

CABINET MEMBER UPDATE REPORT

Councillor	Portfolio	Period of Report
P Hardy	Community and Environment	January February 2013

BUILT ENVIRONMENT

ENVIRONMENT

Horse Meat - the role of the Council in regulating the meat food chain

There is currently much national coverage of the issue of horse meat being passed off negligently or fraudulently as beef in the meat food chain. Horse meat in itself is not a risk to health; the matter is an issue of description. Each manufacturer, supplier and retailer of food has primary responsibility for ensuring their products comply with food law. The Food Standards Agency is responsible for food safety and food hygiene across the UK. They work with local authorities to enforce food safety regulations and have staff who work in UK meat plants to check that the requirements of the regulations are being met. Sefton Council is responsible for working with food businesses in its area to ensure that the law relating to food hygiene and food standards is complied with, including the labelling and composition of food products. This responsibility is delivered by environmental health who advice and guide Sefton food businesses to help them comply with the law. With respect to food standard labelling resources are focused on working with the higher risk activities, such as large manufacturing businesses, or those that have a history of not complying with the law. Councils also use intelligence from a range of resources to target work, including complaints from residents. As part of this work, the Council has the power to take samples of food products to ensure that the labelling accurately reflects the content of the product. Samples are sent to public analysts for analysis, the cost of which is funded by the council.

The FSA has identified 28 councils from across the UK to take part in a short term sampling project to identify horse and pig DNA in the food chain. The councils have been identified by the FSA and will take samples based on specific criteria laid down by the Agency. This is to provide an accurate cross section of the UK food chain that considers retail, catering and wholesale, and in particular wholesale business supplying schools and hospitals. So far around 1% of 2500 samples have contained horse meat. Sefton Council was not called on to participate in this particular sampling programme.

The FSA has placed clear responsibility on food businesses to test beef products for horse meat DNA and councils do not need to conduct routine testing unless they have specific concerns or receive further information from the FSA to suggest this is required. The FSA has asked councils to use local knowledge to prioritise inspections at local types of premises that may be at most risk of being affected. Sefton environmental health officers have been in contact with the five approved meat product manufactures in Sefton to ensure food standard labelling complies with the legislative requirements. The compulsory labelling of beef products with the slaughterhouse of origin for food chain traceability is also being reinforced with Sefton's 27 local butchers.

Contaminated Land Soil Sampling – Vaux Crescent, Bootle

Letters have been sent to residents on the Vaux Crescent Estate to seek residents willing to allow soil samples to be taken from their gardens. A part survey in 2008 identified the area as being of made ground and found some elevated levels of combustion residue chemicals in some gardens. The survey funded by DEFRA is to determine the ground conditions and spread of any elevated chemical levels across the estate such that any appropriate health protection measures can be advised or taken.

Health and Safety Prosecution for a Fatality

Environmental Health is responsible for enforcing health and safety at work legislation in the boroughs ~ 6000 non manufacturing businesses. This involves investigating accidents and dangerous occurrences. Further to a fatality of a resident in an older person's residential home, an investigation by environmental health has led to a prosecution of the private business owners. The investigation found that there was inadequate supervision of residents by care staff at night and access to a staff only basement by a lift was not secure. An elderly resident who was prone to wandering at night died as a result of a fall down the basement steps having arrived in the basement by the lift and being presumably disorientated attempted to exit the locked basement by the cellar stairs. The owners pleaded guilty to several offences and were fined £39,000 and were made liable for costs. Further investigation has identified a further seven homes in Sefton where unauthorised access by residents to restricted areas by lift could occur. Remedial action is being pursued with the businesses concerned.

Counterfeit Tobacco Haul

Trading Standards have for a second time used trained sniffer dogs and have found hidden counterfeit tobacco in a number of small shops. The latest exercise found counterfeit tobacco hidden in four out of the seven premises visited; the previous exercise found counterfeit tobacco in three out of the six premises visited. Some traders had gone to considerable lengths to hide the illicit material, some having specifically modified display cabinets to have concealed internal compartments, others hiding the material in chiller motor cabinets and another having hidden counterfeit tobacco wrapped in counterfeit Everton Football club shirts in an honest looking sealed box of crisps on a high shelf. The counterfeit material was confiscated and prosecution decisions are being made on a case by case basis in line with the Council's graduated enforcement policy. Counterfeit tobacco encourages smoking through reduced price, avoids tax revenue and distorts legitimate and fair trading. Some counterfeit tobacco can also be more damaging to health than branded tobacco products.



Home Energy Conservation Act

The Council has agreed the Sefton Home Energy Conservation Act Plan as a key decision. The Council's Green Deal and ECO enablement plan is now being promoted in appropriate industrial quarters in an attempt to stimulate a market response to the Councils early mover opportunity.

PLANNING

Regeneration

Potters Barn, Crosby Road South, Waterloo: Additional Section 106 of £88,684 has been committed to Potters Barn topping up the previously secured £19,745 and giving a total of £108,429 - potentially enough match funding for a Heritage Lottery Fund application. This would however be dependent upon agreeing a way forward with Peel Ports due to their legal interests in the site.

King's Gardens, Southport: £5 million restoration project has now begun on site and is expected to be completed by 2014. Updates will be provided periodically; regular on-site Conservation input is anticipated.

Corporate Issues

Cast Iron Street Lighting in Conservation Areas: Rescheduled meeting with John Fairclough to take place in the next few months date to be confirmed, joint briefing note to follow prior to the meeting

Buildings at Risk/enforcement

International Hotel, Seaforth: Grade II Listed Building – Deteriorating vacant derelict former pub, on the market for sale, potential for Urgent Works Notice to be investigated.

Langton Dock Pump house, Seaforth: Grade II Listed Building - Deteriorating vacant and derelict former pump house. Discussions have begun with Peel Ports for Urgent Works to safeguard the building from further deterioration.

1 Southport Road, Formby: Grade II Listed Building - Despite planning permission being secured, work has not begun and the building is continuing to deteriorate and the property has now been put on the market for sale, potential for Urgent Works Notice to be investigated.

Scarbrick Hotel, Lord Street, Southport: Following on from previous update, discussions are still ongoing with owners, an article appeared in the Southport Visiter concerning this issue, this has had a positive impact from other owners of Listed Buildings and in Conservation Areas contacting the Council about works they were planning to undertake.

Development Management

Consultation Responses: Consultation on application and pre-application proposals with conservation implications ongoing and responses met within agreed target dates. No major applications to report at this time.

Former Harland and Wolff offices, Regent Road, Bootle: Following an application for Listing, English Heritage have determined that the Harland & Wolff building is not worthy of listing, as a result consent to demolish the building has been granted.

Policy

Heritage Strategy: Following on from previous update regarding the strategy feeding into the Local Plan and Strategic Policy formulation, Conservation are currently gathering evidence to formulate the strategy. Updates will be provided, along with the likely further discussion on key decisions, especially that concerning the pro-active implications and neighbourhood issues.

MEAS

MEAS is a shared service providing statutory and regulatory advice and strategic leadership to the 6 Districts across the Liverpool City Region.

Regulatory and Legislative Advice Performance

Planning applications - MEAS has provided the following regulatory and statutory planning advice to Sefton over the as well as the other 5 Districts. During the period MEAS has advised Sefton Council on the following:

- 26 minor and major planning applications; and
- 2 Environmental Impact Assessment applications including Liverpool 2.

Habitats Regulations Assessment - We continue to provide advice to projects and planning applications with 4 HRAs during the period e.g. Liverpool 2, port developments.

Strategic Planning

Local Plan - MEAS continues to advise the Local Plan team, via the strategic group and through detailed technical advice on policy development and proposed land allocations. We are closely working with forward planning colleagues to ensure Council's legislative compliance (new Planning Framework, NERC Act, Natural Environment White Paper and Habitats Regulations) particularly on proposed land allocations.

Waste Local Plan – The modifications consultation has been completed and the joint report to the Inspector prepared by MEAS and sent to the Planning Inspector. We are awaiting the Inspectors' report.

Sustainable Energy Action Plan - MEAS is providing technical support to Sefton's energy team on the drafting of their own SEAP to support the LCR SEAP.

Liverpool City Region Deal

MEAS continues to lead three elements of the City Region Deal – the low carbon regulatory pilot, the baseline environment and the River Mersey Ask. The Director will be presenting to the Defra Minister in London 11 February on progress. Additional funding of £80k is currently under discussion with DECC / LEP.

Savings

The agreed Business Plan is being implemented in line with a 30% budget saving. Staff consultations have been completed with one staff member being made redundant 31/3/13 and a management post deleted as a consequence of natural turnover.

Priorities Moving Forward (to June 2013):

- Update and review Shale Gas and energy minerals policy position;
- Continue development management advice;
- Establishment of Historic Environment / Archaeology Service;
- Continue technical advice on site allocations for Sefton's Local Plan;
- Deliver LCR Low Carbon Deal – Regulatory Pilot and River Mersey Task Force.
- Subject to receipt of a favourable Inspectors' report, proceed with Waste Local Plan adoption to become part of Sefton's statutory development framework.

FLOOD AND COASTAL EROSION RISK MANAGEMENT

The Flood Investigation Report for the flooding that occurred in September 2012 has been reviewed by the Cabinet Member and following this will be published. It sets out our understanding of the mechanisms for the flooding, reviews if Flood Risk Management Authorities undertook their duties and makes recommendations for actions to reduce flood risk based on the findings. There is also an action plan agreed by the Flood Risk Management Authorities for what will be done and when in relation to addressing the recommendations.

High Ground Water levels are still causing flooding issues especially on the Coast Road but major works to clear an outfall pipe have been undertaken and are now starting to resolve the issue. It will take time for the water levels to reduce but the Coast Road will be opened as soon as possible.

Work is being undertaken to address flooding issues at a range of sites in Sefton before the end of the financial year ranging from dealing with riparian issues and highway flooding through to property flooding.

The Strategic Flood Risk Assessment has been completed to draft stage and is available on the Council website. This will inform the Local Plan with regards to development and flood risk and is a key element in ensuring that flood risk is taken into account such that we prevent any increase in flood risk through inappropriate development.