

**MINUTES** of a meeting of the **CABINET MEMBER FOR HEALTH AND COMMUNITIES** held on 9 September 2014 at County Hall, Matlock

**PRESENT**

Councillor D Allen – Cabinet Member

An apology for absence was submitted on behalf of Councillor C A Hart

**72/14** **MINUTES RESOLVED** that the minutes of the meeting of the Cabinet Member for Health and Communities held on 5 August 2014 be confirmed as a correct record and signed by the Cabinet Member.

**73/14** **CHARGES FOR PETROLEUM SITE SEARCHES AND ENVIRONMENTAL SURVEYS** Approval was sought to charge for requests for information about petroleum sites and for environmental surveys.

Persons with an interest in land or property may occasionally request information as to whether a particular location had at some time been associated with the storage of petroleum and, if so, relevant details of the petroleum storage. In the case of all requests, an officer would check through the files held to identify whether or not there was an associated record of petroleum storage. As most historic files were not computerised, this check could take some time.

Most enquirers preferred an emailed response. Experience to date suggested that administration of a request, including the file search, was unlikely to take more than an hour if the response was to confirm that there was no record of storage. Where there was information to be provided, assessing this and producing an appropriate response was unlikely to add more than half an hour to the time taken to respond.

There was no statutory framework under petroleum legislation for providing the information, so any charge should be based on a cost-recovery basis. It was proposed that the fee charged by Derbyshire Trading Standards Service for carrying out a search was a standard fee of £71 with an additional charge for supplying any information, if present, at the current hourly rate for Trading Standards staff (£71), with a minimum half-hour fee.

Since taking possession of the site files from Derbyshire Fire and Rescue Service, there had been nine requests for environmental searches, three of which had been positive. Assuming a similar level of requests for information and adoption of the suggested charges for providing the information, annual income of around £2,000 could be anticipated.

**RESOLVED** to agree to the proposed charges for requests for information about petroleum sites and for environmental surveys.

**74/14      COMPLAINTS RELATING TO BUSINESSES OPERATING IN DERBYSHIRE OFFERING ENERGY SAVING SERVICES 2013/14**

The Government's Green Deal initiative was intended to encourage home owners to make their properties more energy efficient. In addition, there was a responsibility placed on the larger energy companies (the Energy Companies Obligation – ECO) to deliver energy efficiency measures to domestic energy users. Although there was an official register of approved Green Deal companies, there had been a number of businesses that had not complied with OFGEM guidance and this had led to a number of complaints from the public.

The Government had set a number of ECO targets and energy suppliers were obliged to help improve the energy efficiency of their domestic customers' buildings in three areas – Home Heating Cost Reduction Obligation, Carbon Emissions Reduction Obligation and Carbon Saving Community Obligation. Some of the issues that had been identified with a minority of businesses seeking to exploit consumers who were interested in making their homes more energy efficient and keen to access any grants that could be available were highlighted.

The Green Deal Oversight and Registration Body had been set up by the Government to oversee the Green Deal scheme and to vet and approve businesses seeking to register to operate under the scheme. Under the scheme, only Green Deal authorised assessors or providers were eligible to offer to carry out an assessment under the Green Deal Scheme. As authorised assessors, they were bound by the Green Deal Code of Practice and when seeking to engage with the public, had to comply with and let the householder know a range of information.

There had been a number of complaints from local residents about energy saving companies, and the Division had received over 30 complaints about one business in particular. As a result of the issues identified, and in response to concerns raised by members of the public, the Trading Standards Division had sought to engage with local businesses operating in the sector. However, it had been established that relatively few Derbyshire businesses were signed up as assessors, installers or providers under the Green Deal Scheme. As a number of Derbyshire businesses were operating in the solar panel sector and other energy saving related services, it had been decided to instead contact these businesses. It was apparent that there was quite a high turnover of businesses operating in the sector, and although they were mostly compliant, there were some areas of concern. However, of the local solar energy companies that responded to the survey, most were members of the

Microgeneration Certification Scheme that required members to subscribe to the Renewable Energy Consumer Code.

An issue for the service was that it had not previously categorised businesses operating in the home energy conservation sector and so it was not easy to establish trends in complaint levels, although it was clear that there had been an increase in complaints both to the service and to partner agencies. Contact had been made with a range of organisations to determine the best way to provide advice and information to the public and to identify the minority of rogue traders.

**RESOLVED** to note the concerns raised about the home energy sector and the Green Deal and to agree that the Trading Standards service should continue to work with partners to monitor the sector and provide further reports as appropriate.

**75/14      ANNUAL FOOD AND FEED SERVICE PLAN 2014/15** In accordance with the Food Standards Agency's (FSA) Framework Agreement on Official Feed and Food Controls by Local Authorities, the Trading Standards Division produced an annual Service Plan for Food and Feed, and this set out a proposed programme of activity to seek compliance with food and feed requirements for the forthcoming year.

In September 2013, the authority had been subject to an audit by the FSA on activities undertaken to monitor feed hygiene and standards controls. The audit had recognised that the Authority had developed an effective quality management system, which had included a range of procedures and documents supporting feed law enforcement activities, provided guidance to staff and helped ensure consistency. Some areas of improvement had been identified and an Action Plan had been agreed to seek to improve compliance controls.

The Division worked closely with neighbouring Trading Standards authorities and other partners. The Heart of Derbyshire campaign had been launched to local businesses and aimed to encourage local businesses to promote healthier food options to local consumers. Heart of Derbyshire had been based on the Responsibility Deal for Public Health and would be delivered in partnership with the county's environmental health services.

The Trading Standards Service provided advice and information to local businesses on the requirements of the law and how best to comply. To check compliance with food and feed standards and feed hygiene requirements, the service had a programme of inspections or visits to local businesses. As well as routine inspections, the Division also undertook project work to test compliance within a particular trade sector or food and feed products. Details

of projects planned for the year had been listed in the Food and Feed Service Plan.

To ensure that food was appropriately labelled and that it complied with food standards requirements, the Division also had a food sampling programme. Breaches of food labelling and standards constituted an offence and depending on the severity of non-compliance, the Division would advise or consider enforcement action as appropriate. Decisions as to what enforcement action to take were made in accordance with the Division's compliance policy.

The draft Food and Feed Service Plan was presented, and it was proposed to publish it on the County Council's website when approved. The cost of the food and feed sampling programme for 2014/15 was £30,000, and this represented a 40% reduction from 2013/14 and was approximately a quarter of the amount spent in previous years, reflecting the reduction in the authority's funding. There may, however, be continued opportunities to bid directly for grant funding to supplement the budget. The Division worked closely with three Public Analyst services, and agreed a programme of food, agricultural products and feeding stuff sampling for the year within the budget.

**RESOLVED** to approve the annual Food and Feed Service Plan for 2014/15.

**76/14      BUDGET MONITORING MONTH 3 2014/15** The gross budget for the Health and Communities portfolio was approximately £52m, and the budget monitoring was projecting an underspend for the year of £3.6m, £3.4m of which related to the Public Health function. At year-end, the Public Health underspend would be transferred into the Public Health Resource Fund, which meant that the true forecast currently was an underspend of £0.2m.

The key variances were reported, and included an overspend in Trading Standards, and underspends in Public Health, Libraries and Heritage and Community Safety.

**RESOLVED** to note the position on the 2014/15 Revenue Budget

**77/14      REVENUE OUTTURN 2013/14** The final revenue outturn position for 2013/14 was reported. The gross controllable budget had been £59.202m, and the controllable underspend had been £6.122m. This had included an underspend of £4.561m against the ring-fenced Public Health budget of £36.443m. Key variances were reported, and included an underspend in Public Health (£4.561m), Community Safety (£0.451m), Youth Offending (£0.145m), and Cultural and Communities (£0.929m).

The commitments against the underspend which had already been approved by Cabinet/Cabinet Member totalled £0.507m. There were also two new bids totalling £0.725m relating to the upgrade of Broadband in Libraries (£0.300m) and the buy-out of Mobile Library vehicle leases (£0.425m). Once the commitments and bids had been accounted for, there was a transfer to general reserves of £0.567m. The position was summarised.

The department's earmarked reserves, totalling £7.130m, were highlighted, and related to Public Health Resource Fund (£4.323m), Public Health Section 256 monies – Substance Misuse (£0.753m), Public Health Externally Funded Projects (£0.076m), Emergency Planning (£0.078m), Derbyshire Sport (£1.176m), and Cultural and Communities (£0.724m).

**RESOLVED** to (1) note the revenue outturn position for 2013/14;

(2) approve the use of underspends to meet the commitments outlined in the report; and

(3) approve new bids requested for the use of underspends.

**78/14**      **EXCLUSION OF THE PUBLIC** **RESOLVED** to exclude the public from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings:-

**SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING**

1. To confirm the exempt minutes of the meeting of the Cabinet Member for Health and Communities held on 5 August 2014
2. To consider the exempt report of the Strategic Director – Health and Communities on Extension of the Contract for the Library Management System (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))