

Overview and Scrutiny Committee
22 November 2022

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the OVERVIEW AND SCRUTINY COMMITTEE held on Tuesday 22 November 2022 at 7.30pm in the Council Chamber, Campus East, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors G.Michaelides (Chairman)
F.Marsh (Vice-Chairman)
M.Holloway (Vice-Chairman)

L. Chesterman, L. Crofton, A. Hellyer, C. Juggins,
T. Rowse, M. Siewniak, C. Stanbury, S. Thusu,
T. Travell and R. Trigg

OFFICIALS Executive Director – Finance and Transformation (R. Baker)
PRESENT: Service Director – Resident and Neighbourhood (S. McDaid)
Geoff Sampson – Assistant Director (Regeneration and Economic Dev)
Legal Services Manager (S. Saunders)
Senior Democratic Services Officer (C. Francis)

37. APOLOGIES

Apologies for absence had been received from Councillor F. Thomson as Executive Member for Housing.

38. MINUTES

To confirm as a correct record the Minutes of the meeting held on 27 September 2022 (previously circulated).

39. DECLARATIONS OF INTERESTS BY MEMBERS

Councillor S. Thusu declared an interest by virtue of him being a Hertfordshire County Councillor.

40. FOOD SAFETY SERVICE PLAN

This is an annual service plan which sets out what the Council will deliver in terms of its food safety service and is required to be approved by Members each year.

Presentation of the Food Safety Service Plan for approval is later than usual this year due to staff changes within the service. However, the service is being delivered in accordance with the Plan.

The plan follows the Food Standards Agency (FSA) guidance and templates guidance, which sets out each element of the food safety service being delivered.

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During the Covid period many local authorities had to stand back from doing some of their inspection work because many of the Food Safety teams were dealing with Covid response work. In recognition of this the FSA set out a plan of how local authorities would recover their positions once the real peak of Covid had passed in order to get back on track with their food inspections.

At the time of the plan being written in mid-October there were 358 inspections due. That number, as of 21 November has reduced to 223, so good progress is being made with the backlog of inspection work and the council are currently on track to make sure that all inspections due or overdue are completed by the end of March.

The rest of the plan sets out how complaints are dealt with and the enforcement approach. It also includes details of staffing resources and the usual things you'd expect to see in a safety plan which vary little from year to year. The main feature is the number of inspections and how we've met the FSA recovery plan.

Members are asked to consider the Food Safety Service Plan and provide any comments before final approval by Cabinet.

Officers clarified the following points in response to Members' queries:

- Permanent recruitment will be undertaken in the spring to replace the current interim manager post referred to in the report.
- Mobile food unit traders required to be food registered from the local authority they reside their vehicle in. The council can undertake inspections and enforcement and would speak to the home local authority to make them aware of any shortcomings.
- Officers collaborate with food standards at Herts County Council as this is where the trading standards function sits.
- Assistance is provided, where needed, on labelling of food, and info sheets can be shared, and/or direction to trading standards made.
- Following food inspections, businesses are risk rated. The rating given would determine how frequently follow up inspections would be. Those at higher risk would be every 6 months and lower risk anything up to 5 years. Officers noted that new ownership would prompt an earlier inspection, as would a complaint.
- Only a small proportion of businesses are penalised with enforcement action, as the usual approach would be to provide advice. Formal action would be taken if there was deemed to be an immediate risk or if there was persistent non-compliance.
- A member had received complaints about a mobile unit operating from a driveway. Officers asked for details to be shared after the meeting.
- Proactive sampling to date has been limited due to the inspection backlog. Officers are looking to do some sampling in Jan-March, and from April onwards will have a sampling programme in place.
- Officers confirmed that in the event of a poisoning outbreak they would need to divert the Food Safety resource. Therefore, some inspections

may be delayed for a couple of days. It was clarified that all work is prioritised, so work would not be stopped or dropped, just rescheduled.

- There has been an increase in the number of unplanned activities, this is likely to be in relation to some standards slipping during the covid pandemic. Officers said that with the food inspection programme back up and running they are confident that standards would improve.
- short-term contractors started work a few months ago to help clear the backlog.
- Most of the spread across the outstanding inspections are in the lower categories (Ds and Es). There are very few higher risk categories in the backlog.
- When a new business is set up, they are required by law to send in their food registration form to the local authority 28 days before they start trading. FSA guidance says that the local authority should be seeking to undertake that inspection within 28 days of receiving the form. The council are almost up to date with food registration forms. There was a bit of backlog of getting the forms input and getting out to do those inspections. There are now only around 10 or 12 to be inspected.
- There are monitoring arrangements for officers to ensure they meet the requirements of the FSA. There have been some shadowing inspections with officers, and particularly the contractors, to make sure requirements of the legislation are being met and will be doing that for council staff again as a matter of routine during January-March.

RESOLVED (unanimously)

That members note the report.

41. UPDATE ON AFFORDABLE HOUSING STRATEGY

The HRA business plan is currently being drafted, this is a substantial piece of work which requires input from multiple teams. It provides for a 5-year asset management plan and a 30-year forecast for stock investment and financial planning.

Whilst the plan is well-advanced recent changes to legislation, increased inflation, particularly in the construction industry, and interest rates as well as change to the policy around rent caps has required substantial revisions. The Housing Strategy Team are taking this opportunity to liaise with the new management structure to ensure that their views are incorporated into the plan. It is anticipated that the plan will be completed prior to the end of the financial year.

Officers clarified the following points in response to Members' queries:

- The split of the housing stock would be detailed in the report, but a brief synopsis was provided. Currently there is just short of 9,000 properties in the housing stock, 7,369 of those are general need properties, so those

are properties let on social rents. 1,605 of these are sheltered accommodation. A full breakdown will be included in the business plan.

- The differences between social housing and affordable housing will be included in the report and this has always been an area of confusion.
- The council doesn't generally operate a shared ownership model for affordable housing as this tends to be done by affordable providers that sit outside of the council.
- In regards to maintenance of public realm, this would normally be dealt with via the planning process and quite often the public realm transfers to the council in return for payment. This would be a capitalised sum of the ongoing maintenance costs.
- Officers said that the market rate for affordable housing will vary from property to property, but figures based on a beacon analysis of the stock can be provided.
- Figures on voids (empty properties) couldn't be provided as it falls outside the officer's remit. Officers noted that the strategy itself needs to bring in multiple teams across the council so details of this can be included in the report.
- Members noted that the council used to interview and appoint between five and seven housing associations. There was concern that some of these smaller housing associations are being gobbled up by the bigger ones, and we need to make sure that the residents are getting the best possible service.
- The council doesn't offer a shared ownership model but does have a couple of bungalow developments that are age limited. When people purchase them, they purchase a long lease of the property, when they pass away, and the family sell the property, the council grant a new long lease to the incoming residents so that those leases are continually renewed. The council are also developing Minster House which will be age limited, but this is not a shared ownership model.
- Where residents purchase their flat either on the initial new build or through the right-to-buy programme, they will enter into a long lease with the council. That long lease will contain service charge provisions, and so they will be due to pay a proportion of costs of the maintenance that is a pro rata figure. So, as an example, if there are 50 flats in the block and only one of those is privately owned, they may only be looking at 2% of the overall cost. They wouldn't be looking at paying any more than that, because they are the only privately owned property within the block, the council would absorb the other 98%. This is standard across the industry. If you own a property that benefits from communal areas, you contribute towards the cost of those communal areas.
- When a tenant purchases under right-to-buy scheme, the council are required to set out the predicted service charge for the next three years to them. Anybody who is exercising their right to buy should be fully aware that they will be paying a service charge and what those service charge figures should be.

42. SCRUTINY TASK AND FINISH PANELS (T&PS) PROGRESS UPDATES

The first Budget Task and Finish Panel took place on 2 November which included an overview of council finances and the forecast for the medium term. A further meeting is scheduled for 7 December where an update will be provided on the autumn statement that has just been announced, and consideration will be given to the budget proposals put forward and will look at any further proposals. The panel will report back to OSC on 17 January with recommendations for the 2023-24 budget.

The first Streetscene Task and Finish Panel took place on 10 November. Officers provided a presentation which included the Urbaser Contract Review Management Guide, Team Structure, Partnership Development Working Group, Key performance data, and an overview of the main systems used. A great number of subjects were covered including missed bins and associated road access, fly tipping, subterranean bins, complaints, recycling banks, and flat recycling. A further meeting is scheduled for 28 November, where Urbaser will be in attendance. The panel will be completed by 17 January so it can report back to OSC on this date. A report with recommendations will then be taken to OSC on 14 March.

Due to availability, the Garages Task and Finish Panel have yet to meet, but the first meeting is scheduled on 28 November. The panel will be completed by 17 January so it can report back to OSC on this date. A report with recommendations will then be taken to OSC on 14 March.

43. COMMITTEE WORK PROGRAMME FOR 2022/23

Officers noted that as usual practice, the forward plan and most recent cabinet decisions have been included in the agenda pack in case there is anything on there that members wish to raise as potential scrutiny topics. The draft work programme for the year has been populated with topics raised at the workshop earlier in the year. This also includes dates that the Task and Finish Panels will report back to OSC.

The consultation process has been removed from the OSC work programme as this will now go through the Customer Service Project Board which is also a cross party group.

44. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, IS OF SUFFICIENT URGENCY TO WARRANT IMMEDIATE CONSIDERATION