

MINUTES of a meeting of the **CABINET MEMBER FOR HEALTH AND COMMUNITIES** held on 21 October 2014 at County Hall, Matlock

PRESENT

Councillor D Allen – Cabinet Member

Also in Attendance – Councillors M V Longden, P J Smith and E S Wilcox

An apology for absence was received from Councillor C A Hart

101/14 **MINUTES RESOLVED** that the minutes of the meeting of the Cabinet Member for Health and Communities held on 30 September 2014 be confirmed as a correct record and signed by the Cabinet Member.

102/14 **BETTER BUSINESS REGULATION UPDATE** The Better Business for All initiative had been established by the Better Regulation Delivery Office and was currently being rolled out across the country. The main objective of the programme was detailed. Derbyshire Trading Standards Service had taken a lead role within the D2N2 region, and was hosting a Programme Coordinator to support the developing relationship. Good progress had been made with engaging local business leaders and business sector representatives, and a number of work streams had been agreed. One was communication, and a decision had recently been taken to rebrand the initiative within D2N2 as 'Better Business Regulation'.

Another work stream was to respond to local business concerns about the perceived burden of complying with health and safety legislative requirements. In response to the concerns, the Trading Standards Division had supported a South Derbyshire District Council initiative to provide free health and safety advice to local businesses within the D2N2 region. The service had been launched towards the end of 2013, and the original intention had been to run the project for six months and to provide advice to 100 local businesses. However, there had been less of a demand for the service than anticipated, although advice had been provided to 45 local businesses. An evaluation of the project was presented, along with a summary of the conclusions drawn from the project.

The Better Business Regulation Steering Group felt that this had been a worthwhile project, and that whilst demand for the service had not been as great as originally anticipated, the businesses that had participated had benefited from the service. The annual cost of delivering the service was estimated to be £42,000, and a minority of businesses had indicated that they would be willing to contribute to the cost of the advice. A presentation had been given to the Chief Executive of D2N2 LEP, and he was supportive of a Better Business Regulation bid to the LEP for funding to support the

continuation of the service as part of the Growth Hub, which would provide a range of support to local businesses from April 2015. To contribute to the continuation of the current offer of free health and safety advice, it was proposed to allocated £5,000 from the existing funding identified to support the Better Business Regulation programme.

The Better Business Regulation partnership had previously identified £49,000 to support a Programme Coordinator to support the development of a closer working relationship between local businesses and regulations within the D2N2 region. The Coordinator was now in post, with an anticipated total salary to the end of March 2015 of £36,000. This left sufficient surplus to contribute to the cost of continuing the offer of the current health and safety advisory service.

RESOLVED to note the report and to agree to providing £5,000 from the existing Better Business Regulation funding to support the continuation of a free health and safety advisory service to local businesses.

103/14 QUARTERLY FOOD SAMPLING RESULTS The Trading Standards Division regularly made test purchases of food sold in the county and submitted it to the Public Analyst. An annual programme was agreed with the Public Analysts, in accordance with statutory guidance, and this formed part of the Division's Annual Food and Feed Plan.

Four main sampling projects had been undertaken so far this year, and these were detailed. The Division also participated in regional and national initiatives coordinated by the Food Standards Agency, and the additional sampling programmes were highlighted. In total, 88 food or feed products had been submitted for analysis, and of those 20 had been reported as being unsatisfactory. The Division had a range of sanctions available to seek compliance with legal requirements, and the main activity was to provide advice and information to the relevant business.

Of the four themed projects, the results were still being awaited for the breakfast cereals, and all the potatoes described as Jersey Royal had been found to be correctly labelled. However, the takeaway curry samples had all been found to contain artificial colours now prohibited or to have excess levels of permitted artificial colours. The non-compliant samples would be taken up with the relevant business owners and an advisory note sent to other businesses operating in this sector in Derbyshire. Of particular concern, was the level of sugar found in snack products aimed at young children. Although only three of the products had been formally declared as unsatisfactory in terms of compliance with Food Labelling requirements, over three quarters of those that had been reported had had a sugar content of over 22.5%, and would be classified as red to indicate a high sugar content. New legislation to be implemented in December 2014 would make it mandatory to provide

nutritional information for all pre-packed food products, and there would be a two year lead-in period for food not currently required to declare nutritional information.

There was a direct correlation between portion size and the amount of sugar in any product. Of the samples analysed, four had been found to have a sugar content of between 10g and 20g per 100g; four had between 20g and 30g; four had between 30g and 40g; five had between 50g and 60g; and two had had in excess of 60g. It was suspected that many parents were not aware of the amount of naturally occurring sugars in products, and were therefore giving their children snack products that were high in sugar.

Giving growing recognition of the problems associated with obesity, it was suggested that, as part of the 'Heart of Derbyshire' campaign, the Trading Standards Division worked with relevant colleagues to seek to raise awareness of the levels of naturally occurring sugars in many food products.

RESOLVED to note the outcome of recent food sampling activity, and to support raising awareness of the amount of sugar in certain snack products aimed at young children.

104/14 TRADING STANDARDS EAST MIDLANDS REGIONAL 'SCAMBUSTER' TEAM Cabinet had previously authorised the Head of Trading Standards to enter into an agreement with Nottinghamshire County Council to work in collaboration with a regional team based in Nottinghamshire to tackle rogue traders operating in Derbyshire. Trading Standards Services worked together on a regional and national basis and had adopted the National Intelligence Model to help prioritise enforcement action against those traders that breached trading standards legislation. Trading Standards Services also worked with a range of other enforcement colleagues, and a regional Tactical and Tasking Group assessed and determined priorities and considered emerging threats. They were supported by a Regional Intelligence Analyst (hosted by Derbyshire).

Nottinghamshire County Council had originally agreed to host the regional team, and at first the funds had been received as a grant direct from the Department for Business Innovation and Skills. However, the funding was now allocated on an annual basis by the National Trading Standards Board. All Trading Standards Services that had identified criminal operations based in their area and who were committing offences on a regional or national basis were able to submit a bid for support, which could be either financial or practical assistance. Derbyshire Trading Standards Service had successfully bid for additional funding to support the legal costs associated with a Derbyshire based rogue trader who had been misspelling mobility products to vulnerable consumers throughout the country. The Service had also worked

closely with the regional team on a number of investigations where offences had been committed in Derbyshire.

To ensure that appropriate legal arrangements were in place to conduct cross-border investigations and carry out enforcement activities, it was necessary to have an agreement in place between Nottinghamshire and all the other seven authorities in the East Midlands. This agreement provided the necessary legal authorisations and set out the process for agreeing priorities and managing operations. It also determined how any risks associated with regional enforcement action could be minimised or shared. The current proposed agreement was presented.

The Regional Team currently consisted of a Team Leader and three investigators with additional legal processing and administrative support from Nottinghamshire County Council. The agreement also included an allocation of officer time from each authority. Trading Standards East Midlands had also successfully bid for additional funds to investigate a Level 3 organised crime group based in the East Midlands but committing offences nationally.

RESOLVED to agree to the Head of Trading Standards renewing the current agreement with Nottinghamshire County Council to host the regional trading standards 'Scambuster' Team.

105/14 **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 consider the exempt report of the Director of Public Health on Extension of the Resource and Marketing Service Contract (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))