

MINUTES of a meeting of the **CABINET MEMBER FOR HEALTH AND COMMUNITIES** held on 12 January 2016 at County Hall, Matlock

PRESENT

Councillor D Allen – Cabinet Member

Also in Attendance – Councillor C A Hart

1/16 **MINUTES RESOLVED** that the minutes of the meeting of the Cabinet Member for Health and Communities held on 15 December 2015 be confirmed as a correct record and signed by the Cabinet Member.

2/16 **ANIMAL HEALTH, FEED HYGIENE AND FOOD SAFETY ENFORCEMENT ACTIVITIES APRIL TO SEPTEMBER 2015** The local authority was responsible for enforcing a wide range of legislation that was intended to protect consumers and ensure fair trading in a variety of sectors, and there was a complex set of legal requirements that impacted on the farming industry and food producers. Compliance with trading standards requirements was achieved through inspections of farms and food businesses assessed to be of a high risk of non-compliance, by responding to complaints and referrals from other agencies, and by responding to requests for advice.

During the first six months of the financial year, the Trading Standards Division had responded to 119 animal welfare complaints, and had carried out 54 of the 61 scheduled feed inspections which had revealed that 28 were non-compliant in some way. 103 requests for advice had been received, and 22 scheduled food inspections had been completed, of which 17 were unsatisfactory. 72 complaints about food had been received and 73 requests for advice had been received from local businesses. A number of case studies were presented.

Officers regularly attended livestock markets to ensure that animal welfare and disease control measures were being followed. Responsibilities for ensuring animal feed hygiene were relatively new and had been taken more seriously over the last few years. Funding from the Food Standards Agency had helped to ensure that 'routine inspections' had been maintained and the National Trading Standards Board had produced two newsletters to explain the importance of this work.

RESOLVED to note the report.

3/16 **INTRODUCING A CHARGE FOR ADVICE PROVIDED TO LOCAL BUSINESSES BY DERBYSHIRE TRADING STANDARDS SERVICE** Providing advice to local businesses had formed an integral part of

the service offered by the Trading Standards Division to ensure compliance with the consumer protection legislation that the authority had a duty to enforce. The role of the Trading Standards service had developed to a more reactive role answering requests for advice, responding to referrals, and acting on intelligence. The Division supported local business by taking enforcement action against businesses that deliberately or recklessly breached legal requirements. Examples were given of how the Division currently supported local businesses, and in addition, the Division worked with D2N2 Local Enterprise Partnership colleagues and had been a founding member of 'Better Business Regulation'.

Due to the reduction in funding provided to local authorities in recent years, the capacity to deliver Trading Standards services had reduced. As of September 2015, in comparison with 2005, there had been a reduction of approximately 50% in the base budget for the Division and 33% in staffing. The current establishment had been dependent on a significant contribution from the Public Health Resource Fund for the past two financial years. Given the likely further reductions in funding, the current level of free advice to Derbyshire businesses was not sustainable, and to enable the Division to continue to support local businesses and provide advice, it was essential that it retained a core of experienced officers.

The ability for local authorities to charge in defined circumstances for providing advice had been confirmed by the Regulatory Enforcement and Sanctions Act in 2008, and this had introduced the concept of the Primary Authority Principle, which was a written agreement between a local authority and business. This facilitated assured advice, and enabled local authorities to charge for the advice on a cost recovery basis. Derbyshire Trading Standards had previously sought approval for adopting the Primary Authority Principle, and there were now six businesses signed up to the scheme. Other businesses had been happy with the free advice they had been receiving, but informal discussions with local business leaders had confirmed that, in principle, businesses accepted that they needed to pay for some advice.

It was proposed that, from 1 April 2016, any Derbyshire business seeking or requiring advice from Derbyshire Trading Standards would have a range of options:-

- Free access to web based advice, leaflets etc, and/or referral to an appropriate partner
- Joining the Derbyshire Trusted Trader Scheme, where they would be entitled to up to two hours free advice per year
- Entering into a Primary Authority Agreement, where any advice provided would be charged at a rate of £65+VAT per hour. Members would be required to enter into an agreement for a minimum number of 10 hours advice per annum

- All other advice would be chargeable at a rate of £65+VAT per hour
- Up to two hours free advice per year would be provided to any Derbyshire based business that had been referred to the Trading Standards Division via the D2N2 Growth Hub.

It was essential that the Division identified alternative sources of income to enable it to continue to deliver at least some of the current levels of service. Based on current demands, it was estimated that the initial additional income for 2016/17 would be approximately £50,000. Additional income from local business would offset a loss of core funding, but given the age profile of the Division, it would need to ensure that it could recruit and train sufficient numbers of professionally qualified staff in the future.

RESOLVED to approve the introduction of a charge for business advice provided by the Trading Standards Division of Health and Communities.

4/16 BUDGET MONITORING MONTH 7 2016/16 The gross budget for the Health and Communities portfolio was approximately £56m, and the budget monitoring was projecting an underspend for the year of £5.238m, £5.045m of which related to the Public Health function. This included the effect of an in-year cut of 6.2% in the Ring-Fenced Public Health Grant. In November 2015, the Government had announced further cuts to Public Health budgets from 2016/17 to 2020/21, which would result in a cash reduction in funding of 9.6%. Public Health was currently carrying out a comprehensive review of future commitments in the light of the additional cuts to the Ring Fenced Grant. The remaining portfolio had a projected underspend of £0.193m.

The key variances were reported, and included an underspend in Public Health. The Public Health function was mainly funded by a Ring-Fenced grant of £33.038m, and an additional £5.179m Public Health Ring-Fenced Grant would be received to meet the transfer of responsibility for Children's 0-5 Public Health services. The latest projections were an underspend of £5.045m at the end of the financial year. The underspend at year end would be transferred into the Public Health Resource Fund Reserve from which allocations approved by Cabinet would be made during 2015/16. The key areas of underspend were detailed, and there had been a major re-design/re-procurement of a number of services which had resulted in greater efficiencies. The new Integrated Children's service had commenced recently, and there would be part-year savings in 2015/16.

The Department's Earmarked Reserves totalled £1.994m, and budget reductions totalling £1.291m had been agreed by Full Council as part of the approval of the 2015/16 budget.

RESOLVED to note the position on the 2015/16 Revenue Budget.

5/16 **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 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 15 December 2015
2. To consider the exempt report of the Strategic Director – Health and Communities on Operation Rocha – Illegal Tobacco Organised Crime Group (contains information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime).