

# Community Services Committee – 1 September 2004

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Minutes of the meeting of the **Community Services Committee** held on **1 September 2004** when there were present:-

Cllr R A Amner (Chairman)  
Cllr Mrs L Hungate (Vice-Chairman)

Cllr Mrs H L A Glynn  
Cllr T E Goodwin  
Cllr Mrs J R Lumley  
Cllr S P Smith

Cllr Mrs M J Webster  
Cllr Mrs C A Weston  
Cllr Mrs B J Wilkins

## **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs K A Gibbs, G A Mockford, Cllr J M Pullen and Cllr J Thomass

## **SUBSTITUTE**

Cllr T G Cutmore

## **OFFICERS PRESENT**

G Woolhouse - Head of Housing, Health & Community Care  
M Martin - Committee Administrator

## **371 MINUTES**

The Minutes of the meeting held on 1 July 2004 were approved as a correct record and signed by the Chairman.

## **372 DECLARATIONS OF INTEREST**

Cllr Mrs M J Webster declared a personal interest in item 9 of the Agenda by virtue of her work as a County Councillor.

## **373 ISSUES ARISING FROM OVERVIEW AND SCRUTINY**

The Committee considered the report of the Head of Administrative & Member Services which advised Members of an item of business which had been referred to the Community Services Committee by the Community Overview & Scrutiny Committee on 15 July 2004 with the recommendation that the Health and Safety Service Plan be approved.

Members agreed that it was critical that the Plan was adequate to meet all statutory requirements and noted that the Health & Safety Commission had default powers should a local authority fail to comply with their legal requirements.

Members noted that in previous years this Council had concentrated on enforcement work on food safety such as preventing outbreaks of listeria and salmonella together with delivering on food premises inspection targets.

Over a period of some years, very little pro-active pre-planned health and safety inspections had been carried out. Over the past two years this had now been completely turned around, but not at the expense of food safety inspections.

In response to Member questions, the following was noted/agreed:-

- A lead authority scheme exists whereby the authority responsible for the area in which the head office of a company is sited, will normally deal with the development of policies and procedures relating to any branch of that company. Technically other local authorities would still be able to prosecute. This District has never been appointed to be a lead authority, but does work closely with other authorities, particularly those in Essex, a process which the Health & Safety Commission endorses.
- Officers meet regularly with the Chambers of Trade and the Federation of Small Businesses who had been consulted on the service plan.
- The word 'stakeholders' should be replaced with more appropriate wording.
- Category C premises are those with the lowest risk. The Health & Safety Executive guidance advises that regular planned inspections are not necessary for this category. Other enforcement methods such as a self-inspection check list may be used for those in this Category. This is reviewed annually when the service plan is drafted.
- Interpreting services were available, at a cost, when needed. Leaflets, including those produced by other local authorities, for example London Boroughs, could be used.
- The use of sunbeds is lawful but the Council has to ensure that they are operated within current guidelines. A further article would be placed in Rochford District Matters at an appropriate time of the year highlighting the guidance for safer tanning.
- The team dealing with health and safety and food safety enforcement had a full complement of well-trained staff.

### **Resolved**

That the Health and Safety Service Action Plan be approved. (HHHCC)

### **374 INTERMEDIATE CARE FACILITY**

The Committee considered the report of the Head of Revenue and Housing Management which advised Members of the progress towards using a former Warden's flat at Spa Court, Hockley, as an intermediate care facility, working in partnership with the local Primary Care Trust (PCT).

Members were disappointed to note the slow progress that had been made with the intermediate care facility, despite the fact that the Council had been advised by the Primary Care Trust that this was a much needed facility. The Head of Service reported that this week someone had commenced a stay in the flat. Members requested information about how other local authorities manage this type of facility.

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Members agreed that a thorough evaluation of the process was needed and agreed with the officer recommendation that the Primary Care Trust be questioned about this when they attend the meeting of the Community Overview & Scrutiny Committee on 20 October 2004 to discuss GP provision in the District.

### **Resolved**

- (1) That a further progress report be presented to this Committee in six months' time.
- (2) That officers write to the Primary Care Trust expressing dissatisfaction with the slow progress of the intermediate care facility, and asking them to ensure that a suitable representative is in attendance at the meeting of the Community Overview & Scrutiny Committee on 20 October 2004. (HRHM)

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Members were pleased to note that this would enhance the services provided to residents within Britton Court.

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Members noted that since 1990 this Council had been required to sell two pensioner designated properties following appeal but had successfully defended others. The Head of Service agreed to advise Members of that number.

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Question 4 – these issues do not need to be taken into account if the accommodation is suitable in every respect apart from aids/adaptation.

Question 11 - the word ‘regular’ should be replaced with the definition of 7 days a week, perhaps with a reduced service at weekends, although the District’s own transport facilities such as the taxi voucher scheme and community transport service should be taken into account.

The Chairman advised Members that due to lobbying by Councillors and residents, Arriva had reinstated an evening bus service to Wakering.

### **Resolved**

That the officer response, as detailed in the appendix to the report, be forwarded as this Council’s response to the consultation issued by the Office of the Deputy Prime Minister, together with the following amendments:-

- Question 2 – replace the word ‘elderly’ with specific age guidelines.
- Question 4 – these issues do not need to be taken into account if the accommodation is suitable in every respect apart from aids/adaptations.
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Members noted that the newly appointed Anti Social Behaviour Co-ordinator had been in post for a week and was currently working with the Police on producing accurate and well analysed crime statistics. The Chief Executive had requested that this item be deferred in order that a more comprehensive report could be brought to the Committee in the next cycle.

### 378 PROPOSALS FOR IMPROVING THE EFFECTIVENESS OF THE DANGEROUS WILD ANIMALS ACT 1976 – CONSULTATION

The Committee considered the report of the Head of Housing, Health and Community Care which invited Members to comment in response to a consultation document received from the Department for Environment, Food and Rural Affairs (DEFRA) on possible amendments to the Dangerous Wild Animals Act 1976.

During Member debate, the following was noted:-

- Concern that the Government's preferred option included the suggestion that zookeepers would be qualified to fulfil the role of carrying out inspections before granting a licence. The Head of Service advised Members of the difficulties that could arise in finding a veterinary surgeon with experience in some exotic species. However, it was agreed that DEFRA should look at providing a register of suitably qualified people who could provide advice. This should be available to every authority.
- Guidance ought to be provided for those involved in hearing appeals following the seizure of an animal.
- Extending the licence period from one year to 18 months would run the risk of reducing the protection afforded to both the animal and to the public.
- The Pet Animals Act prohibited the purchase of animals by anyone under the age of 16.

It was agreed that an article could be placed in the Rochford District Matters once the Animal Welfare Charter had been finalised.

#### **Resolved**

- (1) That the amendment to the Dangerous Wild Animals Act 1976 be agreed, as set out in Option E in the report, but with the following provisos:-
  - (a) Inspections should continue to be made by Veterinary Surgeons, unless DEFRA provides a list of suitably qualified and experienced specialists which is made available to all local authorities.

- (b) The proposal to extend the licence period for 12 to 18 months is not supported.
  - (c) Guidance should be provided to those involved in hearing appeals against seizure of an animal to ensure that the reasons for seizure are rigorously examined.
  - (d) The Council requests an additional safeguard, namely, that there be a legal requirement for the provision of written care guidance at the time of sale.
- (2) That a request be made that adequate resources be provided for Local Authorities to support effective enforcement. (HHHCC)

### **EXCLUSION OF THE PRESS AND PUBLIC**

#### **Resolved**

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### **379 UNFIT HOUSE**

The Committee considered the exempt report of the Head of Housing, Health and Community Care which updated Members in respect of an unfit property.

#### **Resolved**

- (1) That a further Deferred Action Notice be served on the property referred to in the exempt report.
- (2) That in the event of representations from the owner following serving of the 'Minded To Take Action' notice a further report be made to this Committee.
- (3) That in the event of no representations, the Council serves a further Deferred Action Notice under the provisions of the Housing Grants, Construction & Regeneration Act 1996, section 81.
- (4) That the situation be monitored and a further report be made to this Committee in twelve months' time if satisfactory progress has not been made with demolition of the property. (HHHCC)

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The meeting closed at 8.50 pm.

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#### **Resolved**

- (1) That a further Deferred Action Notice be served on the property referred to in the exempt report.
- (2) That in the event of representations from the owner following serving of the 'Minded To Take Action' notice a further report be made to this Committee.
- (3) That in the event of no representations, the Council serves a further Deferred Action Notice under the provisions of the Housing Grants, Construction & Regeneration Act 1996, section 81.
- (4) That the situation be monitored and a further report be made to this Committee in twelve months' time if satisfactory progress has not been made with demolition of the property. (HHHCC)

## Community Services Committee – 1 September 2004

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The meeting closed at 8.50 pm.

Chairman .....

Date .....