

Update - Responses to Comments from Scrutiny on the Quarter 4 (2013/14) Performance Report

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Introduction

To present to the Finance, Resources and Partnerships Scrutiny Committee (FRAPS) responses to the questions and comments raised at the meeting in June 2014.

Background

The Budget and Performance report (Quarter 4 – 2013/14) was presented to the Finance, Resources and Partnerships Scrutiny Committee (FRAPS) in June 2014. At the meeting, several comments and questions were raised by Members with regard to the Quarter 4 Performance Report (Appendix 'B') and its content.

This report covers the responses to these questions/comments from officers of the Council.

Comments raised and officers' responses:

Q. Clarification was sought on the wording of 'Target Quarter 4 2013-14 - Monitoring Indicator'.

A. Some of the measures are termed 'monitoring indicators' and do not have a target set, unlike other performance indicators which compares performance to target shown. The results of these monitoring indicators are provided in the report to inform the reader about the environment and external factors to consider when assessing the progress achieved to date. This information may help to explain impacts on planned progress and highlight any necessary changes to service delivery needed to drive performance.

The performance reporting for 2014-15 has been reviewed, taking on board comments on style.

Ref 1.1.1 Percentage of food premises that have a zero or one national food hygiene rating

Q. A Member reported it was good to see the percentage was low of food premises that had a zero or one national food hygiene rating but asked what action was taken when the premises have zero or one rated. Assurance was requested that this be acted upon immediately.

A. Any action taken will depend on the type and severity of the contraventions identified. For example, where premises are found to be very dirty; have a pest infestation or cross contamination issues exist, the business could be required to improve these areas immediately or within 24 hours maximum. For other issues, such as structural improvements to walls/floors, food hygiene training and documentation, a business can be given up to 4 weeks to allow them to make the necessary arrangements. Officers use professional judgement to prioritise the timescales for any remedial action based on risk. Any premises rated 0 or 1 will receive a sufficient number of follow up visits to ensure public health is protected. In serious cases, this action may be supplemented by the service of legal notices and/or consideration of legal proceedings.

Q. It was asked that a separate report is produced on the food hygiene inspection process rather than adding to the existing report. The Head of Business Improvement, Central Services and Business Partnerships agreed to forward a copy of any such report to all Members.

A. A separate report on the process of food safety inspection and actions following a 0 or 1 rating is included with this report and will also be presented to scrutiny on 1st September 2014.

Ref 1.1.2 the percentage of food establishments which are broadly compliant with good hygiene law

Q. It was requested that the wording “broadly compliant” be changed to simply ‘compliant’.

A. The term ‘broadly compliant’ is a nationally recognised indicator that was devised by the Food Standards Agency based on the risk scores awarded following each inspection. A ‘broadly compliant’ food business will receive a Food Hygiene Rating of ‘3 – Generally Satisfactory’ or better.

Ref 1.1.5 Number of people killed or seriously injured on the borough’s roads

Q. A Member asked if it was known on which roads incidents occurred and was there a pattern over the past five years. The Head of Business Improvement, Central Services & Partnerships agreed to look into the situation but reported that Newcastle Borough Council was not provided with specific details. He also said that there is a need for the NULBC Partnership Team to work with relevant authorities.

Comment: There was a recommendation that the Head of Business Improvement, Central Services and Partnerships ask for a report on Performance Indicator 1.1.5 to be presented to the next meeting of the Committee. The report was sent to the members of the Committee in July 2014.

Ref 1.3.2 Percentage of household waste sent for reuse, recycling and composting

Comment: The decrease in the percentage of household was due to seasonal changes, i.e. garden waste collections.

Ref 1.3.5 the level of air quality

Comment: Local authorities, including this Borough Council have a duty under Part IV of the Environment Act 1995 to assess compliance against a number of prescribed air pollutants for which maximum levels have been set. These are known as 'air quality objectives'. In common with a number of other local authorities, the key pollutant of concern in the Borough is nitrogen dioxide which is typically associated with traffic.

Several questions were raised with regard to the air quality indicator:

Q. When will the air quality strategy be produced?

A: the production and adoption of an air quality strategy is considered by DEFRA to be good practice, however there is no legal requirement for a local authority to produce /adopt an air quality strategy. Officers have identified a need to produce an air quality strategy for the borough which will help to maintain air quality where it is good and improve air quality where it is poor or exceeds legal standards. Consultants have been appointed to assist in the preparation of this.

Q. What locations are used to measure air quality? What is the full list of locations?

A: the Borough Council has 40 locations across the Borough used to assess compliance with the standards for nitrogen dioxide through the use of nitrogen dioxide diffusion tubes (typically over a 12 month calendar period). The locations monitored in 2013 are:-

A34 Holy Trinity, Westlands (4Sneyd Cr), Madeley (Collingwood 3 Newcastle Rd), Kidsgrove (106 Liverpool Rd), 32 Porthill Bank, 21, 34, 39, 52/54, 76 and 84 London Road, 218 Congleton Road, 26 High St, May Bank, Limbrick Cottage Shralebrook, 102 London Road, 139 Dims Parade West, 9 Hart Court, 15 Barracks Road, 4/6 Liverpool Road, Kidsgrove, Banktop Court, Porthill, Jubilee Baths, Newcastle, 1 London Road (Trinity Court). 1 London Rd (Brook La), 2 Vale View, Porthill, Newcastle, Agricon House Madeley, 2 Knowle Bank Road Audley, 79 Liverpool Road Kidsgrove, 911 The Avenue Kidsgrove, Kidsgrove Carpets 57 - 59 Liverpool Road, 134 High Street Newcastle, 11 Brunswick Street Newcastle, 68 Liverpool Road Kidsgrove, 140 Liverpool Road Kidsgrove, 89 Liverpool Road Kidsgrove, 102 King Street Newcastle, 106 King Street Newcastle, Hassell C.P. School Barracks Road, Blue Chilli 1 King Street Newcastle, 27 Lower Street Newcastle, Queens Gardens Newcastle, 41/43, 116 and 118 Liverpool Road Kidsgrove, Blackfriars/ Lower Street

There is also an air quality monitoring station at Queens' Gardens which is used to measure PM10 and Nitrogen Dioxide. There have been no recorded cases of the relevant pollutant objectives in this location being exceeded.

Q. What is being done in terms of dealing with issues of air quality?

A. The Borough Council is complying with its statutory duties under Part IV of the Environment Act 1995 to assess air quality in the borough on an annual basis and to submit specific reports where required. Work is also underway to consult on the boundaries of the air quality management areas for locations identified in the 2012 Annual Report as

exceeding acceptable levels. Once the consultation exercise is complete, a report will be presented to the Public Protection Committee of the Borough Council. The adopted boundaries will then be formally declared as 'Air Quality Management Areas' and work will commence on developing an Air Quality Action Plan which will identify appropriate measures to improve the air quality in these areas.

Development proposals are also screened for impacts on air quality and where appropriate air quality assessments are required to be submitted with an application.

Q. What work is SOTCC doing in terms of their air quality monitoring?

A: Stoke-on-Trent City Council are under the same legal duties as the Borough Council to assess air quality. Their current position can be found in the latest statutory Air Quality Review and Assessment Report for 2013

<http://www.stoke.gov.uk/ccm/content/environment/environmental-health/pollution/air-quality/air-quality-review-and-assessment.en>

Q. How are areas which straddle the boundary between NUL and SOT being dealt with?

A. Annual air quality reports assessments in the Borough have not identified any areas having poor air quality which straddle the boundaries with SOT and exceed the objective levels. The City Council have declared the whole of the City of Stoke On Trent as an Air Quality Management Area. This is due to exceeding of the Nitrogen Dioxide Annual Mean Objective level at a number of separate locations across the City rather than the whole of the City being found to exceed the annual mean objective. This AQMA therefore includes the properties on the SOT side of the Etruria Road boundary.

Due to the way in which SOT has evolved from the original six towns and the relatively poor transport links throughout SOT, the city-wide Air Quality Management Area provides a mechanism for SOT City Council to deal with the issues of poor air quality on a strategic basis through the required air quality action plan.

The City Council also have a localised Air Quality Management Area around a group of houses at the bottom of Etruria Road near to the A500 (MFI) roundabout due to exceeding the short term nitrogen dioxide objective. Residents in the Borough are not affected by this as they are located at a much higher level from the road and further back from the carriageway. The City Council has explored and implemented a number of measures over the years in an attempt to improve the traffic flow in the area. This now has an added impetus due to the poor air quality in the area. The Borough Council has yet to be consulted on the Air Quality Action Plan for this area, but given its location, it is expected to detail a range of measures to improve traffic flow and reduce congestion. The Borough wishes to ensure that any measures put in place by the City Council do not worsen the situation for NUL residents along Etruria Road.

Q. It was asked that the Head of Business Improvement, Central Services and Partnerships produce further background information on the problem areas where action was taken rather than just monitoring.

A. A public Protection report has been presented to the NULBC Public Protection Committee on 2nd December 2013. Further Air Quality reports can be found on the website at http://www.newcastle-staffs.gov.uk/environment_index.asp?id=SXA808-A780B523&cat=1444 (click on ' Air Quality Reports').

A separate report on Local Air Quality will be presented to FRAPS by the Head of Environmental Health Services on 1st September 2014. A copy of this report can be found as an attachment to this note.

Ref 1.5.2 Percentage of investment portfolio (NBC owned) vacant

Q. A Member asked when, in the event of a vacancy occurring, how long do units stay vacant and how long had they been vacant? The Chair confirmed that the Town Centre Partnership (TCP) had been heavily involved to ensure the units are occupied.

A: vacancy rates are dependent on a wide variety of factors - for example, 'The Link' building has been vacant for years (even going back to the pre-recession period) so this situation is clearly not due simply to the cost of leasing the premises. The Square (part of the Vue cinema complex) has had several units vacant since it was built and is now under new ownership. The new owners are very keen to get the vacant properties filled. The NULBC Property team offer incentives for businesses wishing to rent town centre properties. The TCP 'Enterprize' scheme last year was another initiative designed to encourage business start-ups, with winners receiving a package of support including periods of free rent, shop fitting, marketing, printing and a retail business mentor. It is hoped that this will be run either annually or biennially. Another TCP initiative (in partnership with NBC) is the decorating of three empty premises with 'virtual shop windows' – building on an earlier initiative of using historic images of the town to decorate the windows of the former Castle Hotel. NULBC has also worked with Newcastle College on 'pop-up shops', which has led to longer term occupancy by the College of a prominent unit in Lancaster Building.

Q. A Member informed the Committee that it would be a good idea, if there was an empty unit, for the occupied unit next door to display their goods in the vacant premises. It was agreed that this would be raised with the Town Centre Partnership.

A. According to rating regulations, if goods are displayed in shop windows then full rates become payable, as even displaying a business card in an empty unit would constitute advertising. The Council only has control over the shop premises it owns. Although rates are payable on most empty town centre properties, when listed buildings are vacant no rates are payable. The Council's most central/ prominent town centre premise is Lancaster Buildings which is a listed building and therefore if goods were displayed in the window of an empty shop then full rates would become payable.

If, however, the owner of a unit is already paying business rates then there should be no additional cost should goods be displayed.

Ref 2.1.4 the level of 16-19 year olds not in education, employment or training (NEET)

Comment: This information will be circulated at a future date.

Ref 2.3.6 number of homelessness cases where positive action was successful preventing homelessness

Q. It was felt that, even though positive action was successful, it did not give a true account of what was occurring as there is no information on the overall size of the homelessness problem. The Head of Business Improvement, Central Services and Partnerships agreed to provide an estimate of total homelessness figures.

A. For the same period there were 23 applicant households for which a homeless decision was taken for the same quarter - illustrated in the table below:-

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	White	Black	Asian	Mixed	Other	Ethnicity Not Stated	Total of all Ethnic Groups
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1. Eligible, unintentionally homeless and in priority need	3	0	0	1	0	0	4
2. Eligible, homeless and in priority need, but intentionally so	4	0	0	0	0	1	5
3. Eligible, homeless but not in priority need	10	0	0	0	0	0	10
4. Eligible, but not homeless	3	0	0	0	0	0	3
5. Ineligible	1	0	0	0	0	0	1
6. Total decisions (sum of rows 1 to 5 above)	21	0	0	1	0	1	23

It is worth noting that, prior to the preventative approach being developed in 2001/2, there was an annual figure of 490 households for which a homeless decision was taken. Examples of the type of recorded interventions where a household's homelessness has been prevented / discharged include:

- Accessing accommodation via the social housing register;
- Making a discretionary housing payment which means the household can afford to maintain their current accommodation either permanently or for long enough that the household can find alternative accommodation without facing homelessness;
- Offering a rent and /or deposit guarantee for a private rented property, and
- Making a payment from the (one off) payment fund for services/products which will enable the household to remain in their current accommodation or access more suitable accommodation (for example paying for removal costs or credit reference checks).

Ref 3.1.2 Level of satisfaction with Council run parks and open spaces

Comment: Members were informed that collections were carried out throughout the year and reported annually. There is an annual survey undertaken in the Reporter in November each year and also face to face interviews with residents throughout the year at various events.

Ref 3.2.2 Number of people visiting the museum

Comment: The table has been amended to take account of a typo error – ‘Result Q4’ should read ‘Result Q3’.

Ref 3.3.2 Number of referrals from GPs to organised sporting activity

Q. A Member commented that the report quoted ‘Target for Q4 - to be agreed’ then went on to quote it had been agreed and asked who set this target?

Comment: The Head of Business Improvement, Central Services and Partnerships advised it was between Newcastle Borough Council and the County Council Public Health team (who commissions this area of work).

Ref 4.2.4 Items raised by Members on the Scrutiny work programme

Comment: The Chair confirmed all feedback from Scrutiny Committees was presented to Cabinet. It was asked that the Head of Business Improvement, Central Services and Partnerships produce further background information on the problem areas where action was taken rather than just monitoring.

Ref 4.3.2 Average number of days per employee lost to sickness

Comment: The cumulative quarter 4 result is an improvement compared with quarter 3 but remains above target.

Ref 4.4.7 Increase the number of residents, community and voluntary groups engaged with LAPs (narrative)

Comment: The Chair asked about the timeframe for these figures. The Head of Business Improvement, Central Services and Partnerships advised this was not listed as a Performance Indicator in the Council Plan and there was not a separate report.

Questions to be addressed

- Is the information provided in this report sufficient for Members?
- Do Members wish to receive any further information and, if so, what information is required?

Relevant Portfolio Holder(s)

Cllr Mike Stubbs – Communication, Policy and Partnerships