

Environment and Living Scrutiny Committee

20 SEPTEMBER 2017

PRESENT: Councillor M Winn (Chairman); Councillors S Jenkins (Vice-Chairman), M Bateman, S Chapple, A Cole, S Cole, P Cooper, B Everitt, B Foster, L Monger (In place of T Hunter-Watts) and R King

IN ATTENDANCE: Councillor Sir Beville Stanier Bt

APOLOGIES: Councillor Hunter-Watts

1. TEMPORARY CHANGES TO MEMBERSHIP

Councillor Hunter-Watts substituted for Councillor Monger.

2. MINUTES

RESOLVED –

That the Minutes of the meeting held on 13 June 2017 be approved as correct records.

3. INSPECTION OF RESIDENTIAL BUILDINGS IN THE VALE TO REVIEW FIRE SAFETY

After the events of the Grenfell Tower disaster, a report was distributed ahead of the meeting to update Members in regard to the fire safety management of buildings managed or owned by AVDC. Outlined were the actions that have been taken by the Council to mitigate the risk of any similar disaster occurring and also how compliance with the Regulatory Reform (Fire Safety) Order 2005 had been demonstrated.

A Grenfell Response Board had been established to discuss any Government guidance issued as a result of the disaster and to examine existing risk profiles across the Council's property portfolio. These Board Members had met on 3 July, chaired by AVDC's Chief Executive, Andrew Grant, and were scheduled to continue meeting on a regular basis. A review by the Corporate Health and Safety Manager on All Fire Safety Risk Assessments and Fire Safety Management Plans for properties managed by the Council had been carried out. In addition, Fire Safety Management Plans and Fire Safety Risk Assessments were obtained from Tenants of commercial properties owned by the Council but self-managed for review.

It was found that Griffin Place was the only residential property owned by AVDC. The property, which provided emergency accommodation to the homeless and was managed by Bromford Housing Association, did not contain ACM type cladding, was less than 18 meters tall and recently had met relevant fire regulations. AVDC did not hold any social housing stock, instead the council was working with local Registered Providers and Housing Associations to identify residential tower blocks that they owned and/or managed within Aylesbury Vale which contained ACM cladding. Friars House had also found a failure with its cladding and investigation was still ongoing to determine the responsible leaseholder. This was expected to be resolved in due course.

Members discussed the report and were advised that:-

- i. Sprinklers were not a requirement in legislation at Friars House as they were required for buildings built from 2007 onwards and over 30metres high. However

Bucks Fire and Rescue were happy with the current fire safety arrangements at Friars House.

- ii. There were statutory powers to carry out the work and invoice later, however Central Government had advised AVDC to contact them if leaseholders had proven difficult. AVDC had a tiered approach when contacting leaseholders depending on the Category.
- iii. AVDC had an excellent working relationship with its partners with messages and queries being answered quickly. This was attributed to the common understanding of how severe any potential fire safety issue would be.
- iv. Investigations were still ongoing regarding cladding design.
- v. There was the potential to sell AVDC's experience to other authorities on a consultancy basis in future, however the present focus was on completing the current work.
- vi. Reasonable timeframes were given to leaseholders to respond to before more formal instruction and form completion notices were submitted. The preferred option would be to do the work and bill afterwards rather than prosecute leaseholder inaction.
- vii. Clarity was needed on whether or not AVDC was liable if there was an incident on a VAHT property due to Member representation on their Board. (This was followed up after the meeting and the Monitoring Officer confirmed AVDC would not be liable).
- viii. Instructions to stay put in a fire in a residential building depended on the property. The commercial building policy was always to evacuate.
- ix. HMO Licenses contained fire safety requirements but residents that had concerns would be responded to accordingly.

Members also acknowledged how quickly the situation would change as the safety review progressed and agreed that an update should be reported back to Committee in future.

RESOLVED –

That the Committee report be noted.

4. FOOD SERVICE PLAN 2017-18

Under European food law the Food Standards Agency (FSA) was deemed to be the competent authority. To ensure these powers were exercised consistently across the country by local authorities the FSA had developed a framework agreement, part of which included the production by each local authority of a food service plan.

Service plans were seen as an important part of the process to ensure that national priorities and standards were addressed and delivered locally. The details to be contained in the plan were specified by the FSA. Plans had to contain the following information:-

- Service Aims and Objectives.
- Background.
- Service Delivery.
- Resources.
- Quality Assessment.
- Review.

The Committee received a report on the plan which had the Aylesbury Vale Food Service Plan for 2017-18 attached as an appendix. The key features of the Plan included:-

- There were 1786 registered food businesses in Aylesbury Vale; an increase of 62 since last year.
- Premises were given a risk rating, A to E with resources targeted to ensure higher risk premises (A, B, Non-compliant C and Unrated) inspected in accordance with the FSA Code of Practice.
- The number of premises which were deemed to be “broadly compliant” with the law was 97.5%.
- In 2016/17 93% of Officer programmed interventions were carried out. 99.7% of premises inspections rated A- non compliant C were achieved.
- Areas of improvement or exploration had been identified to improve efficiency and to ensure the best service was being offered to customer. These included:
 - a. Consider the opportunities around the changes to primary authority scheme in October 2017 to make it more straightforward for smaller businesses (who are currently ineligible to apply) to setup a partnership with us.
 - b. Work closer with colleagues in Economic Development and Buckinghamshire Business First to encourage those food businesses based in AVDC to develop partnerships.
 - c. Adapt food business registration form as required to promote range of ‘opt in’ services as discussed above such as new food business advice, primary authority options and promotion of other Council chargeable services
 - d. Explore opportunities under the Localism Act to provide advisory services to new food business that we can charge for as part of an ‘opt in’ package of benefits
 - e. Ensure the benefits of Salesforce was maximised at the customer facing end so that customers were encouraged to register their food business when applications for other services that are food related eg Premises Licence Applications
 - f. Explore the potential to deliver a pilot business project based on the principles of Better Business For All that builds on and maximizes AVDC’s relationships with local business.

Members sought further information and were advised:-

- i. Plans to mandatorily show ‘Scores on the Doors’ in England had been held back. It was expected that this would not change for the next three – four years. It was also noted that the ‘Scores on the Doors’ system related to food hygiene, not food quality.
- ii. The report is a necessity under European Food Law so the impact of Brexit was yet to be determined.
- iii. The relationship with Arla had been good from planning to set-up, and training had been organised to demonstrate milk handling practice to other authorities. The relationship now was described as ‘business as usual.’
- iv. That it was understood that a balance needed to be struck between providing standard free of charge advice and charging for services. Further investigation would be undertaken in order to provide an attractive package to business that provided optional add-on services.
- v. Member concerns of a conflict of interest were understood, however the commercial element would not take away from the statutory, free services.
- vi. The Officer structure had not changed. Although recruitment had been frozen during the staffing programme, two out of three roles had been recruited with October and November starts scheduled. Although multi-disciplinary, Officers in post were encouraged to develop themselves and achieve qualifications.

- vii. 'Broadly Compliant' was an FSA prescribed term, as was businesses types. It was commented that farms would not be listed unless they sold from the site.

Members agreed that the proposed commercial activities of the Food Service Plan needed to be looked at in future at Committee when more information was available.

RESOLVED –

That the 2017-18 Food Service Plan be noted and that comments from Members be considered in future food service plans.

5. AIR QUALITY MANAGEMENT AREAS

A report was circulated to Members which provided an update on the current status of air quality in Aylesbury Vale. Progress was also supplied on the actions that had been taken in order to improve the three Air Quality Management Areas (AQMA) within the Vale. It had been found through data monitoring from 2014 until 2016 that the AQMA on Friarage Road had improved significantly. This was attributed to improvements carried out on the road network on the Oakfield Road/Tring Road and King Edward Avenue/Tring Road junctions which had improved the flow of traffic as well as an increase in newer, cleaner vehicle numbers.

Aylesbury Vale monitored NO₂ levels at 27 sites across the District through passive diffusion tubes which were replaced monthly. Mainly used at residential sites, the tubes assessed whether or not a site had exceeded the annual objective of 40µg/m³. Appendix 2 contained the site locations of the tubes. The results from the passive monitoring had shown that the majority of Aylesbury Vale met national air quality objectives for NO₂, however the Stoke Road AQMA exceeded national objectives and so required automated continuous monitoring.

Automatic continuous monitoring was carried out outside Walton Parish Hall, close to the Walton Street AQMA, which provided hourly data to verify whether the 200µg/m³ hourly objective had been exceeded. The continuous monitoring results from 2015 to 2016 indicated there were no instances of exceedances in the annual mean for the pollutant and no hourly exceedances. These results meant that Stoke Road AQMA boundary did not need amending and that the monitoring site would be moved back into the boundary of the Stoke Road AQMA.

Detailed investigation had been undertaken in Buckingham in June 2017 to ascertain whether or not an AQMA would be declared. The assessment found that there was no annual exceedance of NO₂ exposure, however concentrations were close to air quality objectives of 40µg/m³. Diffusion tubes would continue to be utilised to monitor this trend.

It was highlighted that the upcoming VALP would have the potential opportunity to include air quality policies with the intention of encouraging developments to consider their impact on air quality. One such instance of this included electric vehicle charging infrastructure for commercial and residential developments. Aside from this, the future aim was to work with partners, notably Bucks CC, to formulate action plans and reduce pollution within the AQMAs. Investigations had already begun surrounding the revocation of the Tring Road AQMA by the end of 2017. The possibility of applying for Defra funding to promote a 'No Idling' publicity campaign was also being considered which would use current regulations to issue fixed penalties to drivers running their engines unnecessarily when not moving. This would help the air quality and also reduce noisy environments for residents and businesses. It was hoped that the Licensing Committee would be receptive to the inclusion of idling conditions in taxi ranks within Taxi and Private Hire Licensing Policy.

Members discussed the update and were advised that:-

- i. VALP contained provisions which related to electric vehicle infrastructure and would be contained in the upcoming VALP Scrutiny Meeting.
- ii. AVDC was limited in actions it could take at AQMA sites, particularly when the issue related to traffic flow. Liaison was carried out with Bucks CC on this, indeed once an AQMA was declared then Bucks CC did have to action. Emission zones would only be declared if significant issues were raised, however it was doubted that AVDC would be in a position to carry this out.
- iii. Publicity campaigns could be undertaken to advise residents of 'pinch point' days which would advise of certain times and areas where air quality was notably poor. This could be achieved via an SMS service.
- iv. AQMA locations were available on the website and showed on property searches so residents moving close to an AQMA would be aware.
- v. Technological advancements to vehicles would have had a positive impact of air quality improvement.
- vi. Concerns were raised over the potential harmful output of the Greatmoor waste facility and how insufficient scrubber systems not removing pollutants would impact Winslow and the surrounding area.

Members did express concerns of the overall negative impact that development would potentially have on air quality in the Vale.

RESOLVED –

That the air quality update be noted.

Councillor Winn declared a personal interest in this item as he lived in the Stoke Road AQMA.

6. WORK PROGRAMME

The Committee considered their future work programme as submitted to the meeting, as well as following up on the Fire Service Inspection and the commercial aspect of the Food Service Plan.

RESOLVED –

That the work programme be noted.