

MINUTES of a meeting of the **CABINET MEMBER FOR HEALTH AND COMMUNITIES** held on 7 September 2017 at County Hall, Matlock

PRESENT

Councillor C Hart – Cabinet Member

Also in Attendance – Councillor D Allen.

53/17 **MINUTES RESOLVED** that the minutes of the meeting of the Cabinet Member for Health and Communities held on 28 June 2017 be confirmed subject to Minute 49/17 being amended to read “A total of 130 Intelligence logs were made during 2016-17 compared to 166 in 2015-16 and 98 in **2014-15**.”

54/17 **COMMUNITY SAFETY LEARNING AND DEVELOPMENT PLAN 2016-2017 REVIEW AND 2017-2018 APPROVAL** During 2016/17, the Community Safety Unit had provided and facilitated training for a total of 3,158 delegates on 120 sessions, and a breakdown of courses and delegates was provided.

Many of the courses have been developed and delivered in partnership with other training teams, including Children’s Services, Derbyshire Safeguarding Children’s Board, Derbyshire Constabulary and the MAPPA Unit. In addition to the classroom based provision there was also e-learning and IT workbook based products related to ASB/E-CINS, CSE and Prevent.

During 2016-2017 98.6% of delegates rated the core courses good, very good or excellent.

The Community Safety Learning and Development Plan for 2017/18 was presented for approval. Monitoring and evaluation of the plan and the individual events would be key to its success and was detailed throughout the various sections of the plan.

RESOLVED (1) to note the update for the Community Safety Learning and Development Plan 2016-2017; and

(2) to approve the Community Safety Learning and Development Plan 2017- 2018.

55/17 **COMMUNITY SAFETY** Derbyshire County Council has historically committed funding towards a number of Community Safety Partnership posts across the County. These posts were employed through the Council’s statutory partners and, as such, approval was requested for funding.

Approval for total funding of £127,864 towards the following Community Safety posts was requested:

- £62,824 towards the salaries of eight Derbyshire district and borough Community Safety Officers, (£7,853 per district and borough).
- £30,000 towards the Multi Agency Risk Assessment Conference (MARAC) Administration Team.
- £35,040 towards the Analysts in the Safer Derbyshire Research and Information Team.

RESOLVED to approve (1) a contribution of £62,824 towards the salaries of eight Derbyshire district and borough Community Safety Officers, (£7,853 per district and borough);

(2) a contribution of £30,000 towards the Multi Agency Risk Assessment Conference (MARAC) Administration Team; and

(3) a contribution of £35,040 towards the Analysts in the Safer Derbyshire Research and Information Team.

56/17 TRADING STANDARDS CONTRIBUTION TO ALCOHOL HARM REDUCTION 2016-17

The local authority has a duty to enforce the provisions of the Licensing Act 2005 which prohibits sales of alcohol to young people under 18. The responsibility was shared between the Trading Standards Division and Derbyshire Constabulary.

During the last financial year, the Trading Standards Division assessed 37 applications to sell alcohol at off-trade premises and secured improvements to the licence conditions with regards to 25 of those applications. The Division also carried out 118 advisory visits during 2016-17 which was a similar number to previous years. Intelligence obtained from such visits helps to determine which businesses to target for age verification and underage sales test purchase checks. In 2016-17 forty five age verification checks were carried out which was slightly fewer than in previous years. These resulted in 13 sales of age-restricted products which was a failure rate of 29%. Although no underage offences were committed, the sales represent a failure to follow the shop Twenty two test purchase checks were made which resulted in two illegal sales from two separate businesses. This was a failure rate of approximately 9% which was broadly consistent with recent year's systems to avoid sales and could breach the Premises Licence conditions.

On-trade test purchase checks were led by the Police and supported by Trading Standards officers with financial assistance from either the Community Safety Partnership or Police budgets. Due to service pressures and

restructuring only one test purchase exercise was organised by the Police and comparisons to previous years could be misleading.

Enforcement action undertaken by Trading Standards and the Police was detailed in the report.

RESOLVED (1) to note the activities of the Trading Standards Division to contribute to reducing harm from alcohol; and

(2) to confirm the continued approach to enforcement of legislation intended to prevent the sale of alcohol to young people.

57/17 'PRIMARY AUTHORITY' UPDATE The Cabinet Member for Health and Communities agreed to Derbyshire Trading Standards Service (DTSS) adopting the 'Primary Authority Principle (PAP)' in September 2013 and the first Derbyshire business was 'signed up' in January 2014.

DTSS has now signed up 15 businesses that provide a range of products including toys, food products (bakery items, chocolate, vitamins) caravans, tool hire, pottery and sports goods and equipment. Three of the partnerships were with non-Derbyshire businesses that have approached the Service.

In February 2017 the Government announced proposed change to the Enterprise Act 2016 to extend and simplify Primary Authority, enabling all UK businesses to benefit, including pre-start-ups. Regulatory Delivery, a department within BEIS, administers the scheme which must be simplified and the system for defining partnerships must be more sustainable than the current approach. The main changes were enabling national regulators to support primary authorities; clarifying and simplifying enforcement action in Primary Authority; determinations: updating requirements for applications; and defining partnerships.

It was not anticipated that the changes would have a significant immediate impact on DTSS as there were relatively few Primary Authority Agreements (PAA) in place in Derbyshire for non-trading standards categories. It could, however, necessitate a closer working relationship with the other Derbyshire local authority regulators.

All existing Primary Authority Agreements would have to 'migrate' to the new arrangements and this was currently being actioned. The new PAA Service Level Agreements with the respective businesses would include arrangements for passing on the cost of any advice sought from a national regulator.

The draft Coordination of Regulatory Enforcement Regulations 2017 would be laid before Parliament in time to come into force on 1 October 2017.

Revised Primary Authority Statutory Guidance would also be issued on 1 October 2017.

RESOLVED to note the progress made in recruiting local businesses into 'Primary Authority' Agreements and recent proposals by Government to extend the Primary Authority Scheme.

58/17 PROTECTING VULNERABLE PEOPLE IN DERBYSHIRE – DERBYSHIRE SCAM WATCH UPDATE Derbyshire Trading Standards Service (DTSS) seeks to support local vulnerable people who are at risk from the activities of rogue traders and, in particular, those that promulgate scam mail.

DTSS's first attempt at raising awareness about scam mail was in 2006 when a 'Junk the Junk' campaign was launched in conjunction with Derbyshire Libraries. A significant change in legislative control of scams came in 2008 with the introduction of the Consumer Protection from Unfair Trading Regulations (CPR) which made it a specific offence to imply that a member of the public had 'won' something. However, investigating foreign based criminals was virtually impossible for local authority based services. It was not until the creation of the National Trading Standards Scams Team NTSST in 2013, following the Government's Consumer Landscape Review coupled with action taken by the Metropolitan Police in partnership with the Royal Mail, that practical steps could be taken to contact and support victims of scam mail. In 2014-15, DTSS had contact with and returned money to 71 local residents and during the course of the year the Service has been provided with the names and addresses of 1,200 residents who had fallen victim of the scammers.

DTSS in partnership with Derby and Derbyshire Age UK, supported a bid by North East Derbyshire Citizens Advice Bureau to the Office of the Police and Crime Commissioner (OPCC) for Derbyshire to set up Derbyshire Scam Watch (DSW). The objectives of DSW were to raise awareness and to visit local residents who had sent money to the scammers. Volunteers have also been trained to carry out home visits in addition to Trading Standards. The project was now being supported by Public Health and has additional funding from OPCC. The planned events for 2017-18 were detailed in the report and included Safer Neighbourhood Team events and promotion through Nat West Bank and the Diocese. In response to DSW initiatives and the Care Act 2014, DTSS has engaged with the Derbyshire Safeguarding Adults Board and its Financial Abuse Working Group. A summary of the group's activities was listed, in particular the Friends Against Scams (FAS) campaign as a way of rolling out awareness to frontline staff by having 'Scam Friends', 'Scam Champions' and 'Scambassadors'. It was recognised that the FAS training package was an ideal way to raise awareness and would like all Derbyshire County Council employees to undertake the training and become 'Scam Friends'. To this end

it was agreed that a media release be issued to encourage Derbyshire residents to become 'Scam Friends'.

RESOLVED to note the report and to encourage all Derbyshire County Council staff to become Scam Friends by undertaking the National Trading Standards Scams Team on-line training on a voluntary basis.

59/17 REVENUE OUTTURN 2016-2017

The gross controllable budget for the Health and Communities portfolio was £49.915m and the controlled underspend was £5.043m. This included an underspend of £4.634m against the ring-fenced Public Health budget. When transferred to the Public Health Reserve, the Portfolio's net underspend was £0.409m.

The key variances included Public Health (underspend of £4.634m), Registrars Service (underspend £0.192m), Community Safety (underspend £0.110m) and Trading Standards (underspend £0.084m).

Budget savings totalling £0.455m had been agreed at Council as part of the 2016-17 budget and performance targets were attached as an appendix to the report.

RESOLVED to note the revenue outturn position for 2016-17.

60/17 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 consider the exempt reports of the Director of Public Health on:-
 - (a) Developing the Recovering Communities on Derbyshire. (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (b) Extension of Antenatal Education Pilot. (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))