives the businesses certainty and the confidence to invest and grow. At the start of this financial year the Service had 27 PAPs and has since engaged a further four companies with a number of potential agreements in the pipeline. The PAP companies range from SMEs through to large multinationals.
14. The PAP arrangement has given many of our companies the confidence to expand. An example of this is a SME that specialised in outdoor clothing and equipment. The business was mainly trading on line but had a small retail outlet in the county. They have recently expanded their online sales and now have two further retail outlets, one in Derbyshire and the other in the Lake District.
15. The Service also offers businesses, who perhaps don't feel the need yet to set up a PAP, one off bespoke packages to assist with looking at the requirements of a single product or product range. We recently assisted a SME who was producing unique and specialist food spreads that contained alcohol. We were able to advise them on the correct labelling and presentation of the product.
16. Many of our smaller manufacturers/ importers, are looking to get their products onto the shelves of large supermarkets. We have been able to again assist them with this by examining not only their products but also their processes. We have then been able to advise them on what actions they needed to take to not only ensure compliance with legislative requirements and standards but to also ensure that their processes were robust enough to ensure that they had full traceability of the product and its component parts.
17. An example of this was a local cider producer who had previously only supplied from their own premises. They saw the possibility of supplying their product to one of the large retail chain stores but in order to satisfy this retailers requirements they needed advice on how they could comply with their requirements. Officers worked with the business to ensure that they made the necessary alterations to both their systems and their product labels and they were successful in winning the contract. They have since come back to us for further assistance as they are now looking to expand and are trying to win contracts with other large retailers.
18. At the time of writing, the Service has generated £5.9k in new work since the 1 April, with a further potential £14k worth of business being discussed with businesses. Whilst it should be noted that this potential income is not guaranteed, and that further discussions are required, the Service is still on course to meet the additional income target of £95k for 2017/18.

## **Other Options Considered**

19. None



## **Reason/s for Recommendation/s**

20. This is an information report.

## **Statutory and Policy Implications**

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.

## **Financial Implications**

This report contains no additional financial implications, with activity reported or that proposed being contained within existing service budget.

## **RECOMMENDATION/S**

That the committee notes the content of this report.

**PAUL MCKAY**

**Service Director, South Nottinghamshire and Public Protection**

## **For any enquiries about this report please contact:**

Mark Walker  
Group Manager, Trading Standards and Community Safety  
Tel: 0115 977 2173  
Email: mark.walker@nottsc.gov.uk

## **Constitutional Comments ()**

21. As this report is for noting only, constitutional comments are not required

## **Financial Comments ()**

22. As this report is for noting only, financial comments are not required

## **Background Papers and Published Documents**

- 'None'

**Electoral Division(s) and Member(s) Affected**

- 'All'



**22 June 2017****Agenda Item: 16****REPORT OF THE SERVICE DIRECTOR FOR SOUTH NOTTINGHAMSHIRE  
AND PUBLIC PROTECTION****APPROVAL OF THE OFFICIAL FOOD & FEED LAW ENFORCEMENT  
SERVICE PLAN FOR 2017/18****Purpose of the Report**

1. To seek approval by the Committee of the Trading Standards and Community Safety Service 2017-18 Food & Feed Law Enforcement Service Plan.

**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 food and feed controls.
3. The Food Standards Agency (FSA) has a key role as the central competent authority for overseeing official feed and food controls, and also working closely 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 food hygiene controls (on food for human consumption) 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.
5. The work carried out by Trading Standards on food and animal feed standards has an important role that impacts on both consumers and businesses. The work in advising businesses provides a level playing field in which legitimate businesses can prosper and grow. Sampling, monitoring and responding to complaints also helps to protect both legitimate businesses and consumers from any criminal element that may seek to put products onto the market that are either, not what they state they are, or may be potentially injurious to health

## **Other Options Considered**

6. Non applicable – required by law.

## **Reason/s for Recommendation/s**

7. The Trading Standards & Community Safety Food & Feed Law Enforcement Service Plan for 2016-17 has been reviewed and updated with current data on premise risk bandings and enquiries received. The updated plan which covers 2017-18 is the one attached as an appendix to this report.
8. The FSA places a great deal of importance on ensuring that the Authority's key decision makers are fully engaged in official food and feed controls work. As such, the Trading Standards Service proposed plan for 2017-18 is attached as an appendix to this report for the Committee to consider and approve.

## **Statutory and Policy Implications**

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**

These are detailed in section 4 of the Enforcement Service Plan which is attached and are contained within the budget for Trading Standards.

## **Implications for Service Users**

The Enforcement Service Plan details the work proposed and outlines the need and rationale.

## **Implications for Sustainability and the Environment**

There are no specific implications but the work carried out does help with the sustainability of legitimate businesses.

## **RECOMMENDATION/S**

- 1) That the Committee approves the Authority's 2017-18 Food & Feed Law Enforcement Service Plan as set out in the appendix to this report.

**PAUL MCKAY**

**Service Director, South Nottinghamshire & Public Protection**

**For any enquiries about this report please contact:**

Mark Walker  
Group Manager, Trading Standards and Community Safety  
Tel: (0115) 977 2173  
Email: mark.walker@nottsc.gov.uk

### **Constitutional Comments (SMG 14/06/17)**

9. The proposals outlined in this report fall within the remit of this Committee.

### **Financial Comments (CT63 06.03.17)**

10. The financial implications are contained within section 4 of the Enforcement Service Plan and are contained within the existing budget for Trading Standards.

### **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'



# APPENDIX



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

## ***FOOD & FEED LAW ENFORCEMENT SERVICE PLAN 2017-18***



## **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 currently sits in the South Nottinghamshire 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 Communities and Place Committee, and reports will be provided to it on food and feeding stuffs work as appropriate.

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 square kilometres (805 square miles). It has a population of 805,848 people and a workforce of 375,195. The largest concentration of people is found in Nottingham City conurbation, with 114,500 people in Bassetlaw, 112,200 in Broxtowe, 115,900 in Gedling 106,600 in the Mansfield district, and 118,600 in Newark and Sherwood.

## 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 and Community Safety 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 January 2017, there were 5,943 known registered food businesses in Nottinghamshire, 3 approved feed hygiene premises, and 1,691 Feed Hygiene Registered Premises categorised as shown in the table below:

	<b>High Risk</b>	<b>Upper Medium Risk</b>	<b>Lower Medium Risk</b>	<b>Low Risk</b>	<b>Total</b>
<b>Registered Food Businesses</b>	25	164	5168	586	<b>5943</b>

	<b>High Risk</b>	<b>Upper Medium Risk</b>	<b>Lower Medium Risk</b>	<b>Low Risk</b>	<b>Total</b>
<b>Approved Feed Hygiene Premises</b>	n/a	n/a	3	0	<b>3</b>
<b>Feed Hygiene Registered Premises</b>	3	22	28	1638	<b>1691</b>

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: 0115 8041147 or 0300 5008080 (Businesses and Enforcement Agencies)**  
**08454 040506 (Citizens Advice Consumer Services for Consumers)**

**Fax: 01623 452059**

**Website: [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)**

**Email: [trading.standards@nottscc.gov.uk](mailto: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 2017/18 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 first stage of the Food Information Regulations came into force in December 2014 and has had some impact on the Service, and is likely to have a continued 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. We have assisted many businesses to ensure compliance in this area by checking numerous labels and providing advice.

The second stage of the Food Information Regulations came into force in December 2016 in relation to nutritional information, this is having an impact on the Service. A range of food businesses have needed advice and support in this area and others are still continuing to approach us.

The County's large manufacturers/importers including a number of our Primary Authority Companies have already sought advice from this Service. In order to ease this impact, the Service will

- Continue to undertake a series of interventions; and
- Continue to communicate the new requirements to businesses.

The Service will continue to work closely with Environmental Health Services to agree a collaborative approach to both proactive and reactive work with regard to the new regulations. We have got a joint agreement in place whereby Environmental Health has carried out a number of inspections to address the Food Information Regulations requirements. The aim will be to reduce the burden on business and to avoid duplication in the deployment of resources.

### **3.2 Food and Feeding Stuffs Complaints**

In 2017/18 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.

From April 2016 until 31<sup>st</sup> January 2017 the Service had received 156 Food Standards complaints, 4 feeding stuffs complaints, 29 Primary Authority Food Standards referrals, 3 feed information referrals from Port Authorities; 38 Trade Enquiries relating to food matters (of which 28 were from Primary Authority companies) and 4 relating to feed (1 of which was from a Primary Authority company).

Complaints received during 2016/17 have included issues such as alleged substitution of cheaper ingredients, incorrect allergen information being provided, false claims such as 'Organic', and other incorrect labelling. There have been a number of issues in relation to food being on sale beyond its durability marking. There have also been complaints about businesses selling individual products from multipacks which means that full mandatory labelling required is not present as it is

contained on the outer packaging of the multipack and not the individual packs contained within. The service has also received a small number of complaints including quality issues in relation to feed 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 16 businesses, whilst 5 partnerships also cover feeding stuffs.

In 2017/18 we will;

- Request enforcement colleagues to inform us of any relevant 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.

From April 2016 until January 2017 the Service dealt with enquiries from both Primary Authority Companies and other Nottinghamshire based businesses regarding a wide range of technical issues. Issues included allergen labelling advice, advice in relation to nutritional labelling and health claims, general food labelling advice etc.

The Service also dealt with enquiries from feed businesses in areas including labelling requirements, and assistance with their feed safety management systems.

### **3.4 *Advice to Business***

In 2017/18, 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.

From April 2016 until January 2017 the Service provided a range of advice to a number of businesses in relation to general food labelling for products such as snack foods, cider, sweets and spices. In addition, advice was provided on the nutritional labelling of products and also on ways to minimise the increased burden this brings for traders to produce a more nutritionally consistent product.

### **3.5 *Feed and Food Sampling***

In 2017/18, 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 2016/17, the Service sampled a range of food and feed materials. Some samples arose as a result of complaints or taken during inspections.

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:

- Feed materials were tested for contamination, pesticide levels and unauthorised genetically modified substances;
- Rice products were tested for arsenic
- Non prepacked foods were tested for undeclared allergens
- Meat products were tested for speciation; and
- Food Supplements were tested for the presence of potentially harmful and also examined for labelling issues.

### ***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 2017/18, 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 actions those that directly impact on Nottinghamshire Food and Feed Business Operators.

### ***3.8 Liaison with Other Organisations***

In 2017-18, 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 Health Food Group;**
- **Trading Standards East Midlands (TSEM), the TSEM Food Group and the TSEM Feed Group;**
- **Medicines and Healthcare Products Regulatory Agency;**
- **HM Revenue and Customs;**
- **Department of Environment, Food and Rural Affairs (DEFRA);**
- **Veterinary Medicines Directorate (VMD);**
- **Animal & Plant Health Agency (APHA);**
- **Health Protection Agency (East Midlands);**
- **International Federation of Spirits Producers Ltd (IFSP);**
- **Animal Health - Egg Inspectorate;**
- **Nottinghamshire Police; and**
- **Port Health inspectors.**

In 2016-17 we received intelligence from Port Health inspectors that a product labelled as pure coconut water was in fact adulterated with sugar and was being delivered to a trader within the county. Enquiries showed the product was actually sent elsewhere and colleagues in that area were informed and took action in relation to the product. Further enquiries are being made by various agencies in relation to this issue.

We have liaised with the Medical and Healthcare Products Regulatory Agency MHRA over issues such as the status of products where it was not clear whether a product was a food supplement or a medical device.

The service regularly passes information to the Environmental Health Services within the county including complaints about issues such as hygiene and foreign bodies and also arranges joint inspections where this may be beneficial

### **3.9 *Food and Feeding Stuffs Safety and Standards Promotion***

In 2017-18, 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.

A new website will be developed to showcase the range of chargeable services which will be available to both local and national businesses, to support them with their legal requirements.



## **4. RESOURCES**

### **4.1 *Financial Allocation***

In 2017-18, 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 and changing requirements from FSA.

In 2016-17, a similar investment was made.

### **4.2 *Staffing Allocation***

In 2017-18, the Service will:

- Authorise it's 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 5.8FTE food & feed qualified officers, 6FTE food only qualified officers and 2FTE feed 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. Feed premises are now risked using the new National Trading Standards Board modelling which takes into account the nature of the business, their level of compliance and earned recognition.

The current frequencies would mean that:

- For food premises, all high risk premises will be visited every year, upper medium risk premises inspected every 2 years, and the lower medium and low risk premises inspected every 5 years; and
- For feed premises, all high risk premises visited every year, upper medium risk every 2 years, lower medium every 3 to 4 years, and low risk every 5 years. The frequency can be lowered if the premises have 'earned recognition'.

The Service is currently committed to inspecting all high risk premises and to inspect a proportion of the medium and low risk premises, but not the number that would be required sticking rigidly to 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 in the work area.

#### **4.3 Staff Development Plan**

In 2017-18, the Service will:

- Continue to undertake an individual assessment of officer's competence against the Food Standards Agency Codes of Practice to establish development needs;
- 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.

In 2016-17 the Service used its specialist food expertise to support Leicestershire County Council's food work, this is the fourth year we have undertaken this.

### **5. QUALITY ASSESSMENT**

In 2017-18, the Service will:

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

### **6. REVIEW**

#### **6.1 Review against the Service Plan**

In 2017-18, 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; and
- Report food and feeding stuffs matters to the Communities and Place Committee, as appropriate, for political scrutiny.

In 2016-17, information reports were provided as appropriate to the Community Safety Committee, outlining relevant food and feeding stuffs work. Copies of these public reports can be viewed at [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk).

## **6.2    *Identification of any variation from the Service Plan***

In 2017-18, the Service will;

- Identify variations from the plan;
- Analyse the reasons for the variations;
- Develop corrective actions; and
- Review the content of the plan to ensure it continues to meet the needs of our stakeholders.

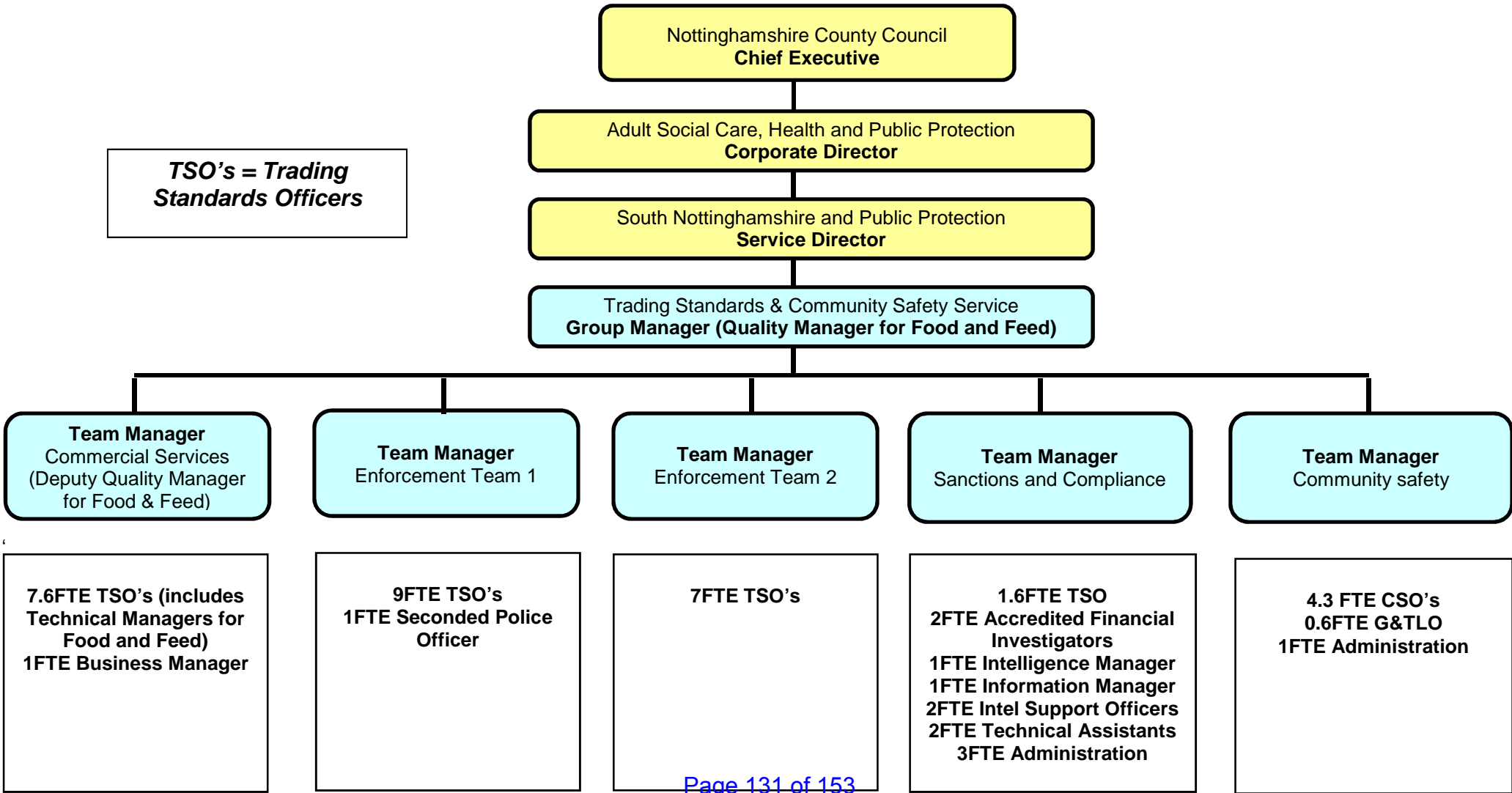
## **6.3    *Areas of Improvement***

In 2017-18, the Service will;

- Identify areas for improvement; and
- Incorporate in the 2017-18 food and feed law enforcement plan if appropriate, or deal with immediately if required.

Annex 1:

TRADING STANDARDS & COMMUNITY SAFETY SERVICE STRUCTURE



22 June 2017

Agenda Item: 17

## **REPORT OF THE SERVICE DIRECTOR SOUTH NOTTINGHAMSHIRE 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. **Safeguarding the Vulnerable** – the Service continues to intervene to protect our more vulnerable residents:
  - the national Trading Standards Scams Team estimate that each year mass marketing scams cause between £5bn and £10bn worth of detriment to UK consumers. The criminals involved deliberately and repeatedly target vulnerable and disadvantaged residents, causing significant harm to their health, well-being and independence, which can often escalate their need for social and health care. Nottinghamshire is one of 181 Trading Standards Authorities nationally signed up to a protocol to work together with the national team to tackle the problem.
  - Current data from this work indicates that nationally the average detriment per scam victim is £2,773, and the average age of victim 74.8 years. In Nottinghamshire to date at least 3 residents have lost over £150,000 respectively to scams with many others officers have contacted having lost tens of thousands. Scam victims often hoard their mail causing a fire hazard and officers regularly recover large sacks of scam mail from properties.
  - Over the last two years Community Safety Initiatives funding has funded two six month Police Community Support Officer (PCSO) secondments to support Trading Standards scams prevention work. The PCSOs have supported officers in visiting over 500 suspected victims of mass marketing scams whose names appear on lists supplied by the National Scams Team.
  - The visits often identify significant social care and health issues, which are addressed by joint working with social workers. Scam prevention interventions aim to break the cycle of scam victimisation to alleviate the negative health effects on the individuals and to promote well-being and independence.

- Better Care Funding has funded two additional officers for a 12 month period (from October 2016) to further assist our scams prevention work. In addition to the visits, officers are working on a number of joint scams prevention initiatives with Royal Mail, banks, and other agencies who work with vulnerable residents in the county.
  - The following case study helps to illustrate the success of this intervention work. Our PCSO intervened in May 2016 to help Mrs H and support her daughter who was struggling to persuade her elderly mother to stop replying to scam mail. Two sacks (totalling 25kg in weight) were recovered from Mrs H's house and we estimated she had lost over £10,000. At a follow up visit in March 2017 Mrs H told our officer that she now collects all the mail in a laundry basket and burns it. She thanked us for our help.
  - 'Friends Against Scams' is a national campaign launched in October 2016 to raise awareness of scams and empower communities to take a stand against scams. More information is available at: [www.friendsagainstsams.org.uk](http://www.friendsagainstsams.org.uk). As at May 2017, we have 101 Friends Against Scams registered in Nottinghamshire, and 15 Scam Champions. Scam Champions are trained up to gain a fuller understanding of scams so that they can host awareness sessions, recruit Friends and drive Friends Against Scams forward in their communities or workplace. The National Scams Team worked with Trading Standards to deliver a successful Scam Champion Event in Arnold in April, and another similar event is planned in the north of the county later in the year.
  - Doorstep crime continues to be a regular focus of the Service's work. Elderly and vulnerable residents are often targeted by criminals who set out to deceive them that work needs doing on their properties. Once engaged they are known to significantly inflate their original quotes and often carry out unnecessary and substandard work. In some instances they leave properties in worse states of repair. Some recent examples include:
    - A Mansfield couple who were tricked into having gardening work undertaken. The traders took the female to a cash machine and would not leave until she had handed over £360. Intervention by the Service and the Victim Care Charity has prevented a further £900 being paid to the trader who is under investigation by the Service.
    - Criminals posing as tree surgeons extorted £1,240 from victims in the Woodthorpe area. Intervention by the Service prevented a further £3,000 being paid out. The investigation continues.
    - Officers have intervened during a doorstep crime incident in the Ashfield area, preventing £15,000 from being handed over to traders for roofing works, which an independent surveyor has confirmed did not need doing. The investigation continues.
3. **Banking Protocol** – The 186 banks, building societies and post offices in Nottinghamshire have now been visited to raise the awareness of Trading Standards, and to request the active implementation of the local banking protocol. It was identified that work needed to be done in this area, following a number of cases within Nottinghamshire involving victims attending banks and post offices to withdraw large amounts of money to pay rogue traders, who in some cases had taken the victim to withdraw the money.
4. In addition the Service had also had reports that victims have attended their banks and post offices to withdraw frequent amounts to send off to various types of scammers, including

internet and mail scams. When the organisations were visited by Officers, many advised that they were unaware they could report such incidents to Trading Standards.

5. It became clear that Trading Standards needed to do more work with the banking sector and post offices within Nottinghamshire to make them aware of the Trading Standards role and how they can report such matters so that victims can be identified and supported quickly to try and limit the chances of them being targeted again. It will also provide Trading Standards valuable intelligence and the opportunity to conduct criminal investigations into any potential criminals identified. The banking protocol provides the banks, building societies and post offices with a protocol to follow should they identify a potential victim and a direct phone number for Trading Standards. The reception from banks and particularly post offices has been very positive. To date this work has prevented £10,900 being paid to fraudsters.
6. **Nominated Neighbour Scheme** – this recently launched scheme aims to help elderly and vulnerable residents feel safer in their homes. If an unexpected caller comes to their door they are able to display a card which requests the caller to speak to a neighbor and return with them before the resident has to talk to the caller or let them into their home.
7. **Approved Trader Scheme** – Approved trader schemes aim to protect consumers (particularly more vulnerable residents) from problem traders, and to promote local reputable businesses and help them to grow. In 2015, the Authority entered into a partnership arrangement with 'Checkatrade' to deliver a Trading Standards approved trader scheme in the County. The scheme replaced the previous Buy With Confidence scheme.
8. This increasing list of vetted traders provides a reliable alternative for our residents, which helps to drive rogue traders out of the market. There are currently 220 Nottinghamshire Checkatrade traders. The aim in the coming months is to work with Checkatrade and the County Council's Communications team, to promote the benefits of the scheme in order to increase take up by reputable Nottinghamshire traders. Membership levels in southern counties are higher where the scheme has become well established, and we hope to achieve similar levels in Nottinghamshire.
9. **Environmental Weight Restrictions (EWRs)** – Trading Standards continues to enforce the county's environmental weight restrictions, funded by NCC Highways Division funding. Heavy vehicles using these inappropriate routes can create serious safety hazards for other road users and pedestrians, particularly children. They can also cause damage to buildings, roads and bridges and harm the character, amenity and environment of an area. The programme includes enforcement exercises by Trading Standards Officers combined with responding to breach reports from members of the public. Results are encouraging indicating a significant reduction in the number of breaches in 2016/17 compared with 2015/16.
10. Records indicate that most drivers who breach the restrictions are not locally based and none have committed more than one breach during the 12 month period. All offending drivers have been encouraged to invest in a reputable satellite navigation system specifically designed for heavy goods vehicles and most have done so. This protects not only Nottinghamshire communities but also any other region that driver may visit. At our suggestion several companies have bought a stock of these devices allowing their drivers to pay for them on a weekly basis. The fact that Nottinghamshire County Council rigorously enforce these restrictions is now known throughout the haulage industry.

11. Although many vehicles which enter the restricted areas are there for a lawful purpose (i.e. having premises or carrying out deliveries in the restricted area) this does not lessen the impact on the local communities and environment. To this end officers have worked closely with vehicle operators to raise their awareness and consequently alter their working practices whenever possible. This approach, with assistance from local councillors and residents, has brought success to several areas in the county.
12. Further funding has been confirmed to continue this programme of work into 2017/18. Officers will continue to evaluate and improve working practices to continue the positive impact on the local communities and environment from this EWR enforcement work.
13. **Animal Health** – The Authority has a responsibility to enforce animal health and welfare legislation. The primary purpose of the legislation is to ensure that livestock does not suffer unnecessarily and that control measures in place to prevent and/or restrict the spread of notifiable animal diseases are adhered to.
14. **Avian Flu** – As part of the Authority's animal health duties, Members will recall that during the autumn of 2016, outbreaks of the highly pathogenic variant of H5N8 Avian Influenza was detected in wild and farmed birds across Northern Europe. The impact of this was that in early December a Protection Zone was put in place for the whole of England.
15. This Zone had significant implications for the keepers of poultry and captive birds, who by law had to take appropriate steps to ensure that their birds were kept away from wild birds. Strict requirements around cleansing, disinfection and movement to and from premises were put in place in order to reduce the risk of spreading the disease.
16. The Service is responsible for monitoring the developing situation, and advising the County's keepers. There have been no outbreaks within the County so far.
17. On 15<sup>th</sup> May 2017, the Avian Influenza Prevention Zone was reduced in England, and now only covers the areas of Lancashire, Cumbria and Merseyside which remain part of the Avian Influenza Prevention Zone (AIPZ). Therefore keepers of poultry and other birds in the rest of England are no longer required to keep them indoors or in fenced areas. However all keepers are being advised to maintain good bio-security measures with cleansing and disinfection of footwear, vehicles and housing. The current measures are to be reviewed again on 14<sup>th</sup> June 2017 although this may be reviewed earlier should any further outbreaks occur.
18. With regards to bird gatherings, the ban for these has been lifted in England (except for the AIPZ) although anyone wishing to arrange a gathering must still apply for a General Licence, giving the Animal And Plant Health Agency (APHA) at least 7 days' notice prior to a gathering taking place. Further information and guidance on avian influenza can be found at <https://www.gov.uk/guidance/avian-influenza-bird-flu>
19. **Illegal Landings** – The Country remains Rabies free, and significant measures to reduce this threat include the controls on the movements of pet animals, in the main dogs. Under the Pet Passport scheme, dogs brought into the country must be inoculated against rabies. However, the dog has to be at least 12 weeks old for the vaccine to be effective.
20. The service has dealt with a number of instances in the last few years where pet dogs have been brought into the Country without the required microchips or pet passports Such



occurrences often come to light when new owners take their pets to the vets for the first time, and then discover that things are not what they seem. The most recent example was a dog that had come in from the Czech Republic. After intervention by the Service's officers, the dog was placed into quarantine with the owners taking responsibility for the costs until it could be returned to them.

21. **Regional Investigations Team** – The Authority continues to host the team, one of 9 operating across the Country to tackle complex and organised cross border criminality.
22. The team is grant funded by the Department of Business, Energy and Industrial Strategy (BEIS) and is tasked either by the Trading Standards East Midlands Tasking group, or by the National Trading Standards Tasking Group. The team is flexibly resourced, growing and shrinking around investigations as the grant funding allows for the employment of investigators to supplement the 5 permanently employed members of the core team.
23. The team and its investigations are subject to regular reviews, and it is the view of the National Trading Standards Board (NTSB) that this team is one of the best performing. It has dealt with, and continues to investigate, criminality of national importance.
24. Members may recall the fraudulent publishing investigation conducted by the team that had had an international impact. Following the largest investigation tasked to one of the Regional Teams, taking 4 1/2 years to complete, twelve individuals were sentenced in October 2016 at the Nottingham Crown Court for their part in an advertising fraud which at its height had a turnover of £7m per year.
25. Five individuals received 15 1/2 years imprisonment in total, with the controlling Director receiving a 6 year sentence. The remaining 7 individuals received suspended sentences. The individuals were also the subject of a Financial Investigation to ascertain the benefit derived from their criminal activities. Custodial sentences are often seen by those engaged in criminal activity as an acceptable risk but Financial Investigations drive at the heart of what those involved in these activities are in it for, the money!
26. Under the Proceeds of Crime Act (POCA) Confiscation Orders were made against 2 defendants in October for a total of £122k, which was ordered to be used to compensate victims.
27. On the 12th May 2017, Mr Rivers who was at the centre of the operation received a confiscation order amounting to £1,216,305, together with an order to pay costs of £30,000. Unless he pays the compensation he will be spending a further significant amount of time in prison.
28. On the 9<sup>th</sup> June 2017, further confiscation orders were made against Andrew Simpson and Barbara Stone. Simpson was determined to have benefitted from his crimes to the tune of £154,393, while the amount available ordered to be recovered from him was £30,168. He was ordered to pay this within 3 months, or face 18 months imprisonment.
29. Stone's criminal benefit figure, and the amount available for confiscation, were determined by the Court to both be £20,000, which has to be paid within 3 months, or she will face 12 months imprisonment. The £20,000 has to be used to compensate two victims.
30. A further listing for 29<sup>th</sup> September 2017 was set to consider Joanne Soan's situation.



31. **Illicit Tobacco** – The sale of duty evaded and counterfeit tobacco products undermines the health objectives of high taxation and labelling rules and steals business away from legitimate traders. There are also fire safety implications as illicit cigarettes do not comply with legal requirements designed to reduce the chances of un-attended lit cigarettes starting a fire.
32. Although levels of smoking and smoking related diseases continue to fall cheap and readily available illegal tobacco will still keep a significant proportion of the population smoking.
33. Trading Standards Officers continue to apprehend those involved in the sale and distribution of illicit tobacco and work with Police and Public Health colleagues. The Service's Tobacco Task Force is currently resourced from Public Health Funding and comprises of a seconded Nottinghamshire Police Officer and an agency investigator.
34. During 2016/17 25,000 packs of illicit cigarettes were seized with a retail value of £223,479 and 4,174 pouches of duty evaded and illicit hand rolling tobacco were seized with a retail value of £83,480. Once any ongoing Court matters have been dealt with, the illicit goods are destroyed through an official source.
35. Recently 13,720 cigarette sticks with a retail value of £6,174 and 3.4kg hand rolling tobacco with a retail value of £3,980 were seized from a shop in the Ashfield area, which is currently closed. 3 individuals from this shop are due to appear in Court, one of whom is the shop owner.
36. Another significant seizure was recently made in the Beeston area with over 10,000 cigarettes (£4,941) and 2.7kg of Tobacco (£1,100) recovered.
37. The tactics for concealment of illicit tobacco have become more sophisticated with hides being constructed in door panels, false walls and beneath floors to name a few. Sellers are also known to store their products away from the retail premises and replenish stock throughout the day rather than store large quantities on site.
38. **Legal Update** – On the 22nd April 2016 Mr Hassan, Mr Salah and Mr Kadir were arrested for the supply and possession of counterfeit and dangerous cigarettes. The supply is connected to the retail store Andrews News and Booze at Sutton in Ashfield. All three were sent to the Crown Court, and appeared on the 23<sup>rd</sup> May 2016.
39. Mr Khadir pleaded guilty to the charges, whilst Hassan and Salah pleaded not guilty, although both have pleaded since this hearing. A fourth person Mr Rekant Azizi was joined into the case, he has also pleaded guilty. All four were sentenced on the 24<sup>th</sup> February 2017. Mr Salah was sentenced to 30 months in prison, Mr Hassan to 27 months in prison, Mr Aziz to 14 months in prison and Mr Kadir to 6 months prison suspended for 18 months and 100 hours community punishment.
40. The Proceeds of Crime matters were resolved on the 18<sup>th</sup> May, when Mr Salah and Mr Hassan were determined to have benefitted from their crimes in excess of £100,000 each, but that the available amounts for recovery were £600 and £214 respectively. Mr Aziz was declared to have benefitted from his criminality by £29,401, but due to lack of available assets he was given a £1 order. There have been 3 separate prosecutions relating to this shop in the previous 2 years for the supply and possession of counterfeit cigarettes.

41. Sherzad Mohammad of Annesley Road Stores and Hucknall Mini Market, Hucknall appeared in the Nottingham Magistrate's Court on the 10<sup>th</sup> May 2016, charged with the supply and possession of counterfeit and dangerous cigarettes. His case was sent to the Crown Court, where entered guilty pleas. He will be sentenced in October. Further offences though have now since been identified, and Mr Mohammad's case has been listed for trial for October of 2017, where he will be sentenced for the old matters following the trial for the new and additional matters.
42. There have been a number of seizures and resulting prosecutions for Hucknall Mini Market including Aziz Hussain who was given 70 hours unpaid work and costs of £150, Soren Khder who was given £150 fine and £800 costs and Dana Mira who was given 100 hours unpaid work and £750 costs.
43. Four individuals have been charged with conspiracy to possess criminal property, namely illicit cigarettes. These are Mr Hersh Mohammed, Mr Alan Ali, Bakir Khalidi and Syrwan Mohammed-Ali. This is a joint investigation with Nottingham City as two of the premises involved are within the City area, the premise in Nottinghamshire is Outram General Stores at Sutton in Ashfield. A hearing was listed for the 21<sup>st</sup> October 2016, where all defendants pleaded not guilty, a trial date has been set for the 26<sup>th</sup> June 2017.
44. In the previous 12 months Trading Standards have prosecuted seven other defendants connected with this shop all for the possession of illicit cigarettes. Mr Alizadeh was given 80 hours unpaid work with £470 costs. Mr Saidi was given 100 hours unpaid work. Mr Rassul who has been dealt with twice had a combined sentence of 180 hours unpaid work and £300 costs, Mr Kumal £165 fine and £50 costs, Mr Hussaini who has been caught twice was given 150 hours unpaid work and £800 costs, Mr Kheder 60 hours unpaid work and £200 costs and Mr Mohamed £360 fine and £220 costs.
45. Mr Hew Abdullah and Mr Abdullah Mohammed are both facing charges in the Crown Court for the possession and supply of illicit cigarettes. They are both from the retail premise Zabcia, Mansfield. They have pleaded not guilty to the charges and are due for trial on the 17<sup>th</sup> July 2017.
46. On the 3<sup>rd</sup> January 2017 Mr Sarbest Abdullah of Zam Zam, Eastwood, appeared in the Nottingham Magistrates court charged with the supply of dangerous and illicit tobacco. He pleaded not guilty to the charges we are currently waiting for a court date for trial. This is the first occasion that anybody from this particular premise has been in court.
47. Mr Alan Hassan was charged to appear in Mansfield Magistrates court on the 9<sup>th</sup> March 2017 for the supply and possession of counterfeit cigarettes from the retail premise Alans Barbers, Gateford Road, Worksop. He pleaded not guilty to the charges but was found guilty of the offences on the 22<sup>nd</sup> May 17. He was given a fine and court costs.
48. On the 17<sup>th</sup> March 2017 Alan Tofik and Siamand Bawajani from Alans Newsagents at Beeston appeared in the Nottingham Magistrates Court charges with the possession and supply of dangerous and counterfeit cigarettes. They pleaded not guilty to the charges and are due for trial on the 1<sup>st</sup> June 17. Rebwar Mustafa from the same premises pleaded guilty to the charges and was fined £80.

49. On the 29<sup>th</sup> March 2017, four men appeared in the Mansfield Magistrates Court charged with conspiracy to supply dangerous and counterfeit cigarettes, they are connected to the retail shop Kubus in Mansfield. The matter was sent to the Crown Court, the next hearing is listed for the 19<sup>th</sup> June 2017. Those involved are Fakher Fathulah, Marwan Shaban, Nabaz Ahmadi and Amin Amin.
50. Investigations continue with all illicit tobacco outlets to trace the source of the cigarettes and those behind the wider distribution network.
51. Mr William Smith, Mr Andrew Smith and Mrs Christine Smith of Barn Bacon appeared in the Nottingham Crown Court on the 24<sup>th</sup> April 2017, they were charged with fraud by misrepresentation, in that they made claims that their meat products were free range and from their own farm when the Trading Standards case is that they were not. They were due to start trial on the 24<sup>th</sup> April but pleaded before the trial started. Mr William Smith was sentenced to 19 months in prison, suspended for 2 years and was given 180 hours unpaid work. Mr Andrew Smith was sentenced to 2 years in prison, suspended for 2 years and ordered to undertake 200 hours unpaid work. The case against Mrs Smith was dropped as it was not in the public interest to pursue her case.
52. On the 26<sup>th</sup> April 2017 Germany Farms Ltd appeared before the Nottingham Magistrates, they faced offences regarding contravention of Animal By-Product Regulations. Approximately 10,000 chickens had died in one batch and instead of transporting and disposing of them in a correct lawful manner they were buried them in a nearby field. Disposal in this way causes a potential risk to public health by transmission of disease through insects and wild animals. The company pleaded guilty at the first opportunity and were fined £2000.
53. On the 11<sup>th</sup> May 2017, Mr John Paul Allen appeared in the Mansfield Magistrates court, he was charged with offences of fraud to the value of £26,400. There is one victim in this case who has been defrauded by representations that she needed certain work carrying out on her property. Mr Allen pleaded not guilty and his case has been sent to the Crown Court to be dealt with.

### **Other Options Considered**

54. None

### **Reason/s for Recommendation/s**

55. This is an information report

### **Statutory and Policy Implications**

56. 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**

57. This report contains no additional financial implications, with activity reported or that proposed being contained within existing service budget.

## **RECOMMENDATION/S**

- 1) It is recommended that the Communities and Place 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, South Nottinghamshire & Public Protection.**

**For any enquiries about this report please contact:**

Mark Walker  
Group Manager, Trading Standards and Community Safety  
Tel: 0115 977 2173  
Email: mark.walker@nottscc.gov.uk

## **Constitutional Comments**

As this report is for noting only, Constitutional Comments are not required

## **Financial Comments**

As this report contains no additional financial implications, no financial comments have been sought.

## **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'



**22 June 2017****Agenda Item: 18**

## **REPORT OF THE CORPORATE DIRECTOR FOR PLACE**

### **RESPONSES TO PLANNING CONSULTATIONS**

#### **Purpose of the Report**

1. To seek approval for an updated protocol on when Committee approval is required for comments issued on behalf of the County Council on:
  - Planning applications;
  - Local plans, Neighbourhood Plans and other related strategies;
  - Government consultations on planning matters.

#### **Information and Advice**

2. The Planning Policy Team co-ordinate the County Councils response to planning applications, emerging Local and Neighbourhood Plans and government consultations on planning and related matters. This involves collating comments on proposals and plans from the following viewpoints:
  - a. strategic land use planning;
  - b. minerals and waste planning;
  - c. landscape & reclamation;
  - d. public health;
  - e. nature conservation;
  - f. historic environment;
  - g. strategic transport;
  - h. rights of way;
  - i. public transport provision.

The Planning Obligations Officer will also set out what planning obligations are required to make development acceptable in conjunction with relevant service areas such education, libraries and transport. The comments of the Council on planning proposals as Highway Authority and Lead Local Flood Authority are made separately.

3. A Protocol was agreed by the former Environment and Sustainability Committee in 2013 to set out thresholds for proposals which should be subject to Committee approval, based on the strategic significance or concern raised by the proposal or plan (Existing Protocol set out in Appendix A).

4. In light of the new Committee arrangements, the Protocol has been updated and revised where necessary. The Proposed Protocol does not change the thresholds where Committee approval is required but does add a new category of Neighbourhood Plan. Given the variable size and significance of such Plans, it is proposed to leave to officer decision which responses should be subject to Committee approval.
5. The approval of the Communities and Place Committee will be required for County Council comments on the types of planning applications and planning proposals set out in the Protocol, unless specifically requested by a Committee Member, with a valid planning reason. Where these instances are not met, comments will be agreed at officer level.
6. The proposed Protocol is set out in Appendix B.
7. In many cases, in order to meet deadlines for responses, approval of consultation responses meeting the criteria for Committee approval will need to be agreed with the Chair and/or Vice-chair and then reported to the earliest available Committee. In such cases draft responses will be circulated to the Chair, Vice Chair and opposition spokespersons for comment prior to being agreed and submitted.
8. All consultations received will be notified to Councillors through a weekly list which is circulated to all Groups.

### **Other Options Considered**

9. To not have an agreed approach on sending comments to the relevant Local Authorities and statutory bodies. This would mean either reporting all consultations for Committee approval which would involve Councillors in technical and operational matters – or have an arbitrary approach to reporting consultations to Committee which is equally unsatisfactory.

### **Reason for Recommendation**

10. To ensure that the County Council has an agreed approach to securing agreement on responses made on planning applications, local plans and other planning publications.

### **Statutory and Policy Implications**

11. 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**

That Committee approve the Protocol as set out in Appendix B for dealing with comments on planning applications and other planning proposals.

**Adrian Smith**  
**Corporate Director, Place**

**For any enquiries about this report please contact: Stephen Pointer, Team Manager  
Planning Policy - 0115 993 9388**

### **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.

### **Constitutional Comments (SLB 06/06/17)**

12. Communities and Place Committee is the appropriate body to consider the content of this report.

### **Financial Comments (SES 06/06/17)**

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

**Electoral Division(s) and Member(s) Affected** All.



## **Appendix A – Existing Protocol**

Committee Reports will be prepared for Environment and Sustainability Committee for the instances set out below, (unless specifically requested by an E & S Committee Member, with a valid planning reason). Where these instances are not met technical comments will be sent to the relevant body.

<b>Type of Development</b>	<b>Committee Approval Required</b>
<b>Planning Applications</b>	
Renewable energy	<ul style="list-style-type: none"> <li>• Single or multiple wind turbines above 15m high (including blade length);</li> <li>• All Solar Farms;</li> <li>• All Biomass Plants</li> </ul>
Retail development	<ul style="list-style-type: none"> <li>• Applications over 2500m<sup>2</sup> floorspace;</li> <li>• Other retail applications where the proposal is outside a defined town centre</li> </ul>
Residential Development	<ul style="list-style-type: none"> <li>• 0-50 dwellings: if strategic planning issues are apparent;</li> <li>• 51-200 dwellings: Applications which are contrary to local or national planning policy;</li> <li>• 201+ dwellings: All applications</li> </ul>
Commercial Development	<ul style="list-style-type: none"> <li>• Applications over 2500m<sup>2</sup> floorspace;</li> <li>• All applications outside a defined urban boundary</li> </ul>
Other development	<ul style="list-style-type: none"> <li>• To be decided on a case by case basis</li> </ul>
<b>Local and National Strategies/Guidance</b>	
Local Plans/Core Strategies	<ul style="list-style-type: none"> <li>• All plans within the County</li> <li>• Neighbouring Borough/District Plans/strategies</li> </ul>
Other Plans/Strategies/Publications	<ul style="list-style-type: none"> <li>• To be decided on a case by case basis</li> </ul>

Responses which meet the criteria, set out in the table above, but are required prior to the next scheduled Environment and Sustainability Committee will be agreed with the chairman and/or vice chairman and reported to the earliest available Committee.

Applications for any proposed development that is in accordance with an adopted Local Plan or Core Strategy is unlikely to be taken to E & S Committee, unless requested to do so by an Environment and Sustainability Committee Member, as the principle of development is established in planning policy terms.

Note:

All relevant planning applications requiring strategic planning comments are contained on the weekly list which is circulated to all members groups.

Any requests by and Environment and Sustainability Member for specific planning applications to be considered at earliest Environment and Sustainability Committee should be made to the Planning Group Manager and the Planning Policy Team Manager.

### **Proposed Protocol (updated May 2017)**

The approval of the Communities and Place Committee will be required for County Council comments on the following types of planning applications and planning proposals as set out below, unless specifically requested by a member of the Council. Where these instances are not met, comments will be agreed at officer level.

Type	Committee Approval Required
<b>Planning Applications</b>	
Renewable energy	<ul style="list-style-type: none"><li>• Single or multiple wind turbines above 15m high (including blade length);</li><li>• All Solar Farms;</li><li>• All Biomass Plants</li></ul>
Retail development	<ul style="list-style-type: none"><li>• Applications over 2500m<sup>2</sup> floorspace;</li><li>• Other retail applications where the proposal is outside a defined town centre.</li></ul>
Residential Development	<ul style="list-style-type: none"><li>• 0-50 dwellings: - only if strategic planning issues are apparent;</li><li>• 51-200 dwellings: Applications which are contrary to local or national planning policy;</li><li>• 201+ dwellings: All applications</li></ul>
Commercial Development	<ul style="list-style-type: none"><li>• Applications over 2500m<sup>2</sup> floorspace;</li><li>• All applications outside a defined urban boundary</li></ul>
Other development	<ul style="list-style-type: none"><li>• To be decided by officers on a case by case basis</li></ul>
<b>Development Plan and other Strategies/Guidance</b>	
Local Plans	<ul style="list-style-type: none"><li>• All Local Plans within the County (pre submission)</li><li>• All Local Plans prepared by neighbouring authorities (pre submission)</li></ul>
Neighbourhood Plans	<ul style="list-style-type: none"><li>• To be decided by officers on a case by case basis</li></ul>
Other Plans/Strategies/Publications	<ul style="list-style-type: none"><li>• To be decided by officers on a case by case basis</li></ul>

Where consultations require Committee approval, a consultation email will be sent to the Chair, Vice Chair, opposition spokespersons and Councillors for the relevant Division(s). The draft response will be circulated to these members also for comment.

Where responses need to be submitted prior to the next available Committee, these will be agreed with the Vice Chair or Chair and reported for information to the next Committee.

Applications for any proposed development that is generally in accordance with an adopted Local Plan or Core Strategy is unlikely to be taken to Committee, unless requested to do so by a Committee Member, as the principle of development is established in planning policy terms.

A weekly list of planning applications where the County Council have been invited to comment is circulated to all members to inform members about key applications.

Any requests by a Communities and Place Member for specific planning applications to be considered at a Committee should be made to the Planning Policy Team Manager or the Planning Group Manager.

**22 June 2017****Agenda Item: 19**

## **REPORT OF CORPORATE DIRECTOR, RESOURCES WORK PROGRAMME**

### **Purpose of the Report**

1. To consider the Committee's work programme for 2017-18

### **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. As part of the transparency introduced by the new committee arrangements, each committee is expected to review day to day operational decisions made by officers using their delegated powers. The Committee may wish to commission periodic reports on such decisions where relevant.

### **Other Options Considered**

5. None.

### **Reason/s for Recommendation/s**

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

### **Statutory and Policy Implications**

7. 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, Resources**

**For any enquiries about this report please contact: Martin Gately, Democratic Services Officer on 0115 977 2826**

### **Constitutional Comments (HD)**

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

### **Financial Comments (PS)**

9. 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.

- New Governance Arrangements report to County Council – 29 March 2012 and minutes of that meeting (published)

### **Electoral Division(s) and Member(s) Affected**

All

## **COMMUNITIES AND PLACE COMMITTEE**

### **DRAFT WORK PROGRAMME**

<b>Report Title</b>	<b>Brief summary of agenda item</b>	<b>For Decision or Information?</b>	<b>Lead Officer</b>	<b>Report Author</b>
<b>20 JULY 2017</b>				
Update on the work of the Community and Voluntary Sector Team	Update on key issues in this service area.	Information	Sally Gill	
Update on key Trading Standards matters	Update on key issues in this service area.	Information	Paul McKay	
Trading Standards Commercialisation Update		Information	Paul McKay	
Developing the Grant Aid Programme – A New Strategy	Developing a new NCC Grant Aid Strategy – 2018-2021	Decision	Cathy Harvey	
Highway TRO Reports	Reports as needed to consider objections to proposed Traffic Regulation Orders	Decision	Mike Barnett	Gary Wood
Petitions Report	Responses to Petitions presented to Full Council	Decision		Various
Strategic Planning Observations	Consideration of the regular* report on planning applications in the county.	Information	Sally Gill	Nina Wilson
Waste Local Plan/Waste Monitoring	TBC	Information	Sally Gill	
Air Quality Plan	TBC	Decision	Nicola Lane	Jonathan Gribbin (Public Health)
Nottinghamshire Community Learning and Skills Service – Utilisation of Grant Reserves 2016/17		Decision	Derek Higton	Ian Bond/Peter Gaw
<b>7 SEPTEMBER 2017</b>	<a href="#">Page 150 of 153</a>			
Update on the work of the Community and Voluntary	Update on key issues in this service area.	Information	Sally Gill	

Sector Team				
Update on key Trading Standards matters	Update on key issues in this service area.	Information	Paul McKay	
Update on key Community Safety matters	Update on key issues in this service area.	Information	Paul McKay	
Update on Emergency Management and Registration Services	Update report on key activities and events in Emergency Planning and Registration	Information	Paul McKay	
Future Management Arrangements for Rufford Country Park	To seek approval of recommendations from options appraisal	Decision	Derek Higton	Gareth Broome
Cultural Services Update		Information	Derek Higton	Derek Higton
<b>5 OCTOBER 2017</b>				
Trading Standards Commercialisation Update		Information	Paul McKay	
<b>9 NOVEMBER 2017</b>				
Cultural Services Update		Information	Derek Higton	Derek Higton
<b>7 DECEMBER 2017</b>				
<b>11 JANUARY 2018</b>				
Fees and Charges 2018/19 – Sherwood Forest Country Park	Annual determination	Decision	Derek Higton	Mark Croston
Fees and Charges 2018/19 – Libraries, Archives & Information	Annual determination	Decision	Derek Higton	Peter Gaw
Cultural Services - service update		Information	Derek Higton	Derek Higton
<b>8 MARCH 2018</b>				
Nottinghamshire Community	For decision		Derek Higton	Ian Bond

Learning & Skills Service Annual Plan and Fees 2018/19				
<b>19 APRIL 2018</b>				
Cultural Services - service update		Information	Derek Higton	Derek Higton
<b>17 MAY 2018</b>				
<b>14 JUNE 2018</b>				
Annual review of the County Council Cultural Strategy		Derek Higton	Derek Higton/ Mark Croston	
Cultural Services - service update		Information	Derek Higton	Derek Higton
<b>19 JULY 2018</b>				



