



Public Document Pack

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14 September 2021

ENVIRONMENT AND NEIGHBOURHOOD SERVICES COMMITTEE

A meeting of the Environment and Neighbourhood Services Committee will be held in **the Council Chamber at Arun District Council, Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** on **Thursday 23 September 2021 at 6.00 pm** and you are requested to attend.

Members: Councillors Edwards (Chair), Staniforth (Vice-Chair), P. English, Goodheart, Bicknell, Huntley, Chace, Needs, Warr, Worne and Thurston

PLEASE NOTE: Subject to Covid-19 Risk Assessments members of the public are advised of the following:

Where public meetings are being held at the Arun Civic Centre, in order to best manage safe space available, members of the public are in the first instance asked to watch the meeting online via the Council's Committee pages – the meeting will be available to watch live via the internet [here](#).

- a) Where a member of the public has registered a request to take part in Public Question Time, they will be invited to submit the question in advance of the meeting to be read out by an Officer. There will be limited public access to this meeting and admission for public speakers will be by ticket only, bookable when submitting questions. Attendees will be asked to sit in an allocated seat in the public gallery on a first come first served basis. Only one ticket will be available for per person.
- b) It is recommended that all those attending take a lateral flow test prior to the meeting.
- c) All those attending the meeting will be required to wear face coverings and maintain safe distancing when in the building/meeting room.
- d) Members of the public must not attend any face to face meeting if they or a member of their household have Covid-19 symptoms.

Any members of the public wishing to address the Committee meeting during Public Question Time, will need to email Committees@arun.gov.uk by 5.15 pm on Wednesday 15 September in line with current Procedure Rules. It will be at the Chief Executive's/Chair's

discretion if any questions received after this deadline are considered. Permitted questions will be read out by an Officer.

For further information on the items to be discussed, please contact: committees@arun.gov.uk

AGENDA

1. **APOLOGIES**

2. **DECLARATIONS OF INTEREST**

Members and Officers are invited to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda, and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and Officers should make their declaration by stating:

- a) the item that they the interest in
- b) whether it is a pecuniary, personal and/or prejudicial interest
- c) the nature of the interest

3. **MINUTES**

(Pages 1 - 6)

The Committee will be asked to approve as a correct record the Minutes of the Environment and Neighbourhood Services Committee held on 15 July 2021.

4. **ITEMS NOT ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES**

5. **PUBLIC QUESTION TIME**

To receive questions from the public (for a period of up to 15 minutes)

OUTSIDE BODIES - FEEDBACK FROM MEETINGS

6. **CONCEPT DESIGN AND PROCUREMENT HEADS OF TERMS FOR SUNKEN GARDENS, BOGNOR REGIS**

(Pages 7 - 12)

The Sunken Gardens is an important green space in central Bognor Regis which is valued by the community but is not achieving its full potential. Consultants have been appointed to prepare refurbishment plans for the gardens.

This report seeks approval for the contract heads of terms and the concept design in order that this can be taken forward for public consultation and delivery.
[30 Minutes]

7. FOOD SAFETY SERVICE PLAN (Pages 13 - 44)

The Food Standards Agency (FSA) requires Councils to produce and publish an annual service plan, which includes establishing a work programme for the year.

The proposed Service Plan outlines Arun's food safety priorities for 2021/22, and is a commitment to meet the FSA's recovery expectations, including plans to reduce the backlog of inspections and return to service delivery in line with the Food Law Code of Practice at a faster pace, where possible.

The proposed Food Safety Service Plan for 2021/22 is attached and is recommended for adoption.
[10 Minutes]

8. HEALTH & SAFETY SERVICE PLAN (Pages 45 - 62)

The Health and Safety Executive (HSE) requires Councils to publish a service plan setting out a health and safety intervention programme for the year.

The proposed service plan outlines Arun's health and safety priorities for 2021/22, this significantly includes maintaining arrangements to support COVID-19 compliance.

The proposed Health and Safety Service Plan for 2021/22 is attached and is recommended for adoption.
[10 Minutes]

9. BUDGET 2022/2023 PROCESS (Pages 63 - 66)

The report provides a summary of the budget process for 2022/23.
[10 Minutes]

10. BOGNOR REGIS BEACH ACCESS OPTIONS APPRAISAL (Pages 67 - 80)

The report follows Cabinet's consideration, in November 2020, of a long-list of options available to achieve access to the beach in Bognor Regis for those with limited mobility, when the 8 presented options were short-listed to three.
[40 Minutes]

11. BATHING WATER QUALITY

(Pages 81 - 88)

The Environment Agency (EA) is responsible for monitoring and classifying bathing water quality at designated bathing waters. They also provide daily pollution risk forecasting which Arun District Council (ADC) utilises to install signage advising against bathing, when appropriate.

Residents have raised concerns about storm and wastewater discharges by Southern Water and the impact this may have on bathing water quality. Pollution risk forecasting by the EA does not directly consider such discharges. The EA regulate the activities of the sewerage undertakers, including permitted releases, and have powers to take enforcement action in relation to pollution of waters. These powers are not available to ADC.

ADC has previously worked with Southern Water to improve bathing water quality through their bathing water enhancement programme.

[15 Minute]

12. WORK PROGRAMME

(Pages 89 - 92)

The Committee is required to note the Work Programme for 2021/22.

Note : If Members have any detailed questions, they are reminded that they need to inform the Chair and relevant Director in advance of the meeting.

Note : Filming, Photography and Recording at Council Meetings – The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link [Filming Policy](#)

Public Document Pack Agenda Item 3

Subject to approval at the next Environment and Neighbourhood Services Committee meeting

93

ENVIRONMENT AND NEIGHBOURHOOD SERVICES COMMITTEE

15 July 2021 at 6.00 pm

Present: Councillors Edwards (Chair), Staniforth (Vice-Chair), P. English, Bicknell, Huntley, Chace, Needs, Warr, Worne and Thurston

Councillors Blanchard-Cooper, Haywood and Pendleton were also in attendance for all or part of the meeting.

[Note: Councillor Warr was absent from the meeting during Minute 129 and 130]

121. WELCOME

The Chair welcomed Members and Officers to this virtual meeting of the Standards Committee.

The Chair confirmed that this meeting was being held in accordance with the resolution made at the Extraordinary Council Meeting held on 12 May 2021 (Minute 551) which continued Section 5 Part 5 of the Constitution (The Virtual Meeting Procedure Rules) and declared the use of Council powers, under Section 111 of the Local Government Act 1972, and the general power of competence under Section 1 of the Localism Act 2011, for making advisory decisions, as appropriate.

122. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Goodheart.

123. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

124. MINUTES

The Minutes of the meeting held on 27 May 2021 were approved by the Committee with the agreement for them to be signed by the Chair as soon as practicably possible.

It was raised that adding Biodiversity to the Environment & Neighbourhood Terms of Reference had not been discussed at the Constitution Working Party (CWP), and that this should be done at the next meeting of the CWP.

125. PUBLIC QUESTION TIME

The Chair confirmed that there were no questions submitted for this meeting.

126. OUTSIDE BODIES

Councillor Edwards presented his report, updating the Committee on the meeting of the Local Government Association Coastal Special Interest Group (LGA Coastal SIG) on 24 June 2021. He clarified that although his report stated that the LGA Coastal SIG looked after the entire UK Coastal region, it only covered England, and not the entire of the UK.

There were no questions from Members regarding this update.

127. ELMER SANDS COMMUNITY FLOOD FUND

The Chair invited the Engineering Services Manager to present his report. He explained that it was regarding the Environment Agency's Phase 2 scheme at Elmer Sands. He pointed out that the idea of the Community Flood Fund was well established within the Council, and the report was just seeking to draw down £40,000 of that money towards the work that the Environment Agency wanted to do. He went onto explain that the Environment Agency had a previous successful scheme called Elmer 1, that Arun contributed to, which was to protect the area from direct coastal attack by waves. He explained the new scheme would protect against 'back-door flooding', where the area slightly to the East was being eroded, and potential for water to get round the back of the defences and attack or cause flooding to the area of Elmer Sands from a different direction. The Environment Agency had got the scheme on their programme for quite a while, however because of the monitoring that had taken place, it had been noticed that the beach was responding a lot quicker than had been anticipated, so it had been brought forward in the scheme. The total scheme would probably cost in excess of £1,000,000 to carry out. The work would probably not take place until 2022/23, however a formal agreement needed to be entered into with the Environment Agency. The design of the scheme would probably be very much like the Elmer Rock Islands, but on a smaller scale.

Members then took part in a question and answer session as summarised below:

- Would the money stay with Arun until it was actually required. The Engineering Services Manager confirmed the funds would stay with Arun until required for work to be carried out.
- Could more details be provided on the works that would be carried out. The Engineering Services Manager agreed to circulate further information when it was received by him. He also pointed out that the work would be carried out under Permitted Development.

- Could the work have a detrimental effect on surrounding areas. The Engineering Services Manager confirmed it would be designed in such a way that it did not have a detrimental effect on surrounding areas.
- Clarification was sought on which budget this would come out of. The Engineering Services Manager confirmed this would be from the Community Flood Fund, set up some years ago.
- Would the Community Flood Fund require topping up. The Engineering Services Manager explained that this has been considered, and could be looked at again.

Several Members expressed their support for the scheme.

The recommendations were then proposed by Councillor Bicknell and seconded by Councillor Huntley

The Committee

RESOLVED – that

1. A Partnership Funding contribution of £40,000 from the Community Flood Fund to the Environment Agency's Elmer II scheme be approved;
2. Authority to enter into a Contribution Agreement with the Environment Agency be given;
3. The draw down funds from the Community Flood Fund (likely to be required in 2022/23) be authorised.

128. AMENDMENT TO PARKING ORDER

The Chair invited the Customer & Parking Services Manager to present his report. He explained that the report referred to the parking area at the front of the Town Hall, which was not currently covered by the Parking Order, and not currently regulated. The area was meant to be a pick-up and drop-off zone, but had been being used by vehicles with no connection to The Town Hall. He explained that in the past a private company had been used to enforce this area, however as the Council had their own parking enforcement team, it would be appropriate for this to be covered by them. In order for any area to be included in the Parking Order, consultations were required to be carried out. The proposed change would be advertised as public notices in local newspapers as well as being advertised on the internet; notices would be displayed in the Regis Centre car park; consultation letters would be sent to all District Councillors and bodies as listed in Appendix B, inviting comments.

The Chair then invited questions from Members. Clarification was sought around whether the area would only be for short stays or whether tickets could be acquired from within the Town Hall. The Customer & Parking Services Manager confirmed the area would only be for short stays, which was currently 20 minutes.

A full discussion then took place around how this could impact people with disabilities. It was noted that someone with disabilities may require parking for longer than 20 minutes. The possibility of rear access to the Town Hall was mentioned, however later noted that this was probably not possible, as it was believed the rear access led straight into the confidential area.

The Chair asked the Customer & Parking Services Manager whether the matter would go back to Committee for Members to be presented with the detail following the consultation process. The Customer & Parking Services Manager explained the recommendation was that it went back to the Group Head, as the next Committee meeting was not until 23 September, which would mean the area could not be enforced until then.

It was asked whether Blue Badge holders from this Committee could be involved in the consultation. The Customer & Parking Services Manager explained that a letter would be sent to all Members for them to comment, which could be included in the response. He also offered to send a copy of the response to Members of this Committee, and if needed a discussion could be had about this.

Councillor Needs declared a Personal Interest as was also a Member of Bognor Regis Town Council.

The recommendations were then proposed by Councillor Edwards and seconded by Councillor Chace

The Committee

RESOLVED – that

1. The proposed amendment to the Council's Off-Street Parking Order be put out for consultation.
2. Delegated authority be given to the Group Head of Neighbourhood Services to consider the results of this consultation and review whether this amendment is to be confirmed.

129. WORK PROGRAMME

The Chair introduced this item, and invited Members to ask questions.

A discussion was had around inviting representatives from Sussex Nature Partnership to attend a Committee meeting, as there was keen interest from Members to find out more about the work they were doing. It was agreed by most Members that they would like to send an invitation to Sussex Nature Partnership to the March

Committee meeting, subject to discussions with the Committee Manager and Lead Officers.

The Chair was asked for an update on the Gardens of Reflection. He advised that it was a potential project at this stage, and was not due to come to Committee yet.

The Group Head of Neighbourhood Services was asked about a new project in Canada Gardens in Arundel. He confirmed he would circulate an update on this to the Committee following the meeting.

130. CHANGE OF MEETING DATE

A proposal was made by Councillor Edwards and seconded by Councillor Staniforth to change the date of the November Committee meeting.

The Committee

RESOLVED

That the Environment & Neighbourhood Services Committee meeting date in November be changed from 18 November to 17 November.

(The meeting concluded at 7.19 pm)

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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF ENVIRONMENT & NEIGHBOURHOOD COMMITTEE ON 23 SEPTEMBER 2021

SUBJECT: Concept Design and Procurement Heads of Terms for Sunken Gardens, Bognor Regis

REPORT AUTHOR: Rachel Alderson – Principal Landscape & Project Officer
DATE: September 2021
EXTN: 01903 737946
AREA: Services

EXECUTIVE SUMMARY:

The Sunken Gardens is an important green space in central Bognor Regis which is valued by the community but is not achieving its full potential. Consultants have been appointed to prepare refurbishment plans for the gardens.

This report seeks approval for the contract heads of terms and the concept design in order that this can be taken forward for public consultation and delivery.

RECOMMENDATIONS:

1. To approve that the concept design is taken forward for public consultation and the preferred option is implemented by the project team; and
2. To approve the Heads of Terms, as set out in the report, for the Sunken Gardens construction contract procurement process.

1. BACKGROUND:

1.1 Approvals

Previous Committee reports have confirmed the scope of the Sunken Gardens project and budget allocation. The approvals are summarised below.

- Cabinet Decision C/033/16112020 approved:

The scope of the Sunken Gardens project and that the project team progresses its delivery, subject to Full Council approval of recommendation 2.

- Full Council, at their meeting on 13 January 2021 (Minute 414), approved:

A supplementary estimate of £500k for the Sunken Gardens project funded from the

£316k balance of the earmarked reserve identified for unallocated project funding and essential capital maintenance and the balance of £184k which equates to a band D equivalent Council Tax of £2.97.

- ICM/198/22042021 approved the award of contract for consultant services to produce refurbishment designs and oversee implementation of the scheme. The fees are included within the total project expenditure.

1.2 Project Scope

The project scope for the refurbishment of the Sunken Gardens is comprised of the following:

- Removal of the existing play area and relocation of a play facility within the site
- A new southern entrance to the existing gardens
- Refurbishment of planting borders
- Review of seating

1.3 Programme

The delivery of the project will be dependant on any further impact of the Covid-19 pandemic, but it is anticipated that the programme will follow the timescales set out below:

- Public consultation: Autumn 2021
- Detailed design and tender documentation: Early 2022
- Tender process: Spring 2022
- Delivery on site: Summer – Autumn 2022

1.4 Budget

The project team are working to a deliver the scheme within a total budget of £300K, which includes consultant fees, survey costs and the capital works.

2. PROPOSAL(S):

2.1 Heads of Terms

It is proposed to procure a contract for works to the Sunken Gardens on the basis of the following heads of terms:

- a. Scope: Delivery of a public open space refurbishment scheme to the Sunken Gardens in accordance with the preferred option determined by public consultation, contained within a total capital budget of £230K.
- b. Duration of contract: 4 months construction period with 12 months defect period.
- c. Form of contract: JCT Minor Works, with any amendments to the standard terms to be agreed by Legal Services.

2.2 Concept design

The Council's appointed landscape consultants have prepared concept proposals for the refurbishment of the Sunken Gardens and these will be presented at the meeting. It is proposed that these are taken forward for public consultation.

Following consultation, it is proposed that the preferred design will be implemented by the project team.

3. **OPTIONS:**

1. To approve the recommendations as set out.
2. To not approve the recommendations and delay any proposed refurbishment to the Sunken Gardens.

4. **CONSULTATION:**

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)		✓
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal	✓	
Human Rights/Equality Impact Assessment	✓	
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land	✓	
Technology		✓
Other (please explain)		✓

6. **IMPLICATIONS:**

Financial – Arun District Council (ADC) has committed capital funding to the project as set out in the report.

Legal – ADC will enter into a contract with the preferred supplier following a procurement process.

Human Rights/EIA – An Equalities Impact Assessment is attached to the report.

Asset Management – ADC will retain ownership and therefore management and maintenance responsibility for the site.

7. REASON FOR THE DECISION:

To progress refurbishment proposals for the Sunken Gardens and enhance the open space and facilities for the community.

8. BACKGROUND PAPERS:

Cabinet 9 March 2020

Full Council 22 July 2020, Minute 114

[Cabinet 16 November 2020, Minute 286](#)

[Full Council 13 January 2021, Minute 414](#)

[ICM 22 April 2021, ICM/198/22042021](#)

ARUN DISTRICT COUNCIL – INITIAL EQUALITY IMPACT ASSESSMENT

1. What is the name of the service / policy?

Landscape and Major Projects

2. Briefly describe the aims of the service / policy

Project management of the delivery of landscape improvements in the public realm

3. Are the aims consistent with the Council's Equalities Policy? On what basis?

Yes – the objective of implementation is to improve access to all.

4. Is there any evidence to suggest that this service / policy could have an adverse impact on some groups of people? Use the table to tick:

(a) where you think the service / policy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relationships within the target groups.

(b) where you think the service / policy could have a negative impact on any of the equality target groups i.e. it could disadvantage them

	Insufficient data	Positive Impact	Negative Impact	Reason e.g. access / take-up
Gender	✓			
Race	✓			
Disability		✓		Improved access
Age		✓		Improved access
Belief	✓			
Sexuality	✓			

5. If, in your judgement, the proposed service / policy does have an adverse impact, can that impact be justified? How do you intend to deal with that impact / or lessen that impact?

The scheme will improve access to the above identified groups to the Sunken Gardens open space because of its implementation.

The scheme will be designed to provide equal access to all.

Name of manager undertaking the assessment: Joe Russell-Wells

Service Area: Neighbourhoods Group

Date completed: 8 September 2021

Requirement for a formal Equalities Impact Assessment: YES / NO

If YES, what is your timetable for completing this?

Who else will you need to be working with to do this work e.g. partners, contractors etc?

NA

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF ENVIRONMENTAL AND NEIGHBOURHOOD SERVICES COMMITTEE ON 23 SEPTEMBER 2021

REPORT

SUBJECT: Food Safety Service Plan

REPORT AUTHOR: Neil Williamson, Environmental Health Team Manager

DATE: 19 August 2021

EXTN: 01903 737676

AREA: Technical Services

EXECUTIVE SUMMARY:

The Food Standards Agency (FSA) requires Councils to produce and publish an annual service plan, which includes establishing a work programme for the year.

The proposed Service Plan outlines Arun's food safety priorities for 2021/22, and is a commitment to meet the FSA's recovery expectations, including plans to reduce the backlog of inspections and return to service delivery in line with the Food Law Code of Practice at a faster pace, where possible.

The proposed Food Safety Service Plan for 2021/22 is attached and is recommended for adoption.

RECOMMENDATIONS:

That the Food Safety Service Plan for 2021/22 is adopted.

1. BACKGROUND:

The Food Standards Agency (FSA) requires Councils to produce and publish an annual service plan, which includes establishing a work programme for the year.

During 2020/21 the food safety activity normally undertaken by Environmental Health was largely placed on hold due to pandemic, as it was necessary to deploy a significant proportion of staff resource to support COVID-19 work. The activity undertaken in 2020/21 was nonetheless in-line with pandemic service delivery guidance issued by the FSA and focused on high and medium priority matters, including, maintaining contact with high risk and non-compliant premises, responding to complaints and cases of food poisoning. This has however resulted in a significant backlog of inspections.

The FSA issued new guidance on 16 June 2021 outlining expectations for Local Authority

(LA) recovery from 1 July 2021 to the end 2023, which replaces the usual food safety intervention arrangements. In 2021/22 LAs are expected to prioritise interventions of new businesses and ensure all A-rated (high risk) premises receive on-site inspection.

An application for grant funding has been made to the FSA (£3,734) to assist with triage and prioritisation of 207 new food businesses.

The proposed Service Plan outlines Arun’s food safety priorities for 2021/22 and is a commitment to meet the FSA’s recovery expectations, including plans to reduce the backlog of inspections at a faster pace, where possible.

In 2021/22 it is planned to complete inspection of all A rated (high-risk) premises and all 207 newly registered businesses, and in addition all B rated premises, non-compliant C and non-complaint D rated premises. We will also maintain contact with our approved premises. These are premises which manufacture or wholesale food of animal origin.

Further, as resources permit, we will target inspection of the remaining C rated (medium risk) premises.

Funding from the Contain Outbreak Management Fund (COMF) has provided additional resource dedicated to food safety to assist in this regard, however it is noted that resources usually dedicated to food safety are currently still invested in supporting COVID-19 work.

2. PROPOSAL(S):

That the Food Safety Service Plan for 2021/22 is adopted.

3. OPTIONS:

1. Amend and adopt the food safety service plan.
2. Do not adopt the food safety service plan.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify)		X

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)

	YES	NO
Financial	X	
Legal	X	
Human Rights/Equality Impact Assessment	X	
Community Safety including Section 17 of Crime & Disorder Act	X	
Sustainability		X

Asset Management/Property/Land		X
Technology		X
Other (please explain)		

6. IMPLICATIONS:

The Council has a legal duty to publish a food safety service plan. Adopting and delivering the Food Safety Service Plan will ensure that Arun District Council achieves the service delivery expectations of the FSA and protects the public by ensuring food safety across the district.

Delivery of this plan can be met within existing current budgets, including maintaining additional resources currently funded through COMF.

7. REASON FOR THE DECISION:

To ensure there is an approved and published food safety service plan, directing the food safety work of the Council, and in particular appropriate arrangements in place for recovery of the service due to COVID impacts.

8. BACKGROUND PAPERS:

Food Safety Service Plan 2021/22

Appendix B Food Safety Service Standards - September 2021

Equality Impact Assessment Food Service Plan

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Arun District Council

Environmental Health

Food Safety Service Plan

2021-22

Introduction

This service plan has been developed to meet the requirements of the Food Standards Agency document “Framework Agreement on Local Authority Law Enforcement”

Each local authority is required to develop a plan which specifies the arrangements to be put in place and operated for the enforcement of food hygiene, food standards and/or feedstuffs legislation. The Food Standards Agency regards this as important to ensure national priorities and standards are addressed and delivered locally. However, the Food Standards Agency encourages local authorities to include in their Plans any locally defined objectives, and this we have done. Each year Arun produces a Planned Risk Inspection Programme and deals with many requests for advice and investigates complaints concerning unsound food and poorly run food businesses. This Service Plan will indicate how these programs will be built upon this year, how other training and education initiatives will be progressed and on last year’s performance.

This Service Plan is important in providing a benchmark for Food Standards Agency (FSA) auditing / monitoring to determine compliance with “The Standard”. In addition to any audits carried out by the FSA, Arun will continue to participate with other Local Authorities in Sussex and Inter-Authority Audits will be conducted against the standard. Any recommendations from such audits will be actioned.

This Food Service Plan should not be seen as a stand-alone document and should be read in conjunction with Environmental Health Enforcement Policy July 2019 (as amended April 2020) and the Council’s commitment to the Enforcement Concordat. These arrangements reflect the strong support by Councillors for the maintenance and improvement of Arun’s food safety service.

ABBREVIATIONS and other information

- RO Regulatory Delivery
- CIEH Chartered Institute of Environmental Health
- COP Codes of Practice
- CCDC Consultant in Communicable Diseases Control.
- DEFRA Department for Environment, Food & Rural Affairs
- EFTs Effective Full-time equivalents.
- EHO Environmental Health Officer
- FHRS Food Hygiene Rating Scheme
- FSA Food Standards Agency
- HACCP Hazard Analysis Critical Control Points (a food risk assessment system)
- MOP Measure of performance
- EHTM Environmental Health Team Manager
- PHE Public Health England
- SEHO Senior Environmental Health Officer

1. Service Aims and Objectives

1.1 Statement of aims and objectives

Aims: To safeguard public health by ensuring that:

- All food and drink produced, imported, prepared or sold within Arun is in all respects safe and wholesome to eat.
- Food is handled, prepared and produced hygienically.
- The risks of contracting food poisoning or a food borne infection/injury are minimised and where possible eliminated.
- Operators of food businesses and their staff understand and comply with their legal obligations to protect consumers.
- Food establishments meet, as a minimum, the required legal standard in terms of structure, management and practices.
- Food businesses have access to support, advice and information in order to encourage them to be self-regulating, self-auditing and aspiring to best practice.
- Consumers are informed of food hygiene standards in businesses.
- Requests for service are dealt with to the standards required by the EH service standards and that information is made available to trade and other customers.

Key Objectives for 2021- 2022:

- To carry out food hygiene interventions in accordance with Food Standards Agency (FSA) Local Authority Recovery Plan for the period from 1 July to 2023/24 (FSA Recovery Plan) and specifically:
- To draw up a programme of interventions based on the FSA Recovery Plan. This is detailed in Appendix A and includes plans to work through the backlog of premises at a faster rate than outlined by FSA, where possible
- To secure compliance with Article 5 (HACCP/Food Safety Management System requirement) within businesses, including the use of 'Safe Food, Better Business'.
- To secure compliance with the Food Standards Agency's E.Coli O157 Control of Cross Contamination guidance
- To take account of the Primary Authority Scheme when undertaking interventions and enforcement in businesses covered by the scheme
- To provide targeted enforcement and advice
- To carry out a programme of sampling food items.
- To administer the Food Hygiene Rating System including the administration of the safeguarding measures. These include requests for revisits, for which there is a fee (currently £175), right to reply and appeals.

- To respond to complaints about suspect food, unsatisfactory conditions and unsafe practices in food businesses and where appropriate, respond in partnership with colleagues in WSCC Trading Standards and neighboring authorities to achieve a seamless service to customers.
- Continue to improve partnership working with Trading Standards including the sharing of information and reports.
- To respond to complaints about food businesses in the district and complaints about food produced in the district. [MOP: ideally within 3 working days and no later than 7 working days from receipt]
- To refer (but not investigate) complaints about food produced outside the district, to the relevant authority.
- To investigate confirmed cases of food poisoning / food-borne infection and take all necessary measures so as to control their spread and to prevent a recurrence in consultation with Public Health England. We will aim to respond immediately where matters are determined to be serious. Isolated cases of campylobacter will not be investigated unless a food business is implicated.
- To respond to 'For Action' Food Alerts received from the Food Standards Agency (MOP: 100% response to be in accordance with the Code of Practice and local procedures).
- To inspect food produced in the district to ensure it is fit for human consumption and to control and ensure the proper disposal of unfit and unsound food.
- Continue with FHRS consistency work.

1.2 Links to corporate objectives and plans

The Council's three main themes as stated in 'Your Council' are:

- Your Future: Strengthening our economy through regeneration and better infrastructure.
- Your Council Services: Serving our communities well by delivering the best services we can afford.
- If you and your family need help: Supporting those people in our district who need our help.

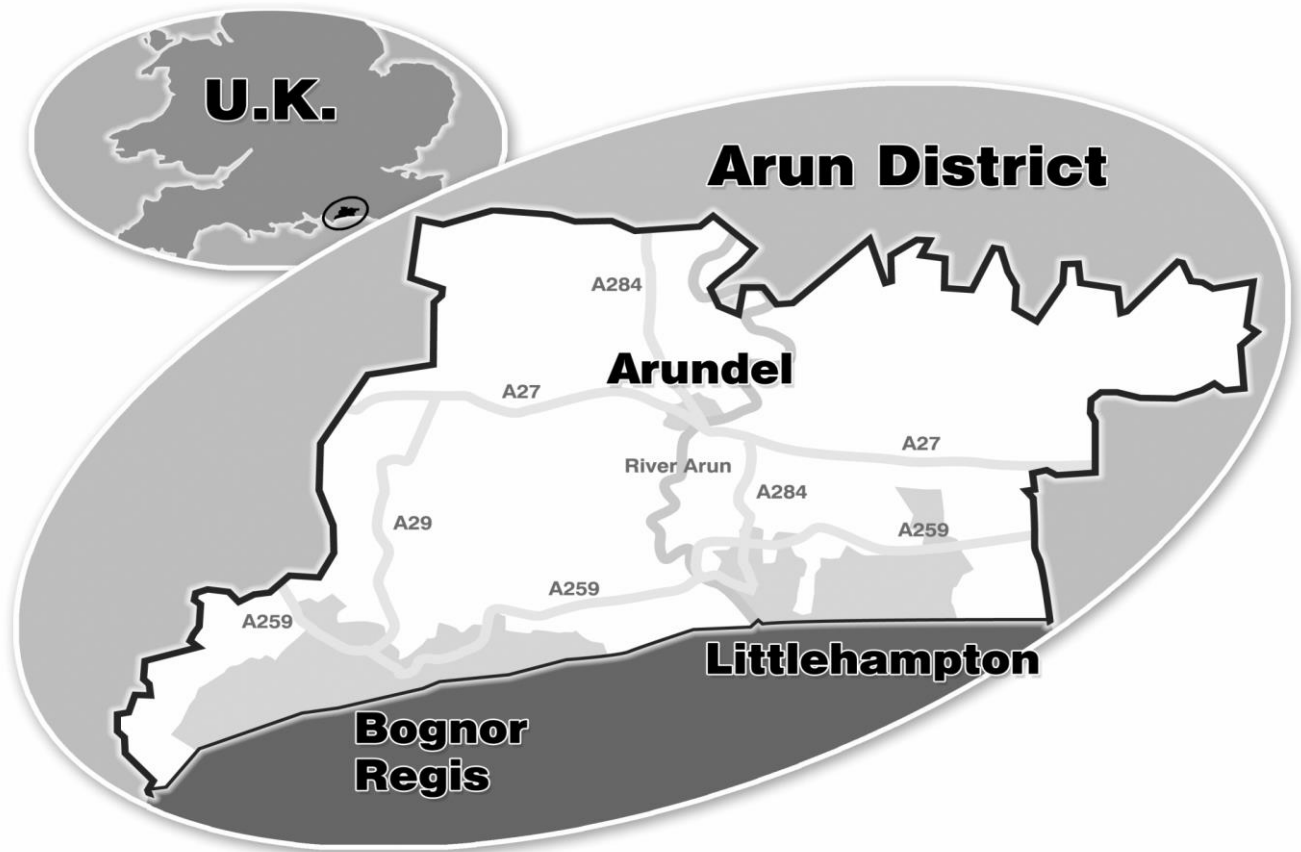
The food service contributes to these aims in the following ways:

- **Your Future:** By regulating food businesses in a proportionate and consistent manner, we help establish a level playing field for businesses, preventing legally compliant businesses from being undercut by rogue traders. The service provides education, coaching, advice and training to support food business operators allowing them to grow their business.
- **Your Council Services:** The implementation of our Environmental Health software system to improve efficiency and keep costs low and to provide a better digital service to customers.
- **If you and your family need help:** The service investigates complaints about food and food premises to protect consumers. The service helps those residents who have contracted food borne infectious diseases, providing advice on preventing its spread as well as investigating its cause in order to prevent re-occurrence.

Background

1.3 Profile of the local authority

Arun is a coastal district located in the County of West Sussex. It is named after the river Arun which flows through the district and which enters the English Channel at the seaside town of Littlehampton. Arun's coastline is just over 23 km long and the district covers an area of 218 square kilometres. Over two-thirds of the district is in agricultural use and an unusually high proportion is of Grade 1 or 2 quality. About half the district is included within the South Downs National Park.



Arun is made up of a range of diverse communities and is sometimes seen as being split east-west by the river Arun. The 'coastal strip' accommodates the great majority of the population (over 70% live within 2 km of the coastline); further inland lie a number of important communities on the coastal plain – known as the "5 Villages" area. The South Downs rise to the north of the A27 and this area includes a number of picturesque villages and hamlets, almost all of which lie within the National Park. Looking outwards, the nearest significant towns are Chichester to the west and Worthing to the east. Further afield are the cities of Portsmouth, which lies 20km to the west, and Brighton which lies a similar distance to the east.

The main towns in Arun are Arundel, Bognor Regis and Littlehampton. Arun is one of seven districts and boroughs which make up the county of West Sussex. Whilst not the largest district in terms of size, it has the largest population (149,518, Census 2011) and is the fastest growing district in the county. It is a skewed population: Arun has the fifth highest number of females to males in the county; the sixth highest proportion of people of retirement age in the country; the fourth highest proportion of people of aged 85 and over in the country. The district has become more diverse with

people from other European Union countries now making up approximately 5% of the population (2011 Census).

The Arun Community Profile provides an overall picture of a district of striking contrasts. By national standards the district of Arun as a whole is not particularly deprived, though it is relatively deprived within West Sussex. More importantly, within Arun there are large differences in deprivation and wealth which place a number of wards among the most deprived and others among the least deprived wards in England. This means that, along the coastal strip in particular, high levels of deprivation exist next to areas of comparative affluence. Four of the five most deprived wards in West Sussex and six of the least deprived wards lie within the district.

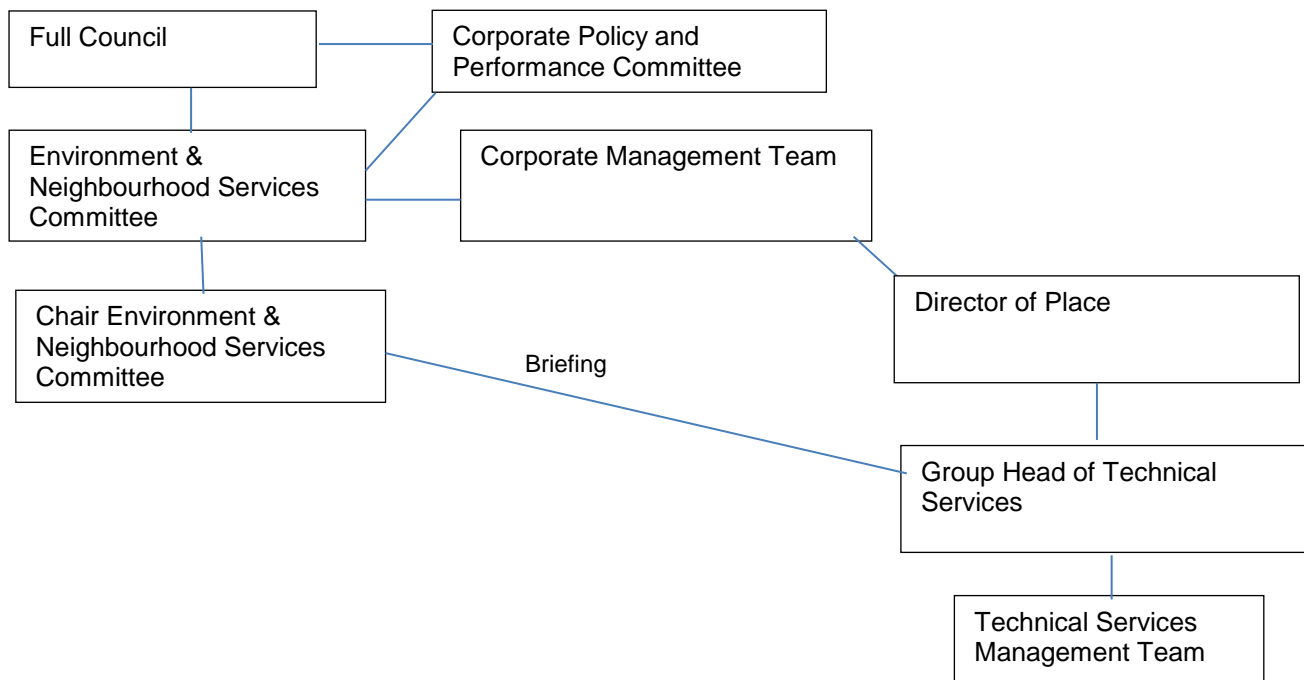
Arun has the lowest percentage of working age (i.e. 16 - 59 years) population in West Sussex. Small businesses employing fewer than 25 people predominate, though major employers within the district include Bourne Leisure (Butlins at Bognor and Haven) and The Body Shop. Amongst district/boroughs in West Sussex, Arun has the highest proportion of residents who commute outside the District to work. Key areas of employment are linked to tourism, especially hotels, holiday centres and catering. Indeed, Arun is a Visitor Destination Area, attracting 3 million day visitors and 600,000 staying visitors who spend £122 million in the district each year or the equivalent of £865 per resident. Vital to the economy, tourism is going through a period of long-term restructuring with traditional markets declining and new market opportunities getting smaller and more difficult to access. This has affected seaside towns in particular, underlying the importance of their regeneration.

The highest concentrations of young people and families with children are in the coastal towns. Social Services statistics show that Arun has the highest rate of "children in need" in West Sussex, including the highest number of contacts with Social Services, the highest rate of child protection cases and the highest rate of "looked after" children per head of child population. About a quarter of Arun children live in families receiving some kind of income benefits and a comparatively high proportion of children in primary schools in Bognor Regis and Littlehampton are entitled to free school meals.

Overall educational performance, as measured by standard tests, varies. Performance is below county average for half the district's primary schools and for all but one of the secondary schools. Two wards (Littlehampton River and Ham) are among the 10% most educationally deprived wards in England.

Fear of crime is a concern for many residents though statistics of recorded crime show that Arun is a relatively safe place to live. However, Arun has the highest rate in the county for substance-related hospital admissions of young people and one of the highest rates of referrals to the young people's substance misuse team. Despite this, overall indicators imply high levels of child health care.

Organisational Structure: The following diagram shows the Committee and Decision-Making Process



- 1.3.1 The Environmental Health Team Manager (EHTM) is responsible for the strategic planning, operational direction and measurement of the performance of the food safety function against targets.
- 1.3.2 Each officer with food safety responsibility carries out food safety interventions in food premises as well as a range of other environmental health functions detailed in 1.4 below.
- 1.3.3 The EHTM is line manager for officers with food safety regulatory responsibilities and is responsible for work allocation, quality and completeness checks and is designated as the officer to receive Food Alerts. The EHTM attends the Sussex Food Liaison Group. A Senior Environmental Health Officer (SEHO) attends the Sussex Health Protection Team meeting, and CIEH Sussex Food Study Group.
- 1.3.4 The EHTM is supported by 8 SEHO and 2 Environmental Health Technical Officers. All officers are multi-disciplinary and therefore undertake a full range of environmental health work, not just in relation to food safety.
- 1.3.5 A contractor is also used to assist in delivering the Service Plan, by undertaking a variety of interventions at food premises, principally inspections.
- 1.3.6 A significant amount of the above team resource is currently allocated to COVID compliance matters and means reduced availability to carry out food safety work.
- 1.3.7 An addition full-time SEHO dedicated to food safety has however been secured for the period July 2021 to end of March 2022 to assist in delivering the food safety service plan 2021/22, funded from the Contain Outbreak Management Fund (COMF).

1.4 Scope of the Food Service

The food safety work is delivered by officers within the Environmental Health Team. The range of core tasks includes:

- Inspection/Interventions of food establishments under the EC Regulations, Food Safety Act and associated Regulations.

- Inspections of Product-Specific establishments subject to approval under Regulation 853/2004.
- Inspection following initial registration of a business for the first time.
- Alternative Enforcement Strategies for low risk (E) and some D category premises.
- Inspection, investigation, detention and seizure of suspect food.
- Administering and promoting the Food Hygiene Rating System.
- Food sampling (including sampling of water used in food preparation and imported foods).
- Responding to food safety and hygiene complaints. In certain cases, it may be more appropriate for an officer from West Sussex Trading Standards to investigate the complaint. Liaison arrangements exist so that no matter which Service receives the complaint in the first instance, it is speedily transferred to the service that is best placed to conduct an investigation (Food Safety matters dealt with by Arun, Food Standards matters dealt with by West Sussex Trading Standards). Where food is produced outside of the district complaints will be referred to the appropriate authority.
- Responding to Food Alerts by assisting with product recalls or visiting and advising, and in emergency situations making immediate visits with a view to surrender or seizure of the food in question.
- Inspection of food and issuing of export health certificates.
- Advice and support to food business during inspections
- Advisory inspections, which attract a fee (currently £185, discounted to £125 for new food businesses and those holding an FHS of 5)
- Pre-inspection audits, for which there is a fee of £185.
- Advising businesses on hygiene regulations, best practice, current media concerns and similar issues (this would include reactive advice and proactive work such as news releases, promotional activities etc.)
- Enforcing food safety legislation in accordance with the Environmental Health Enforcement Policy, which incorporates the principles of the Regulators Compliance Code. This ranges from advice and informal written 'warnings', through service of hygiene improvement notices, seizure/detention/destruction of foods, voluntary and emergency prohibition (closure of all, or part of establishments that pose an imminent, significant risk to health), to prosecution in court (or a simple caution - depending on the circumstances of the offence) and making an application to the court to prohibit a person from operating a food business in the future
- Investigating alleged food poisoning complaints or referrals of confirmed food borne illness
- Liaison with West Sussex Trading Standards on animal by-products and waste matters to ensure compliance with relevant European Union legislation and enforcement of the Food Information Regulations 2013.
- Imported Foods regulation, with liaison with the FSA and DEFRA as required.
- Providing advice and guidance to businesses on the food information regulations about allergens and referring to trading standards where appropriate.
- Promotional Activities

There are a range of other duties which involve the Environmental Health Team. These include the investigation and control of non-food related infectious disease, advice to Arun's Events team on large scale events where additional food vendors are in attendance, and spot checks on food businesses at events. Other duties also include planning and licensing consultations for noise, air quality and public safety, the investigation of health and safety accidents, environmental protection work, contaminated land, caravan site licensing and air quality.

To meet the fluctuations in the programmed inspection and other workload and to cope with staff vacancies, Arun employs contractors to carry out inspections and other work with medium and low risk premises.

Our experience in appointing, vetting and monitoring the work of contractors will ensure that where they are to be employed the quality of the inspection will meet our standards. As part of quality monitoring a percentage of contractor inspections are checked by the Environmental Health Team Manager.

1.5 Demands on the Food Service

- 1.5.1 In the order of 1377 food establishments are registered in the District, including approximately 920 catering and 282 retail premises.
- 1.5.2 The age profile of the local population is reflected in the number of registered care homes which cater for a particularly vulnerable sector of the population. There are also a large number of seasonal businesses associated with the District's popularity as a seaside resort, and as these businesses can only be accessed for inspection during the summer period the demands on the inspection programme can be skewed.
- 1.5.3 The district has 15 *approved* establishments which process products of animal origin and which are subject to approval under EC Regulation 853/2004.
- 1.5.4 The Environmental Health Team is based at the Civic Centre in Littlehampton. A duty officer system operates to ensure that urgent customer enquiries can always be responded to during working hours.
- 1.5.5 The Food Safety Service operates Monday to Friday 8.45 am to 5.15 pm (4.45pm on Fridays). Officers work outside of these hours for evening and weekend inspections. There is no emergency response out of hours, but serious cases of food poisoning would be communicated via the Council's Standby System to one of the Environmental Health managers for action.
- 1.5.6 Because of the importance and impact of tourism in the district, seasonal inspections are an important element in the inspection programme. The Environmental Health Team works with the Council's Property & Estates Team to set and monitoring standards for businesses on Council owned land or for major planned events. In addition, there are liaison arrangements with Butlins resort which attracts around 400,000 visitors each year. The complex itself has 23 food outlets of varying sorts.

1.6 Enforcement Policy

- 1.6.1 The current enforcement policy applicable to the food service, *Arun District Council Enforcement Policy Environmental Health, Private Sector Housing, Licensing and Cleansing Service*, was approved in July 2019, and last updated April 2020.
- 1.6.2 This policy is in the public domain, on Arun's website and available on request. The policy is reviewed annually or sooner if case law or other circumstances dictate.
- 1.6.3 Before any food offences can be authorised for prosecution through the courts, a case has to be brought by the officer concerned to the Environmental Health Enforcement Review Panel. This panel comprises managers within Environmental Health, Licensing, Private Sector Housing and the Council Solicitor.
- 1.6.4 Arun also has adopted a Formal Complaints Procedure which is available to any customer aggrieved by our processes or decisions.
- 1.6.5 There are also opportunities for informal complaints to be raised at the end of routine inspections by contacting the inspecting officer, their line manager or using the food hygiene rating safeguarding procedures.
- 1.6.6 Arun follows the Food Hygiene Rating Scheme (FHRS) brand standard and safeguard options available to businesses that do not agree with the FHRS awarded. This includes the right to reply, the opportunity to request a revisit (for which a fee is payable) and the right to appeal their rating. Arun has an informal reciprocal arrangement with Chichester District Council when making determinations on FHRS appeals.

2 Service Delivery

2.1 Food Establishment Interventions

- 2.1.1 The Environmental Health software system Tascomi is utilised to manage the food safety service, including holding the food premises register.
- 2.1.2 The intervention programme is usually based on the food hygiene intervention rating scheme contained in the Food Standards Agency (FSA) Food Law Code of Practice (England) (FLCOP). This highlights those premises which are due to be inspected according to perceived risk. To this list are added any premises not inspected in the previous year and new premises not previously risk rated.
- 2.1.3 This approach to inspections was placed on hold during 2020/21 based on guidance from the FSA which acknowledged other priorities faced by Local Authority (LA) Environmental Health teams due to the pandemic, in particular the work involved in supporting COVID-19 compliance.
- 2.1.4 The FSA issued new guidance on 16 June 2021 outlining expectations for LA recovery from 1 July 2021 to the end 2023. Whilst the usual interventions based on the FLCOP are not currently required, the recovery plan sets out arrangements expected to support recovery of food services in order to be fully operational again for 2023/24. In 2021/22 LA are expected to prioritise interventions of new businesses and ensure all A-rated (high risk) premises receive on-site inspection.
- 2.1.5 Progress against the planned inspection programme is monitored by the EHTM. Statutory annual activity returns are made to the FSA, which include inspection performance.
- 2.1.6 The minimum number of interventions due in the period 1 April 2021 to 31 March 2022 based on the FSA recovery plan are: 211, being interventions on A rated (high-risk) premises and new businesses.
- 2.1.7 The FSA guidance supports LAs to recovery at a greater pace were resources permit, and additionally we will focus efforts on a further 32 non-compliant premises (FHRS 0-2) and as resources permit 166 remaining C rated (medium risk) premises.
- 2.1.8 It is estimated that the FTE required to meet this demand is 2.0.

2.2 Food & Premises Complaints

- 2.2.1 All food complaints are registered in the Tascomi computer system and allocated for investigation by the EHTM.
- 2.2.2 The type of investigation conducted will be based on risk. Complaints will be referred to the appropriate authority where the food is produced outside of Arun District or where we are not the enforcing authority.
- 2.2.3 Any investigations will consider the risk to public health, compliance with statutory requirements, measures required to prevent recurrence and customer expectations. Any action taken on conclusion of the investigation will be in accordance with the Environmental Health Enforcement Policy.
- 2.2.4 In the order of 218 complaints are likely to require investigation. It is estimated that the FTE required to meet this demand is 0.5.

2.3 Primary Authority Partnerships

- 2.3.1 The Environmental Health Team supports the Primary Authority scheme.
- 2.3.2 Arun acts as 'originating' authority for many food businesses. As originating authority Arun has taken responsibility for ensuring that (food) goods and services produced within the district conform to legal requirements. It is not possible at present to quantify the time spent on conferring with other Local Authorities and food businesses as this information is often bound up with food complaint investigation processes.
 - 2.3.3 Arun will continue to take direction from inspection plans produced by Primary Authorities for multi-outlet businesses with establishments in the District. The Council

will also notify relevant Primary Authorities where it proposes taking formal enforcement action (other than that deemed urgent) and have regard to advice received.

2.4 Advice to Businesses

- 2.4.1 The Environmental Health Team is committed to providing advice on legislative requirements and good practice for both new and existing businesses.
- 2.4.2 Significant developments in legislation or recognised good practice will continue to be brought to the attention of businesses using a range of measures, including mailshots and officer visits. Emails to food businesses enable fast and cost effective 'mailshots'.
- 2.4.3 In addition to the general advice given specific initiatives are supported:
- Advice to new businesses. Those wishing to discuss their plans to set-up or alter the nature of a food business can access advice on layout, standards and best practice. This service attracts a fee.
 - Advice during inspections is a key method of improving standards and the nature and type of advice are recorded on the inspection report, which is left with the business after each visit and in any formal follow up letter. In both cases Legal Requirements are clearly separated from Recommendations.
- 2.4.4 It is estimated that in 2020/21 in the order of 57 requests for advice will be received, and in the order of 300 telephone requests for advice will be dealt with.
- 2.4.5 It is estimated that the FTE required to meet this demand is 0.5.

2.5 Food Sampling

- 2.5.1 Where resources permit, we will take part in the PHE UK coordinated microbiological sampling programme.
- 2.5.2 In addition, we will instigate a programme of sampling in relation to approved premises, and where necessary of imported food products.
- 2.5.3 It is estimated that the FTE required to meet this demand is 0.1.

2.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

- 2.6.1 The Environmental Health Team will continue to investigate formal and informal notifications of illness associated with the consumption of food or water. Notifications of *Campylobacter* will no longer be investigated, but rather an educational approach will be adopted by providing information to confirmed cases on preventing its spread. Investigation will be in accordance with PHE guidelines, Department of Health guidelines, and the West Sussex Major Outbreak plan. In the order of 75 notifications of sporadic cases are likely to require investigation, and at least four outbreaks of food poisoning or viral illness requiring investigation are to be expected.
- 2.6.2 It is estimated that the FTE required to meet this demand is 0.3.

2.7 Food Safety Incidents

- 2.7.1 Food Safety Incidents (Food Alerts) will be dealt with in accordance with the documented procedure which is based on guidance given in the Food Law Code of Practice (England).
- 2.7.2 It is difficult to predict the service demand likely to be created by "for action" food alerts in 2020/21 but it is anticipated that in the order of 10 warnings will be received.
- 2.7.3 It is estimated that the FTE required to meet this demand is 0.1.

2.8 Liaison with other Organisations

- 2.8.1 Formal links exist with the PHE Laboratory Service at Porton Down, Wiltshire and with Kent Scientific Services.
- 2.8.2 The EHTM attends the Sussex Food Liaison Group, and currently acts as Chair. A SEHO EHO attends the Sussex Health Protection meetings and attends the CIEH Sussex Food Study Group.
- 2.8.3 In addition, we regularly liaise with Trading Standards on Animal by Products and Waste, allergens and labelling to ensure compliance with relevant European Union legislation, and Sussex LAs in relation to “for action” Food Alerts.
- 2.8.4 The Environmental Health Team also accesses a strong informal network of local contacts in neighbouring authorities.
- 2.8.5 Arrangements are in place to ensure that licensing and planning applications including those relating to food businesses are scrutinized by a member of the Environmental Health Team. It is expected that in the order of 350 plans will be examined during 2020/21.
- 2.8.6 It is estimated that the FTE required to meet this demand is 0.2.

2.8.7 Food Safety Promotional/Educational work

- 2.8.8 Some requests for food hygiene training are passed on to neighbouring authorities who regularly run CIEH Food Hygiene Courses.
- 2.8.9 The Environmental Health Team may also participate in National Campaigns such as Food Safety Week, where doing so will not impact on core functions.
- 2.8.10 The Environmental Health Team will continue to encourage businesses to display their food hygiene rating stickers and promote the FHRS scheme.
- 2.8.11 It is estimated that the FTE required to meet this demand is 0.1.

3 Resources

3.1 Staffing Allocation

- 3.1.1 The make-up of the Environmental Health Team was detailed in 2. above. The current effective full time equivalent (EFT) posts are 3. (excluding contractors).
- 3.1.2 The estimated EFT required to meet this year’s commitments is 4.9.
- 3.1.3 The shortfall will be met using contractors who will undertake a variety of interventions at food premises.

3.2 Staff Development

- 3.2.1 The identification of officer training needs is a fundamental part of the Council wide annual staff appraisal process. Progress on meeting the identified needs is tracked at the interim appraisal stage. Training needs will be met by a combination of in-house briefings, external seminars and short courses.
- 3.2.2 Records for each individual officer will continue to be maintained.

4.0 Quality Assessment (Service-Specific)

- 4.1.1 The consistency and quality of the food safety service is achieved through both monitoring and evaluation. Quantitative monitoring against targets can be found in 5 below.
- 4.1.2 Performance against inspection programme targets and response times to service requests is kept under review by the Environmental Health Team Manager.
- 4.1.3 The Service has also been subject to peer review as part of the inter-authority auditing exercise organized by the West Sussex Food Liaison Group in 1999, 2003 and 2015. We also take part in FSA and local consistency exercises relating to the FHRS.

4.2 Summary of STANDARDS OF SERVICE -

See Appendix B

5.0 Review

5.1.1 There was no service plan in place during 2020/21 due to the pandemic and the service operated under guidance from the FSA. This included maintaining contact with businesses and carrying out remote inspections during periods where physical inspections could not be conducted due to COVID-19 as follows:

- Food Hygiene Inspections – 162 inspections and alternative interventions
- Remote inspections – 224

5.1.2 The number of food businesses in the district increased in 2020/21 with 294 new establishments registered. On 1 April 2021 there were 1,370 registered food businesses.

5.1.3 Complaints and Requests

Description	Expected 2021/22	2020/21	2019/20
Food Complaint	83	83	83
Hygiene of Premises	72	46	89
Hygiene advice	57	57	39
Other	6	4	1
TOTAL	218	190	212

5.1.4 Other work volume indicators

Description	Expected 2021/22	2020/21	2019/20
Planning referrals	377	377	377
Infectious disease notifications	271	271	220

5.15 Food Hygiene Rating Scheme Information

The introduction of the Food Hygiene Rating Scheme in April 2011 brought with it some additional work in applying the safeguards for businesses. The following table shows the extent to which these safeguards were used by businesses, and the resulting demand placed on the service, and to what extent we expect them to be in 2021/22.

Food Hygiene Rating Scheme: Safeguards for Businesses

Description	Expected 2021/22	2020/21	2019/20
Appeals	1	0	1

Re-inspection request	3	0	3
Right to reply	0	0	0

5.1.7 Food Hygiene Rating Scheme

The following table shows the current distribution of food hygiene ratings across Arun's food business. Overall, 98% of rated businesses are currently broadly compliant and achieve a score of 3 or better.

Food Hygiene Rating Scheme Distribution (rated businesses)

Rating	0 Urgent improvement required	1 Major improvement necessary	2 Some improvement necessary	3 Generally satisfactory	4 Good	5 Very Good
Number of businesses	2	3	9	16	160	982

Appendix A

Food Safety Intervention Plan 2020/21

Objectives and Outcomes

To inspect all A and B rated premises, all premises which are not broadly compliant (FHRS 0-2), and all previously unrated new businesses to ensure:

- (a) compliance with minimum statutory standards
- (b) improvement in premises practice or arrangements through targeted advice, guidance, and enforcement
- (c) assessment under the Food Hygiene Rating System
 - To target premises with rating of 2 and below for further attention
 - To assist businesses in maintaining and improving food hygiene ratings
 - To provide sufficient guidance to all businesses inspected to avoid food borne illness

Where resources permit, we will focus efforts on inspecting the remaining C rated premises

Key Actions

The following interventions are proposed in 2020/21:

- 2 A rated premises inspection (carried out at 6-monthly intervals)
- 18 B rated premises inspections
- 14 C and D rated premises (FHRS of 0-2)
- 207 initial inspections (newly registered businesses)
- 166 C rated broadly compliant premises – targeted for intervention where resources permit
- Operate the Food Hygiene Rating Scheme safeguards for businesses, includes undertaking appeals within 21 days, and requested re-inspections within 3 months of their request being accepted.
- Provide advice support to food business operators.

Other Considerations

The Intervention Plan should be considered in light of other work to be undertaken and proposed for Environmental Health Team including: -

- Food premises and food complaint investigations
- PHE and local sampling
- Investigation of infectious disease outbreaks
- Response to Food Alerts
- Consultations on planning and licence applications
- Health and safety investigations, complaints, and project work
- COVID-19 response and regulation
- Environmental Protection work including complaint investigations, LAPPC (permitting), contaminated land and air quality
- Caravan site licensing and
- Corporate health and safety

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SERVICE STANDARDS

FOOD SAFETY

1 **Annual Action Plan**

This gives details of the Food Safety activities which we plan to undertake in this coming year, the measures of performance (MOP) which will be achieved and the monitoring regime for the MOP. The detailed components are as follows:

- (a) We will undertake 211 inspections of our highest risk and unrated premises to comply with the Food Standards Agency Recovery Plan. [MOP: Completion of our inspection program].
- (b) We will undertake inspection of 18 B rated premises and 14 C and D rated premises with a FHRs of 0-2, and target a further 166 C rated premises for inspection in order to recovery our inspection programme at a faster pace than specified in the Recovery Plan
- (c) We will operate the Food Hygiene Rating System across the Arun district linked to our inspection program and other visits. [MOP: All premises receiving an inspection, audit or monitoring visit will be rated under the Food Hygiene Rating System in accordance with the requirements of the FHRs brand standard].
- (d) We will participate in the Sussex Local Sampling Programme and the national Public Health England led sampling programmes to monitor the safety of food produced and sold in the Arun area. [MOP: Sampling plan delivered].
- (e) We will ensure we liaise with national Primary Authorities where they have been appointed for premises in our area [MOP: Clear liaison undertaken where appropriate].
- (g) We will develop training and information/education campaigns based on our local knowledge and consider contribution to those promoted nationally, as appropriate. [MOP: To be developed as appropriate].
- (h) We will enforce only where necessary and only in line with our Enforcement Policy. [MOP: All statutory action in line with the Enforcement Policy and monitored through our quality monitoring procedures].
- (i) We will produce an annual review of our performance and further intentions to secure food safety in the Arun district. [MOP: Annual Food Safety Plan produced].

2 General Complaints

We will deal with complaints by

- (a) Logging the receipt of the complaint; [MOP: Urgent complaints within one working day: periodic checks by Environmental Health Team Manager (EHTM) to monitor compliance) Note "Urgent" complaints are classed as Food Poisoning outbreaks and 'Food Alert For Action' Warnings].
- (b) Acknowledging the complaint and in appropriate circumstances send a "A Guide to our Services" leaflet; [MOP: periodic checks by EHTM to monitor compliance]
- (c) Responding to the complainant advising them on the legal position and possible outcomes; [MOP: immediately where there is serious and/or imminent risk, otherwise within 7 working days [MOP: periodic checks by EHTM to monitor compliance] NOTE: a response should consist of: a telephone contact, a visit to the person complaining, or a meeting with the complainant; or a letter that covers the action to be taken, the timing of the next step by us, the name of the person dealing with the complaint; or complying with the request i.e. sending the information required.
- (d) Gathering evidence of the complaint where required in line with statutory requirements; [MOP: periodic checks by EHTM to verify action is taken in appropriate.]
- (e) Taking action in accordance with the Council's Enforcement Policy and where required produce the appropriate files and documents for legal opinion; [MOP: action taken in accordance with Enforcement Policy and checked by EHTM. EHTM reviews prior to enforcement review panel, case notes to panel 3 working days in advance. Cases followed up at least monthly with case officer, until case completed or withdrawn].
- (f) Informing the complainant of progress with the complaint - minimum is monthly intervals; [MOP: Periodic checks by EHTM that action is being taken in due time.]
- (g) Writing or telephoning complainants confirming when in our opinion the complaint is resolved and/or moved on to formal enforcement procedures; [MOP: Periodic checks by EHTM that action is being taken in due time.]
- (h) Reviewing all complaints which are still unresolved at the end of 3 months from receipt. [MOP: Review by EHTM and discussion at monthly catch ups. with case officer and agree action to be taken]

Appendix B

3 Food complaints

In addition to the above:-

- (a) If the complaint relates to food produced outside of the district, we will normally refer the complaint details to the Home/ Originating/Primary Authority, the manufacturer/vendor/packer/ wholesaler or retailer as appropriate, within 7 working days of receiving the complaint; [MOP: Home/ Primary Authority details kept up-to-date EH Computer System by EHTO; Periodic checks by EHTM to check that appropriate action is being taken in due time.]
- (b) In the case of food produced within the district we will normally investigate and visit within 7 working days if appropriate. [MOP: Periodic checks by EHTM to check that appropriate action is being taken in due time.]
- (c) In the case of food complaints with national significance the case officer supported by EHTM, and supported by wider team as necessary, will contact other agencies such as the Food Standards Agency (FSA) Department for Environment, Food and Rural Affairs (DEFRA), Department of Health, or the Consultant in Communicable Disease Control (CCDC) as soon as possible and not less than within 2 working days. [MOP: EHTM to directly oversee activity and ensure actions and timeframes are appropriate]

We will **not**:

- (a) Automatically submit the complaint to the Analyst or Manufacturer. Where food complaints are to be sent for analysis (either by a Public analyst or the Manufacturer) they will be sent in a manner appropriate to ensure continuity of evidence.
- (b) Enter into negotiations regarding any compensation claims made by the complainant.
- (c) Investigate anonymous complaints unless there is a clear and imminent threat to public health, or where an officer is already aware of the issue raised
- (d) Investigate complaints about food produced outside the district. These will be referred to the relevant local authority in whose area the food originates.

4 Food Alerts and Trade Withdrawals

We will ensure that we have a system which responds appropriately to Food Alerts issued by the Food Standards Agency or the Consultant in Public Health Medicine (CPHM). This will include:

- (a) Adequate arrangements for the receipt of warnings usually via e-mail - including procedures for cover in the event of leave, illness etc. [MOP: periodic checks by EHTM]

- (b) Food Alert for **Action** (FAFA):- Response to be made as soon as possible following receipt. Response to include (as per FSA instruction):
- Email, letter or telephone call to premises which are open;
 - Officers to be notified and visits to be made if appropriate on day of receipt with outstanding premises by following day;
 - Other relevant premises to be notified by other means e.g. phone;
 - Information dissemination via media and through our website.
- (c) Food Alert for **Information** (FAFI) – as per FSA instruction
- (d) Where necessary, liaison will take place with Trading Standards via the Sussex Food Liaison Group reps. They will confirm what action is to be taken (if any), where the Food Alert relates to a Trading Standards matter.
- (e) Phone calls or visits will commence on the working day the notification is made. [MOP: We will aim to reach all targeted premises within 2 working days for urgent cases and within 7 working days for less urgent cases].
- (f) We will facilitate Trade Withdrawals of suspect food in a similar manner to official Food Alerts as above.
- (g) **We will not** always action Food Alerts where the risk to public health and/or the type of product involved has no significance within Arun District

5 Outbreaks of food poisoning

- (a) A Food Poisoning Outbreak (defined by the CCDC) will be investigated ideally immediately but or within a maximum of 72 hours (includes weekends/holidays), according to the PHE KSS outbreak incident control plan. [MOP: EH system to monitor response time to initial complaint]
- (b) Investigations will be conducted in liaison with, and under the guidance of, the CCDC) and in accordance with our procedures and the PHE KSS outbreak incident control plan. At close of outbreak, a full debriefing report be prepared
- (c) We will:
 - a. Contact Public Health England (PHE) immediately on receipt of information pointing to a possible food poisoning issue and take instruction. A specific decision will be made on establishment (or not) of outbreak control team and clarity of roles and responsibilities. Decision recorded and conveyed to EHTM.
 - b. Be part of any outbreak control team and/or review team.
 - c. Attempt within 2 working days to discuss the situation with suspected cases and contacts and give them advice regarding the need to visit their own General Practitioner.
 - d. Liaise with other local authorities within 2 working days of the notification.
 - e. Visit and carry out an investigation where premises are identified in this area, ideally on the day of notification and not less than the next working day.
 - f. Take samples of food and other evidence as required and arrange for their delivery to the appropriate laboratory for examination.
 - g. Advise proprietors of the legal position and in particular give specific instructions as to the hygiene requirements for food handlers and the arrangements which are needed for exclusion from work.
 - h. Send out questionnaires, when instructed by the CCDC, as part of the investigation.
 - i. Liaise with Public Health laboratory as necessary.
 - j. Contact those who have been involved in the case, at the conclusion of our investigation, and inform them of the outcome.
 - k. Act in accordance with the Council's Enforcement Policy and where required produce the appropriate files and documents for legal opinion [MOP: At close of outbreak, a debriefing report be prepared]

- (d) We will **not**
 - a. Become involved in claims for compensation.
 - b. Investigate outbreaks originating from the home unless advised to do so by the CCDC.

6 Sampling

We will, subject to available resources: -

- (a) Carry out all statutory sampling as defined in Food Legislation & Code of Practice.
- (b) Complete our PHE sampling programme as agreed by Sussex Food Liaison Group.
- (c) Review the sampling requirements for Approved premises.
[MOP: Contribution to Sussex and PHE Sampling programmes delivered]

7 Risk Interventions

- (a) We will draw up an annual programme at the beginning of the financial year based on the current risk scores for food premises. This programme will form the annual list of food premises risk interventions as based on the CoP weighting criteria. [MOP: data extracted by the end of first week of April and list compiled]

(b) Food officers will:

- a. Check the premises file record on the EH database.
- b. Assess previous risk score and individual rating criteria.
- c. Assess any relevant complaints, information on layout and management systems etc.
- d. Discuss any contentious issues with the previous case officer or EHTM.
- e. Ensure all equipment, notices, inspection pro-forma and report forms are available for the intervention.
- f. Visit the premises, identify, and interview the proprietor, where available.
- g. Carry out the risk intervention in accordance with the "Programmed Food Hygiene Risk Interventions" procedure note.
- h. Give an immediate record of intervention, Food Hygiene Rating unless in need of second opinion, and agree an action plan at the conclusion of the audit. A copy will be provided to the business.
- i. Confirm any legal requirements, the rating outcome and recommendations in writing within 7 working days.
- j. Where contentious matters are identified, consider whether further visits/action is necessary by discussion and peer/team review, record the agreement and inform the business as required.
[MOP: Checks carried out monthly and quarterly by EHTM to ensure the above service standards are being achieved and where they are not to take corrective action to secure compliance]

8 Planning Applications

Appendix B

We will:

- (a) Provide comments, where required, within the deadline provided by the Planning Department.
- (b) Undertake a review of relevant planning applications to ensure applicants are informed to their statutory duties as far as is possible.

We will not normally:

- (a) Contact the applicant or their agent directly to discuss the application. If such contact does occur and written confirmation of discussions/decisions is required this should be logged on the EH database system and dealt with as above, with a copy to the Planning Officer.

9 Information and advice to businesses

- (a) Initial enquiries concerning the standards for new or existing premises will be logged as service requests and dealt with as above.
- (b) Matters that can be dealt with within 30 minutes will be prioritised for response according to risk and will not attract a fee.
- (c) Matters that require more than 30 minutes, require a visit to a business or relate to a request for an advisory inspection will attract the published fee for advisory inspection/advice.
- (d) Advisory visits are a discretionary function and a paid for service and will only be carried out as follows:
 - i)* Where a request has been registered and the published fee paid for in advance. Note requests and payment can be made via the online portal.
 - ii)* Will only be made where the existing owner/proprietor has given their consent for the visit, or has directly made the request
 - iii)* FHRS will not be awarded following advisory visits
 - iv)* Officers do not have discretion to classify a routine inspection as an advisory visit
 - v)* Any requirements will be confirmed in writing within 14 working days of the site visit.

9 Premises Licence applications

We will:

- (a) Provide comments if required, to the written deadline provided by the licensing manager.
- (b) Undertake reviews of relevant premises licence applications to ensure applicants are informed of their statutory duties as far as possible.

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EQUALITY IMPACT ASSESSMENT

Name of activity:	Food Safety Service	Date Completed:	20/8/2021
Directorate / Division responsible for activity:	Technical Services	Lead Officer:	Neil Williamson
Existing Activity	X	New / Proposed Activity	
		Changing / Updated Activity	

What are the aims / main purposes of the activity?

To provide services to ensure safe food and protect public health

What are the main actions and processes involved?

Inspections, investigations, advice and guidance.

Who is intended to benefit & who are the main stakeholders?

The public benefit - Food business operators are the main stakeholders

Have you already consulted on / researched the activity?

Well established statutory duties to deliver food safety services and to prepare a service plan. No specific consultation.

Impact on people with a protected characteristic (What is the potential impact of the activity? Are the impacts high, medium or low?)

Protected characteristics / groups	Is there an impact (Yes / No)	If Yes, what is it and identify whether it is positive or negative
Age (older / younger people, children)	Yes	Inspection and interventions include food safety within care homes, nursing homes and hospitals, thus contribute positively
Disability (people with physical / sensory impairment or mental disability)	Yes	Inspection and interventions include food safety within care homes, nursing homes and hospitals, thus contribute positively

Gender reassignment (the process of transitioning from one gender to another.)	No	
Marriage & civil partnership (Marriage is defined as a 'union between a man and a woman'. Civil partnerships are legally recognized for same-sex couples)	No	
Pregnancy & maternity (Pregnancy is the condition of being pregnant & maternity refers to the period after the birth)	No	
Race (ethnicity, colour, nationality or national origins & including gypsies, travellers, refugees & asylum seekers)	Yes	Services, guidance and advice are routinely delivered in English. Where there are specific needs or projects that would benefit from alternate language information, we have access to translation services. Guidance and information including safer food better business packs are available in a wide range of alternate languages and we will sign post businesses to these.
Religion & belief (religious faith or other group with a recognised belief system)	No	
Sex (male / female)	No	
Sexual orientation (lesbian, gay, bisexual, heterosexual)	No	
Whilst Socio economic disadvantage that people may face is not a protected characteristic; the potential impact on this group should be also considered	No	<p>Actions may be required of businesses where they do not meet the minimum standards required in law, to protect public safety. Deterioration in standards may be linked to the financial position of the operator, and similarly financial position will have a bearing on the ability to address these.</p> <p>Personal circumstances will be considered when setting timescales to complete works but will need to be balanced with the ongoing risk to public health.</p> <p>FHRS ratings provide an incentive to comply with relevant requirements as the FHRS score will be a factor considered by customers when choosing where to eat. The criteria involved are</p>

		weighted on food safety procedures, personal hygiene, cleanliness and food safety, which in themselves do not have substantial direct costs.
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What evidence has been used to assess the likely impacts?
Knowledge of our businesses and experience from delivering these services over many years.

Decision following initial assessment			
Continue with existing or introduce new / planned activity	Yes	Amend activity based on identified actions	

Action Plan			
Impact identified	Action required	Lead Officer	Deadline

Page 43

Monitoring & Review	
Date of last review or Impact Assessment:	N/A
Date of next 12 month review:	
Date of next 3 year Impact Assessment (from the date of this EIA):	

Date EIA completed:	20/8/2021
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Signed by Person Completing:

A handwritten signature in black ink, appearing to read "R. S. D. Anderson".

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF ENVIRONMENTAL AND NEIGHBOURHOOD SERVICES COMMITTEE ON 23 SEPTEMBER 2021

REPORT

SUBJECT: Health and Safety Service Plan

REPORT AUTHOR: Neil Williamson, Environmental Health Team Manager

DATE: 19 August 2021

EXTN: 01903 737676

AREA: Technical Services

EXECUTIVE SUMMARY:

The Health and Safety Executive (HSE) requires Councils to publish a service plan setting out a health and safety intervention programme for the year.

The proposed service plan outlines Arun's health and safety priorities for 2021/22, this significantly includes maintaining arrangements to support COVID-19 compliance.

The proposed Health and Safety Service Plan for 2021/22 is attached and is recommended for adoption.

RECOMMENDATIONS:

That the Health and Safety Service Plan for 2021/22 is adopted.

1. BACKGROUND:

The Health and Safety Executive (HSE) requires Councils to publish a service plan setting out a health and safety intervention programme for the year.

During 2020/21 significant resources were dedicated to supporting COVID-19, in particular ensuring workplaces operated in a COVID-secure manner. A wide range of activities were employed to support businesses and provided public reassurance that necessary standards were being employed. This included carrying out more than 1500 visits to provide advice, guidance and to verify standards, working in partnership with the Health and Safety Executive (HSE) to conduct spot checks on nearly 800 businesses, and responding to more than 300 COVID related service requests.

The proposed service plan outlines Arun's health and safety priorities for 2021/22, this significantly includes maintaining arrangements to support COVID-19 compliance. Whilst most legal requirements relating to COVID-19 were revoked on 19 July at Step 4, obligations under health and safety at work legislation to carry out a risk assessment, and

to control the risk from COVID-19, remain. The plan proposes continuation of further spot checks in partnership with HSE and maintaining proactive COVID marshal patrols.

Prioritised accident investigation and complaint investigation services will be maintained, in addition to preventative work including gas safety awareness within catering.

2. PROPOSAL(S):

That the Health and Safety Service Plan for 2021/22 is adopted.

3. OPTIONS:

1. Amend and adopt the health and safety service plan.
2. Do not adopt the health and safety service plan.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify)		X

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	X	
Legal	X	
Human Rights/Equality Impact Assessment	X	
Community Safety including Section 17 of Crime & Disorder Act	X	
Sustainability		X
Asset Management/Property/Land		X
Technology		X
Other (please explain)		X

6. IMPLICATIONS:

Failure to establish a service plan for 2021/22 means that Arun will not meet its statutory obligations to publish an approved service plan and creates potential safety risks to our community due to the absence of an agreed health and safety intervention programme.

Delivery of this service plan can be met within existing budgets included maintaining additional resources allocated to support COVID compliance.

7. REASON FOR THE DECISION:

Adopting the health and safety service plan will ensure that Arun meets its statutory

obligations and establishes a commitment to resource and deliver the proposed health and safety interventions for 2021/22, aimed at protecting the safety of our community.

8. BACKGROUND PAPERS:

Health & Safety Service Plan 2021/22

Equality Impact Assessment Health and Safety Service Plan

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ARUN DISTRICT COUNCIL

ENVIRONMENTAL HEALTH

HEALTH & SAFETY SERVICE PLAN

2021/22

Aims

In delivering a health and safety service, the Council aims to support businesses and work with people who live and work in the district to protect and enhance their health by ensuring workplace risks are properly managed and by using the workplace as a setting to promote health.

Background

Local Authorities are directed by the Health and Safety Executive in how to deliver our health and safety regulatory service by way of the [National Local Authority Enforcement Code](#)¹ using a targeted, risk based approach. The code comes with [Supplementary guidance](#)² and a [list of activities/sectors suitable for targeting proactive inspection](#)³. *LAC 67/2 rev.10 – Advice/guidance to local authorities*⁵ provides further information on how local authorities should target their interventions. In addition to the above guidance, in developing the service plan local factors and the wider public health agenda have been taken into account.

Local Priorities

Arun District has a population close to 157,000 (Mid-2016 population estimates). Arun has some of the most deprived areas nationally.

There are health inequalities identified with life expectancy amongst men in the most deprived areas around ten years lower than those from the least deprived area. The gap is seven years for women.

Health challenges for the district include:

- ⤴ hospital stays for alcohol related harm and diabetes;
- ⤴ constraining levels of smoking and early death from heart disease and stroke to around national averages;
- ⤴ sustaining and improving levels of healthy eating;
- ⤴ improving educational attainment which is below average;

¹ <http://www.hse.gov.uk/lau/national-la-code.pdf>

² <http://www.hse.gov.uk/lau/supplementary-guidance.pdf>

³ <https://www.hse.gov.uk/lau/activities.pdf>

⁴ Insight and Intelligence WSCC – Business Counts in West Sussex & Employment trends in Arun

⁵ <https://www.hse.gov.uk/lau/lacs/67-2-priorities-targeting-interventions.pdf>

- ▲ increasing levels of physical activity which are placed towards the lower end of the average range.

Activity across West Sussex has been targeted at obesity, premature mortality, inequality and alcohol related harm.

Arun Business Profile

There are approximately 2,585 businesses and 45,100 employee jobs within Arun. Approximately 39,730 of these are within the private sector. The majority of businesses employ less than 10 people (84.9%). Four main sectors account for over half of employee jobs and these are in the wholesale and retail trade, including the repair of motor vehicles (18.9%), human health and social work (15.6%), accommodation and food services (11.1%) and administration and support services (9.1%).⁴

Achievements 2019/2020 & 2020/21

- A representative attends the Sussex Health and Safety Liaison group which provides support and guidance and peer review of different topics.
- In 2020 contact was made with all registered cooling towers and evaporative condensers to ensure the register and contact details remained current, as part of Legionnaires' disease management.
- In 2020 the gas safety in catering initiative was piloted, however this was not rolled out further due to COVID.
- From the end of 2019/20, throughout 2020/21 and continuing, the Environmental Health team have been significantly involved with COVID-19, providing advice to businesses, supporting regulation of requirements, including implementation of COVID secure guidance, as well as supporting Public Health England (PHE) and West Sussex County Council Public Health investigating cases and outbreaks of COVID-19. This has meant a significant increase in resources dedicated to health and safety, primarily by diverting resources from other environmental health functions, as well as utilising government funding and grants from West Sussex County Council.

- From October 2020 the team partnered with the Health and Safety Executive to carry out COVID spot checks. To date nearly 800 Arun businesses have been through this programme, which is proposed to continue in 2021/22
- Proactive patrols, visits and other engagement with more than 1500 businesses
- COVID advice and guidance mailouts, including small retailers, taxis, licensed premises, food producers and estate agents, and provision of alternative language information
- COVID advice via the Arun Business Partnership newsletter
- COVID social media postings, including podcast with WSCC, website information and free posters to support businesses
- Legionnaires' diseases prevention advice
- Representative on Community Champions working group
- Representative on the Arun (COVID) Emergency Management Team
- Representative on the Arun Chichester Partnership COVID meeting
- The information below gives an overview of health and safety actions undertaken in the period 2019-20 and 2020-21:

Accidents by type:

Accident Type	Number Reported
Another kind of accident	58
Asthma	1
Contact with electricity	1
Contact with machinery	1
Drowned or asphyxiated	1
Exposed to fire	1
Exposure to harmful substance	2
Fall from height	3
Injured by an animal	2
Lifting and handling injuries	16
Physical assault	6
Slip, trip, fall same level	115
Struck against	2
Struck by moving vehicle	2

Struck by object	10
Trapped by something collapsing	1
TOTAL	222

Requests for service by type:

Request Type	Number Received
Asbestos Notification	13
Coronavirus Closures	92
COVID-19 Complaints	215
Events	3
Health and Safety Advice	28
Health and Safety at Work	66
HSE Spot Check Referrals	43
Accident - unspecified	15
Total	476

Actions by Type:

Type	Number
COVID Case Investigation	62
COVID Monitoring	977
COVID Investigation other	20
COVID warning letter	95
COVID referral - other agency	11
COVID verbal advice	78
COVID visit other	24
Health & Safety Advisory Visit	2
Health & Safety other intervention	15
Liaison/referral	11
Non-inspection intervention: other contact/intervention	573
Non-inspection intervention: other visits/face to face contacts	27
Reactive Visit – investigate health & safety complaints	34
Reactive Visit – investigate health & safety incidents	17
Referral to HSE	6

Revisit following early intervention	5
Total	1967

Summary Interventions planned for 2021/22

The following activities will be undertaken in from 1 April 2021 to 31 March 2022.

- COVID-19 regulation and advice programmes
- Targeted investigation of accident notifications (in accordance with incident selection criteria 22/13 (rev1))
- Risk based assessment of asbestos works notifications
- Prioritised investigation of complaints and requests for service
- Revisits to ensure compliance
- Act as statutory consultee for public safety for licensing applications, planning consultations and outdoor events
- Investigate LOLER inspection failure notifications
- Responding to local, regional and national priorities
- Continue with gas safety project
- Providing advice to duty holders

Intervention Plan 2021-22

Sector, premises type or specific cross sector activity.	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or Resource Allocation
COVID-19	Maintaining a safe work environment protecting employees and the public remain a priority during the pandemic	Partnerships Sector and Industry-wide Initiatives Education and Awareness Dealing with Issues of Concern and Complaints Working with other Regulators	Listed in Annex A LAC 67/2 (rev 10) as LA national priority	Partnership with HSE via spot checks programme, response to complaints and requests for advice, proactive media, guidance and advice campaigns, proactive marshal patrols 250 days
Outdoor Events Industry	The local tourist industry sector relies on events. To support events locally by ensuring they are delivered safely.	Partnerships Sector and Industry-wide Initiatives Education and Awareness Dealing with Issues of Concern and Complaints Working with other Regulators	To work in partnership with event organisers at the earliest stage of event planning and in partnership with other regulators to ensure health and safety risks are reduced to sensible levels through good layout and risk management. Proactive, preventative approach to protect public safety and ensure the events industry enjoys the public confidence it needs to be able to grow.	Review of event management plans and risk assessments for events of significant scale or safety risk. Participation in Safety Advisory Group to advise event organisers of steps to take to reduce risk where necessary. ADIP documentary checks prior to funfairs operating on Arun District Council land. Review arrangements/provide advice relating to Inflatable amusement devices (anchoring, monitoring wind conditions and compliance with BS EN 14960) 10 days.
3,200 LA enforced businesses in Arun.	RIDDOR reportable incidents notified to LA	Incident and Ill Health Investigation	To Investigate only those incidents where intervention	To investigate accidents in line with LAC 22/13 (rev1)

Intervention Plan 2021-22

Sector, premises type or specific cross sector activity.	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or Resource Allocation
			<p>is likely to bring positive change.</p> <p>Determine causes and identify poor risk management and other poor practice and bring it in line with statutory requirements. To ensure preventative action is taken to reduce the likelihood of repetition.</p> <p>Targeted interventions leading to positive change in business practice or systems.</p>	<p>http://www.hse.gov.uk/lau/lacs/22-13.htm within 7 working days of notification.</p> <p>20 days.</p>
3,200 LA enforced businesses in Arun	Complaints relating to health, safety and/or welfare relating to LA enforced businesses from employees and members of the public.	Incident and Ill Health Investigation dealing with Issues of Concern and Complaints	Investigate health, safety and welfare concerns where intervention is likely to bring positive change.	<p>Targeted investigation of complaints within 7 working</p> <p>Investigation by correspondence, telephone and/or visits.</p> <p>20 days</p>
3,200 LA enforced businesses in Arun	Requests for advice and guidance from businesses.	Education and Awareness dealing with Issues of Concern and Complaints	In line with LAC 67/2 rev 10 guidance, the service will provide/ signpost to information to make it simple for businesses to comply with health and safety requirements.	<p>Keep website up to date, primarily using links to authoritative sources.</p> <p>1 days</p> <p>Where requests for advice or information are received by other means, direct them to these sources</p>

Intervention Plan 2021-22

Sector, premises type or specific cross sector activity.	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or Resource Allocation
				in the first instance, but offer further advice/clarification if needed. 2 days
LA enforced businesses across Sussex	On request from another Sussex LA	Partnerships Incident and Ill Health Investigation Dealing with Issues of Concern and Complaints	Provide swift, consistent response in the event of a major incident and improve resilience across local authorities.	Participation in the major incident team as demanded i.e. no time allocated but it will be made available on request. 0 days allocated but will respond on request.
Businesses applying for planning approval or a premises (or other) licence.	Statutory duty outside of the scope of the code.	Partnerships Design and Supply Other Interventions	To ensure that new developments do not design-in hazards (e.g. inability to adequately segregate vehicles and pedestrians). To ensure premises design and operation facilitate public safety.	Reviewing licensing and planning applications and making recommendations as statutory consultee. 15 days
Gas safety in catering establishments	Sussex LA led intervention	Provision of advice and guidance, and signposting to businesses with a rating of 2 or below and hazard spotting during food hygiene inspections	Evidence that businesses with a low food hygiene rating also have poorer health and safety compliance levels.	Provision of information and inspection of low rated businesses. 8 days
LA enforced sector	Sussex LA led intervention	Provision of advice to businesses to highlight the legal requirements around the reporting of	It is accepted that higher performing businesses are more likely to report accidents. This project is to	Promotional activity to provide additional information direct to businesses and members of the public.

Intervention Plan 2021-22

Sector, premises type or specific cross sector activity.	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or Resource Allocation
		accidents and incidents in line with RIDDOR requirements	raise awareness among across all LA sectors and with employees and members of the public.	3 days
TOTAL				329 days

EQUALITY IMPACT ASSESSMENT

Name of activity:	Health & Safety Service	Date Completed:	20/8/2021
Directorate / Division responsible for activity:	Technical Services	Lead Officer:	Neil Williamson
Existing Activity	X	New / Proposed Activity	
		Changing / Updated Activity	

What are the aims / main purposes of the activity?

To provide services to ensure safe workplaces and protect public health

What are the main actions and processes involved?

Inspections, investigations, advice and guidance.

Who is intended to benefit & who are the main stakeholders?

The public, including customers, service users and employee's benefit – Business operators are the main stakeholders

Have you already consulted on / researched the activity?

Well established statutory duties to deliver health and safety services and to prepare a service plan. No specific consultation.

Impact on people with a protected characteristic (What is the potential impact of the activity? Are the impacts high, medium or low?)

Protected characteristics / groups	Is there an impact (Yes / No)	If Yes, what is it and identify whether it is positive or negative
Age (older / younger people, children)	No	
Disability (people with physical / sensory impairment or mental disability)	No	

Gender reassignment (the process of transitioning from one gender to another.)	No	
Marriage & civil partnership (Marriage is defined as a 'union between a man and a woman'. Civil partnerships are legally recognized for same-sex couples)	No	
Pregnancy & maternity (Pregnancy is the condition of being pregnant & maternity refers to the period after the birth)	No	
Race (ethnicity, colour, nationality or national origins & including gypsies, travellers, refugees & asylum seekers)	Yes	Services, guidance and advice are routinely delivered in English. Where there are specific needs or projects that would benefit from alternate language information, we have access to translation services. For example, gas safety project papers and guidance have been translated, COVID related guidance provided in a wide range of languages.
Religion & belief (religious faith or other group with a recognised belief system)	No	
Sex (male / female)	No	
Sexual orientation (lesbian, gay, bisexual, heterosexual)	No	
Whilst Socio economic disadvantage that people may face is not a protected characteristic; the potential impact on this group should be also considered	No	<p>Actions may be required of businesses where they do not meet the minimum standards required in law, to protect public safety. Deterioration in standards may be linked to the financial position of the operator, and similarly financial position will have a bearing on the ability to address these.</p> <p>Personal circumstances will be considered when setting timescales to complete works but will need to be balanced with the ongoing risk to public health.</p> <p>Inspections and interventions are targeted based on HSE advise and national and local intelligence and are largely risk-based and focus on processes and procedures, which generally</p>

		do not have high direct costs associated with them.
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What evidence has been used to assess the likely impacts?
Knowledge of our businesses and experience from delivering these services over many years.

Decision following initial assessment			
Continue with existing or introduce new / planned activity	Yes	Amend activity based on identified actions	

Action Plan			
Impact identified	Action required	Lead Officer	Deadline

Page 64

Monitoring & Review	
Date of last review or Impact Assessment:	N/A
Date of next 12 month review:	
Date of next 3 year Impact Assessment (from the date of this EIA):	

Date EIA completed:	20/8/2021
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Signed by Person Completing:

A handwritten signature in black ink, appearing to read "R. S. D. L. M. O. N.", is written in the right-hand section of the signature box.

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF THE ENVIRONMENT AND NEIGHBOURHOOD SERVICES COMMITTEE ON 23 SEPTEMBER 2021

SUBJECT: Budget 2022/23 Process

REPORT AUTHOR: Carolin Martlew, Interim Group Head for Corporate Support

DATE: August 2021

EXTN: 37568

AREA: Corporate Support

EXECUTIVE SUMMARY:

The report provides a summary of the budget process for 2022/23.

RECOMMENDATIONS:

The Committee is requested to:

To note the budget setting process for 2022/23

1. BACKGROUND:

1.1. The budget for 2022/23 will be the first to be completed under the new Committee system form of governance. The relevant budget will therefore have to be considered by each Service Committee before the full budget is considered at the Corporate Policy and Performance Committee (CPPC) on 10 February 2022 before approval by Special Council on 23 February 2022.

2. PROPOSAL(S):

2.1 The purpose of this report is to inform Members of the budget process for 2022/23.

2.2 Members are aware that the Council continues to face net expenditure pressures due to the unprecedented financial uncertainty over Government funding, the economy which has been compounded by the COVID-19 crisis and also Brexit. Brexit continues to cause issues, especially since the UK's official departure from the EU on 31 December 2020.

2.3 It is accepted that within the resource constraints there is the requirement for some resource switching to enable the Council's priorities to be progressed and to meet new statutory requirements. Budget proposals should be for the 2022/23 year and should take account of the medium term

requirement to make savings. Any growth should be minimised and met from resource switching where possible. To be considered, any proposed growth proposal must clearly state the financial commitment, whether it is recurring, how it supports the Council's corporate objectives and the objective it supports. In addition, as explained above, the resource switching must be indicated and where this is not appropriate, how the growth is to be funded.

- 2.4 The budget guidelines issued will run parallel with any savings initiatives that are being worked on.
- 2.5 It should be noted that reports that require resource switching can be considered by Committees at any time during the year. However, significant permanent resource switching requires approval by Full Council as part of the formal budget setting process.
- 2.6 The budget resource switching parameters for 2022/23 are:
- Growth will only be allowed in essential/priority areas
 - Proposals should aim to be cost neutral
 - Proposals should clearly identify any expenditure savings and Income generating ideas where appropriate.
- 2.7 It should be noted that reports that require resource switching can be considered by Committees at any time during the year. However, significant permanent resource switching requires approval by Full Council as part of the formal budget setting process.
- 2.8 The key dates for this Committee for the Budget 2022/23 process are summarised below:

Budget Consultation Report	23 September 2021
Financial Prospect Report General Fund (CPPC) – confirms budget parameters	14 October 2021
Committee Budget Report – Service specific	20 January 2022
Corporate Policy and Performance Committee	10 February 2022
Special Council	23 February 2022

- 2.9 It should be noted that any budget proposals should be fully costed and feasible to be delivered for inclusion in the budget for 2022/23.
- 2.10 A summary of the budgets managed by this Committee and the out turn for 2020/21 is shown in the Appendix for information. This Committee's controllable budget for 2021/22 is £7.649m. The figures shown for controllable expenditure and income exclude items that are for accounting purposes only.

3. OPTIONS:		
N/A The budget has to be set within statutory deadlines.		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify) <ul style="list-style-type: none"> • Leader of the Council • Group Leaders 		✓
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability	✓	
Asset Management/Property/Land	✓	
Technology		✓
Other (please explain)		✓
6. IMPLICATIONS:		
The budget will form the main reference point for financial decisions made in 2022/23 and the process has to comply with the Constitution.		
7. REASON FOR THE DECISION:		
To ensure that Members are fully informed about the budget process for 2022/23 as required by the Council's Constitution.		
8. BACKGROUND PAPERS:		
The budget 2022/23 Process CPPC 1 September 2021 Constitution		

Appendix

Actual 2019-20 £'000	Description	Budget 2021-22 £'000
Environment & Neighbourhood Services		
22	Building Control	102
7	Bus Shelters & Street Nameplates	11
(803)	Car Parks	(864)
(27)	Cemeteries & Churchyards	(40)
4,703	Cleansing Services	5,489
265	Coast Protection & Land Drainage	91
44	Emergency Planning & Support	49
480	Environmental Health & Protection	516
103	Foreshores	25
1,034	Parks & Green Spaces	1,508
235	Private Sector Housing	239
6,063	Total for Environment & Neighbourhood Services:	7,126
Management & Support Services within Portfolio		
445	Engineering & Infrastructure Services	523
445	Management & Support Services:	523
6,508	Committee Portfolio Total:	7,649

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF ENVIRONMENT & NEIGHBOURHOOD SERVICES COMMITTEE ON 23 September 2021

REPORT

SUBJECT: Bognor Regis Beach Access Options Appraisal

REPORT AUTHOR: Roger Spencer – Engineering Services Manager

DATE: August 2021

EXTN: 37812

EXECUTIVE SUMMARY:

The report follows Cabinet's consideration, in November 2020, of a long-list of options available to achieve access to the beach in Bognor Regis for those with limited mobility, when the 8 presented options were short-listed to three.

RECOMMENDATIONS:

That Environment and Neighbourhood Services Committee:

1. Approves Option 4A as the preferred option
2. Authorises the Group Head of Technical Services in consultation with the Chair of Environment and Neighbourhood Services Committee and the Interim Group Head for Corporate Support to vary or adapt the proposal to reflect the outcome of consultation with stakeholders
3. Authorises any necessary approvals to be sought and procurement in line with Standing Orders to enable subject to funding and approvals, with the aim of operating from the Summer season of 2022.

Recommends to Corporate Policy and Performance Committee the £25,000 cost of the preferred option be included in the capital budget.

1. BACKGROUND:

- 1.1. The aim of the project is to address the calls for better access, not just for able bodied but also for the disabled, to the lower foreshore.
- 1.2. A Cabinet report in November 2020 provided a history to the subject and considered a long-list of eight potential options; this was reduced to an agreed short-list of three for further consideration (see Minute 284).
- 1.3. A table in the Cabinet report provided a brief description of the 8 options, together with indicative costs, constraints/opportunities and comments for each.
- 1.4. It is worth reiterating a brief description of the constraints, as whilst this project's aim is seemingly a simple one, the solution is not, nor is it one that has had

widespread provision/adoption by others around the country.

- High tidal range and potentially severe incident wave conditions,
- Natural upper beach of shingle, that is mobile and has an angle of repose of around 1 in 9. A sandy, shallow sloping lower foreshore underlain by clay extends seaward,
- West to east littoral drift (3,000 – 10,000m³ per annum),
- Provision should be Equalities compliant (max gradient vs slope lengths, handrails, edge/surface treatment etc.). Although not directly applicable, Part M of the Building Regulations relates to access and use of buildings. Guidance is available through good practice guides published by Central Government and this is seen as the best applicable in this situation.),
- Tides vary in height and time of day,
- Beach levels (and profile) vary on a daily basis – i.e. shingle and sand is mobile,
- All of Aldwick, Bognor Regis and Felpham is within a new Marine Special Protection Area, and west of the Pier is a Site of Special Scientific Interest,
- Need to consider capital and revenue costs.

- 1.5. It is also worth reiterating the potential adverse scenarios if the Council is to avoid considerable reputational risk / damage. Applies to all Options short-listed from the November 2020 Cabinet report.

In providing a public facility, it should be safe for all users.

- Little or no control of how users act on the foreshore with the risk of being cut-off by the tide, due to long groynes on an incoming tide,
- Ordinary wheelchairs would be very likely to become stuck (soft sand / underlying clay),
- The effects of sand and salt water on wheelchairs,
- it could become a focal point for all users, thus marginalising the 'target audience',
- Need to consider the whole-life aspects of such a facility,

- 1.6. The previous report outlined the potential (indicative) capital and revenue costs.

- 1.7. In bringing the eight options down to three, there was also discussion on the merits of including a fourth; the concrete ramp option at Rock Gardens (Option 6), for which some previous design work had been done by a third party in 2008.

- 1.8. Subsequent detailed work on this potential fourth option has borne out the concerns raised in the initial appraisal. The proposal, from 2008, does not fully address the need to either get over the shingle or down to sand level; the exit point is still above mean high water springs and it only reaches around 1/3 of the way to the current sand location.

- 1.9. Whilst the design is Equalities compliant, an assertion that the area is often devoid of shingle cannot be backed up by air photo evidence – looking over

recent images back to 2000, only in 2005 was there a reasonable amount of the concrete exposed.

- 1.10. There is then the unsuitability of putting a solid structure into the littoral system, at a point which is convex in the general beach plan-shape - doing so at that point (i.e. Rock Gardens) would probably be the most disruptive to the natural beach regime and would almost certainly have detrimental effects to the east, reducing the standard of defence and increasing Repairs and Maintenance requirements to the existing coastal assets.
- 1.11. The exclusion of Option 6 (Concrete Ramp at Rock Gardens) in the short-listing process is therefore considered justified.
- 1.12. Option 4 (provision of buggies – in combination with matting – not Equalities compliant)
 - 1.12.1. This is envisaged to be an assisted service, provided on a seasonal basis, initially by the Foreshores Team. The Team would not be able to provide the service with the current staffing provision; however, the Team is recruited seasonally and so flexibility is possible. In future years the service may be provided by way of a concession.
 - 1.12.2. As the times of High Water varies day to day, the provision would not be able to be 'rolled out' at the start of the day and left. The management of the proposed specialist chairs would require staffing thorough out the hours of operation and so the Team would probably operate a rota.
 - 1.12.3. The buggies (example photos below) are most suited to a shallow sloping beach. The steepness of the shingle could be mitigated by the acquisition and use of a suitable tracked machine to grade the beach (probably on a daily basis) and a system of roll-up matting to enable wheelchairs to negotiate the shingle. This would not be fully Equalities compliant but with assistance, the buggies could reach the foreshore.
 - 1.12.4. Examples of specialist buggies / chairs



Left - suitable for use in the sea



Right - similar to the type used by Brighton and Hove Council for their free service.

- 1.10.5. It should be noted that Brighton and Hove Council's free service requires that users do not attempt to negotiate the sloping part of the beach, to get

down to the foreshore; they must limit themselves to the flatter, top of the beach.

- 1.10.6. Chichester District Council does not operate a disabled access service but does provide a seasonal safety boat. This is launched with the aid of a tractor, the tractor also serving to help regulate the beach slope – this makes access to the beach easier for the less able; it is not Equalities compliant and users do so at their own risk.
- 1.10.7. Examples of roll out matting; these are not suitable for steeply sloping shingle but with shingle management, by a small tracked machine of a type shown, a localised and seasonal slope should be possible to maintain.



- 1.10.8. The matting shown above has a high plastic content which has the possibility of being abraded and releasing micro-plastics into the sea. It would therefore be preferable to use a natural material based system, such as timber slats linked by natural fibre rope. This would make it heavier but with the aid of the tracked machine this could be rolled out and recovered when required.
- 1.10.9. As noted above, tides occur at different times of the day and so the matting would not be left in place (i.e. over High Water or overnight) but made available for periods over low water during the daytime.
- 1.10.10. The location would be much more flexible than a fixed structure (i.e. Option 7) but once chosen for the season, it would need to remain in that location, as the regulation of the beach slope would encourage an element of beach stability, with reduced input on each tide to maintain the more gentle slope. Obviously, summer storms would undo some of this work but the 'desire ines' of usage would help regulate the beach profile.
- 1.10.11. Users, both able bodied and less able (probably assisted), could use the facility at will. It is not proposed that staff would normally be on hand to provide assistance but would be required to operate the machinery and manage the buggies.
- 1.10.12. The machine necessary regulate the beach slope could be hired (on a long-term basis) and would be available for other allied uses on the foreshore e.g. shingle clearance.
- 1.10.13. These machines predominantly diesel powered but there is a move to electric/hybrid or to hydrogen power. These newer fuel systems are still in development and their applicability is related to their proposed duty cycle – short intermitent use favours electric/hybrid, whilst long, high demand

seems to suit the emerging hydrogen systems. There are limitations with both (not least recharging/refuelling infrastructure provision). It is therefore suggested that biodiesel would be used during a trial phase. If a system emerges that has sustainable/sustainability benefits, then this should be adopted for the longer term solution.

1.10.14. Clearly, training and certification of staff in the use of such machines would be required but these machines are very much at the lower end of the competence requirement scale.

1.10.15. Storage for the chairs and the machinery would need to be provided nearby.

1.10.16. Costings

Staffing - £30k pa

Machinery £40k pa (hire or second-hand cost, plus fuel & maintenance)

Chairs £3k each – say 5 initially *

Matting £15k *

Chair and machinery storage close by £5k *

* initial cost – therefore circa £35k + £70k pa

1.11. Option 4A (Decking - extending close to the beach crest – Equalities compliant)

1.11.1. To provide a facility that caters for High Water and out of season provision, it is suggested that consideration be given to a further short-listed Option

1.11.2. This would involve revised and additional decking units being provided to supplement those already situated east of The Pier.

1.11.3. This additional Option would be low cost, with minimal ongoing cost liability and would enable access over the shingle to just short of the crest of beach. There are currently a number east of the Pier but they are limited in width. One or more could be extended to just short of the beach crest; thus enabling wheelchair users and others to gain a better view of the sea.

1.11.4. A similar, wider decking unit could also be provided west of the Pier where there is currently no provision; as with the suggestion in 1.11.3, this would extend further to seaward, thus providing a better seaside experience.

1.11.5. The capital cost of this additional option would be in the order of £25,000 with minimal revenue implication.

1.11.6. Experience gained from the existing decking provision is that they could be readily procured and constructed in time for the summer 2022 season; then would be available 24/7/365.

1.11.7. The benefits of this option are the low initial cost allied to the year-round availability, Equalities compliance and wider geographic provision together with minimal revenue implication.

1.12. Option 5 (Powered shuttle service – potentially Equalities compliant)

- 1.12.1. This would be a dedicated, larger tracked machine, able to take users ‘on board’ on a flat bedded adaptation, that stayed level during operation. The service could operate from almost any location but clear warning signage for other beach users would be required.
- 1.12.2. This type of machine is not readily available and would require working with suppliers to specify and manufacture the required system.
- 1.12.3. Accordingly, there would be a high capital cost (new machine) plus development time and costs; there would also be a higher requirement for safety certification, as it would in effect be carrying passengers.
- 1.12.4. There would be a need to specifically insure the machinery and allow for a servicing provision and storage when not in use.
- 1.12.5. The machine would be single-purpose and so not re-deployable for other duties. The machine and operator would be ‘standing ready’ at all times during the time of the service
- 1.12.6. The service would only operate during the Summer season and at periods around Low Water.
- 1.12.7. Fuelling considerations mentioned above (1.10.13) would apply.
- 1.12.8. If the machinery were to breakdown there would be a greater consequence than with Option 4; not only might users be stranded on the foreshore but the machine would too. There would in effect be no Plan B.
- 1.12.9. Costings – no in depth costings have been undertaken, as this is seen as the least preferable ‘service’ option but there would be very high capital cost (due to machinery purchase and development costs) as well as longer implementation time, skilled staffing and increased cost of safety and storage provision.

1.13. Option 7 (Fixed Timber Ramp - Equalities compliant)

- 1.13.1. In working up the initial design and cost estimate of £550,000 for the timber ramp structure (Option 7), schematics were produced and included in the Cabinet report.
 - 1.13.2. Costings have been re-visited, as many commodity prices have increased substantially in recent months. Unlike most softwoods and some hardwood species, the cost of Greenheart has not increased significantly, and is likely to increase only by around 5% - 10% in the near future. There will be an increase in construction costs (labour, plant, other materials, etc.) but the original estimate should be within acceptable bounds for the current considerations.
 - 1.13.3. The location for this structure would be as before, i.e. near to West Street, where the combination of beach crest width, shingle profile slope and stability make it the preferred location.
- 1.14. Consultation. Members of Cabinet were keen to see consultation with potential users and stakeholders. As there are still a number of options under consideration, this has not yet been done. Pending the identification of a preferred option, then consultation would be undertaken with a range of

stakeholders. Views would be sought around location, operating seasons and times plus the level of assistance and maintenance provision (depending upon which option was identified).

1.15. It is assumed that whichever option is preferred, it would be free to all users.

1.16. Design, permitting considerations and timescale to implementation

1.16.1. Options 4 and 4A would involve minimal design and procurement and could be achieved for 2022/23

1.16.2. Option 5 would involve inviting expressions of interest to develop the machinery and then time to develop it. It is unlikely that a service would be available for before Summer 2023

1.16.3. Option 7 (Timber Ramp) – this would entail detail design and procurement (tenders etc.) and would not be deliverable for 2022/23

1.16.4. All Options would involve a level of permitting, whether that was environmental or to meet the requirements of the Coast Protection Act 1949 or other legal requirements.

1.16.5. Arun District Council owns the area above High Water but it leases the Foreshore from the Crown. Permission would need to be sought from the Crown, either for a fixed structure or for an operation that is not included in the terms of the existing Regulating Lease (Clause 3.12 of the Lease limits the driving of mechanically propelled vehicles to Construction and Repairs & Maintenance and beach cleansing or removal of materials)

1.16.6. The substantial fixed structure of Option 7 would require Planning Permission – which could be an involved process, due to the environmental designations. Further guidance would be sought from safety experts such as RoSPA, although initial contact has been made. Option 4A may require Planning Permission).

1.17. Timescale of operation.

1.17.1. As noted above, Option 4A would be available 24/7/365

1.17.2. It is suggested that Options 4 and 5 would be provided during the same period for which seasonal staffing is provided from the Foreshore Office but there may be scope to varying this depending upon the outcome of consultation.

1.17.3. It is further suggested that if neither Option 4A or 7 is not the preferred Option, then any provision under Options 4 or 5 is made for a one-year trial period, with a report back to Committee with the results of the first year's operation and usage with consideration then given to continuing the service.

1.17.4. The benefit of Option 4, 4A & 5 is that there would be minimal decommissioning cost, although there could be extensive abortive costs in developing and disposing the machinery of Option 5

2. PROPOSAL(S):

That Environment and Neighbourhood Services Committee:		
<ol style="list-style-type: none"> 1. Approves Option 4A as the preferred option 2. Authorises the Group Head of Technical Services in consultation with the Chair of Environment and Neighbourhood Services Committee and the Interim Group Head for Corporate Support to vary or adapt the proposal to reflect the outcome of consultation with stakeholders 3. Authorises any necessary approvals to be sought and procurement in line with Standing Orders to enable subject to funding and approvals, with the aim of operating from the Summer season of 2022. 4. Recommends to Corporate Policy and Performance Committee the £25,000 cost of the preferred option be included in the capital budget. 		
3. OPTIONS:		
Either of the other three short-listed options or no service provision		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)	See Para 1.16	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal		✓
Human Rights/Equality Impact Assessment	EIA completed	
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability	✓	
Asset Management/Property/Land	✓	
Technology		✓
Other (please explain)		✓
6. IMPLICATIONS:		
Finance:		
Members should be aware that there is no budgetary provision for the facility in both the capital programme and revenue budget. Any scheme would therefore have to be considered as a growth bid, no doubt alongside other competing bids. The financial implications of the four options considered in this report are summarised in		

the table below.

	Option 4	Option 4A	Option 5	Option 7
Capital	£	£	£	£
Chairs	15,000		No costings provided for option 5. Assume no further action will be recommended for this option.	
Matting	15,000			
Storage Unit	5,000			
Decking		25,000		550,000
Total	35,000	25,000		550,000
Revenue				
Staff	30,000	No revenue costs expected		
Machinery (Leased)	40,000			
Maintenance				10,000
Total	70,000	0	10,000	

In considering what action, if any, to take Members will need to consider the financial implications of the options alongside the other matters outlined in the report. Clearly, if any of the three costed options is pursued, there will be an effect on the capital programme and revenue budget. The report states that if introduced, the facility will be free of charge, so there is no income generating potential. Members are reminded that the Council's Medium Term Financial Plan shows an ongoing significant revenue deficit and undertaking this scheme will increase the pressure on the Council's already difficult financial situation.

Human rights/ Equalities: No significant adverse impacts, as the provision is sought to increase accessibility

Sustainability: Proper consideration in the choice of materials

Asset Management/Property/Land: The new works are likely to be on or operate over land that Arun DC owns or leases from the Crown for which consent may be needed.

7. REASON FOR THE DECISION:

To enable the Council to provide better access to the foreshore in Bognor Regis for those with limited accessibility

8. BACKGROUND PAPERS:

Equalities Impact Assessment

Cabinet report in 16 November 2020 - [\(Public Pack\)Agenda Document for Cabinet, 16/11/2020 17:00 \(arun.gov.uk\)](#) – Item 11

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EQUALITY IMPACT ASSESSMENT

Name of activity:	Environment & Neighbourhood Services Committee Report, looking at a short list of options for better access to the foreshore at Bognor Regis	Date Completed:	24 August 2021
Directorate / Division responsible for activity:	Place / Engineering	Lead Officer:	Roger Spencer (Engineers
Existing Activity	<input type="checkbox"/>	New / Proposed Activity	<input type="checkbox"/>
		Changing / Updated Activity	<input checked="" type="checkbox"/>

What are the aims / main purposes of the activity?

To provide more information on a short list of options and to suggest a preferred option

What are the main actions and processes involved?

Consideration of the benefits and disbenefits of each option

Who is intended to benefit & who are the main stakeholders?

All potential beach users, primarily but not limited to those with mobility impairment

Have you already consulted on / researched the activity?

There has been previous contact with the Bognor Regis Mobility Group but no contact at this point. Consultation will be undertaken when the option concept has been considered – ie location, times of operation.

Impact on people with a protected characteristic (What is the potential impact of the activity? Are the impacts high, medium or low?)

Protected characteristics / groups	Is there an impact No	If Yes, what is it and identify whether it is positive or negative
Age (older / younger people, children)	No	

Disability (people with physical / sensory impairment or mental disability)	Yes	The intention of the facility being considered is to better enable access to the foreshore. Therefore, the outcome should be positive
Gender reassignment (the process of transitioning from one gender to another.)	No	
Marriage & civil partnership (Marriage is defined as a 'union between a man and a woman'. Civil partnerships are legally recognized for same-sex couples)	No	
Pregnancy & maternity (Pregnancy is the condition of being pregnant & maternity refers to the period after the birth)	No	Whilst not a disability, mobility may be limited in the latte stages of pregnancy and so the facility may benefit thie wanting to negotiate the shingle and gain access to the sea / foreshore
Race (ethnicity, colour, nationality or national origins & including gypsies, travellers, refugees & asylum seekers)	No	
Religion & belief (religious faith or other group with a recognised belief system)	No	
Sex (male / female)	No	
Sexual orientation (lesbian, gay, bisexual, heterosexual)	No	
Whilst Socio economic disadvantage that people may face is not a protected characteristic; the potential impact on this group should be also considered	No	

What evidence has been used to assess the likely impacts?	
The intention of all options is to improve beach access for all users. Consultation will be undertaken with potential primary users in due course	

Decision following initial assessment			
Continue with existing or introduce new / planned activity	Yes	Amend activity based on identified actions	Yes

Action Plan			
Impact identified	Action required	Lead Officer	Deadline
Consultation	Make contact with potential users to fine tune the 'offer'.	ESM	Following Committee consideration

Page 79

Monitoring & Review	
Date of last review or Impact Assessment:	N/A
Date of next 12 month review:	N/A
Date of next 3 year Impact Assessment (from the date of this EIA):	N/A

Date EIA completed:	24 August 2021
Signed by Person Completing:	R Spencer – Engineering Services Manager

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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES COMMITTEE ON 23 SEPTEMBER 2021

REPORT

SUBJECT: Bathing Water Quality

REPORT AUTHOR: Neil Williamson, Environmental Health Team Manager

DATE: 18 August 2021

EXTN: 01903 737676

AREA: Technical Services

EXECUTIVE SUMMARY:

The Environment Agency (EA) is responsible for monitoring and classifying bathing water quality at designated bathing waters. They also provide daily pollution risk forecasting which Arun District Council (ADC) utilises to install signage advising against bathing, when appropriate.

Residents have raised concerns about storm and wastewater discharges by Southern Water and the impact this may have on bathing water quality. Pollution risk forecasting by the EA does not directly consider such discharges. The EA regulate the activities of the sewerage undertakers, including permitted releases, and have powers to take enforcement action in relation to pollution of waters. These powers are not available to ADC.

ADC has previously worked with Southern Water to improve bathing water quality through their bathing water enhancement programme.

RECOMMENDATIONS:

- (i) That Arun District Council write to Southern Water and request they:
 - a. confirm the reasons for the storm and wastewater discharges within Arun
 - b. outline their proposals, including timescales, for improving the existing infrastructure and reducing the frequency of discharges within Arun
 - c. outline their proposals to ensure their infrastructure will adequately accommodate future demand due to increased housing
 - d. extend the bathing water enhancement programme to additional designated bathing waters within Arun
 - e. establish a system to notify Arun District Council when a sewage overflow occurs

- (ii) That ADC write to the Environmental Agency seeking a commitment to integrate sewerage infrastructure discharges into their pollution risk forecasting models.
- (iii) That this Committee support any work that the Planning Policy Committee recommend be commissioned to understand waste water infrastructure capacity and water quality issues in Arun.

1. BACKGROUND

The Environment Agency (EA) carry out monitoring of the water quality of designated bathing waters (DBW), between May and September each year. DBW are given a classification of Excellent, Good, Sufficient or Poor, indicating the water quality based on water quality monitoring results over previous years.

Samples are taken by the EA and provide a point in time indication of quality by looking for bacteria which indicate the presence of faecal contamination. There are a range of potential sources for these bacteria including sewage, livestock, birds and road drainage. Current bathing water signage and sample locations are shown in Appendix 1.

Arun District Council (ADC) DBW are currently classified as follow:

Pagham - Excellent

Bognor Regis (Aldwick) – Good

Bognor Regis East – Good

Felpham – Good

Middleton-on-sea – Excellent

Littlehampton – Good

Further information regarding bathing water quality, water quality assessments and pollution risk forecasting is published by the EA at the following website:

<https://environment.data.gov.uk/bwq/profiles/help-understanding-data.html>

The EA provides ADC with daily pollution risk forecasting information relating to four of Arun's DBW; Bognor Regis, Bognor Regis East, Felpham and Littlehampton. When a short-term pollution warning risk is issued, we display warning signs to enable to public to make informed choices about using bathing waters. Appendix 2 shows an example of the bathing water quality and short term pollution signage from Felpham Beach.

The EA also publishes information to enable to public to view locations where advice against bathing has been issued. This information can be accessed from the following link.

<https://environment.data.gov.uk/bwq/profiles/index.html>

Concerns have been raised by residents regarding Southern Water's releases and the potential impacts this may have on bathing water quality and public safety. Pollution forecasting models used by the EA do not currently utilise information regarding sewerage infrastructure discharges. However, such discharges are typically linked to heavy rainfall, which is considered in the forecasting. Integrating sewerage system information into the modelling would ensure this is directly considered and offer greater confidence.

Information on Southern Water stormwater and wastewater releases is publicly available at the following website however ADC is not required to be notified when releases are made. The EA regulate the activity of the sewerage undertakers, including permitted releases, and have powers to take enforcement action in relation to pollution of waters. These same powers are not available to ADC.

<https://www.southernwater.co.uk/water-for-life/our-bathing-waters/beachbuoy>

Southern Water has provided public information outlining the reasons that releases are made, and can be found at the following link. This reports that releases are necessary in wet weather because combined sewers can become overwhelmed and to prevent homes flooding and to protect wastewater treatment works.

<https://www.southernwater.co.uk/the-news-room/the-media-centre/2019/july/protecting-homes-and-managing-storms>

ADC has previously worked with Southern Water supporting its Bathing Water Enhancement Programme, in relation to Middleton and to a lesser extent Bognor Regis (Aldwick), however this has not been extended to other DBW within ADC.

2. PROPOSAL(S):

- (i) That Arun District Council write to Southern Water and request they:
 - a. confirm the reasons for the storm and wastewater discharges within Arun
 - b. outline their proposals, including timescales, for improving the existing infrastructure and reducing the frequency of discharges within Arun
 - c. outline their proposals to ensure their infrastructure will adequately accommodate future demand due to increased housing
 - d. extend the bathing water enhancement programme to additional designated bathing waters within Arun
 - e. establish a system to formally notify Arun District Council when a sewage overflow occurs
- (ii) That ADC write to the Environmental Agency seeking a commitment to integrate sewerage infrastructure discharges into their pollution risk forecasting models.
- (iii) That this Committee support any work that the Planning Policy Committee recommend be commissioned to understand waste water infrastructure capacity and water quality issues in Arun.

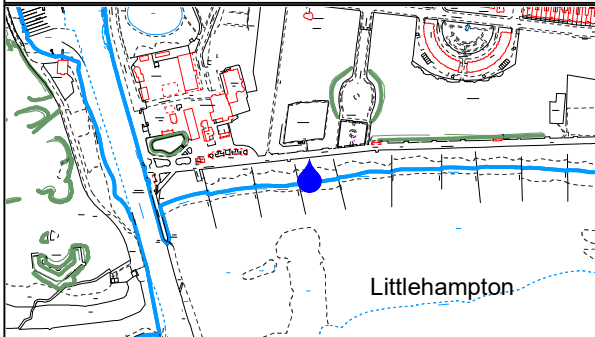
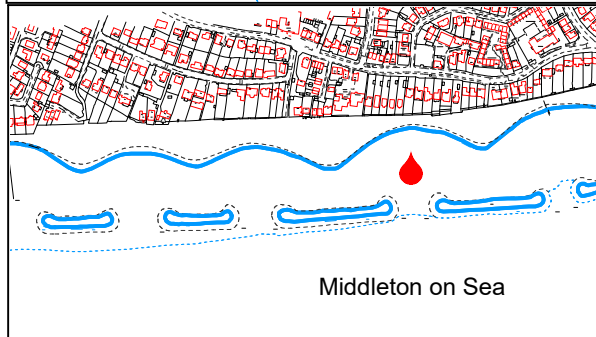
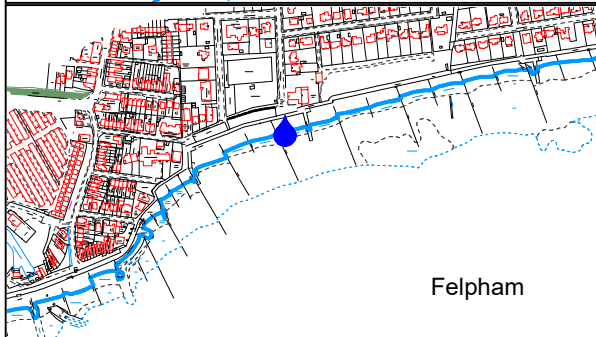
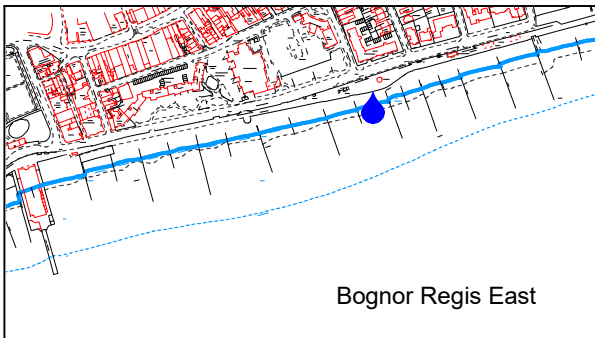
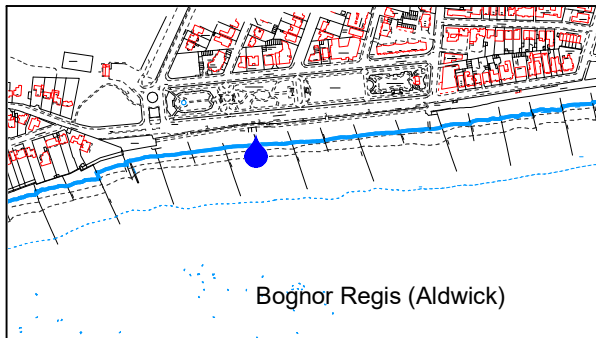
(1) OPTIONS:

- (i) Do not write to Southern Water
- (ii) Write to Southern Water with modified requests
- (iii) Do not write to the Environment Agency
- (iv) Write to the Environment Agency with a modified request
- (v) That this Committee do not support any work that the Planning Policy Committee recommends commissioning in relation to waste water infrastructure

4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify)		X
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)		
Financial		X
Legal		X
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act	X	
Sustainability		X
Asset Management/Property/Land		
Technology		X
Other (please explain)	X	
6. IMPLICATIONS:		
<p>If storm discharges are not adequately managed there is potential that this will impact bathing water quality, leading to increased public safety risks to bathers.</p> <p>This could also impact the classification of Arun's designated bathing waters, leading to loss in public confidence in our designated bathing waters and ultimately economic impacts should less people choose to visit Arun as a result.</p>		

7. REASON FOR THE DECISION:
 To improve public safety and public confidence in Arun's designated bathing waters



8. BACKGROUND PAPERS:
 INSERT LINKS TO BACKGROUND PAPERS HERE
[Water quality | Arun District Council](#)
[BWEF-Middleton-On-Sea.pdf \(southernwater.co.uk\)](#)
[Environmental Services and Leisure Working Group 01 November 2016 Agenda, Item 7: Short Term Pollution Event Forecasting at Bathing Waters](#)
[ICM Cabinet Member Decision - Bathing Water Enhancement Programme - 17 May 2018](#)
 Appendix 1: Bathing Water Signage and Sample Locations
 Appendix 2: Bathing Water Quality and Short Term Pollution Signage



Arun Civic Centre
 Maltravers Road
 Littlehampton
 West Sussex
 BN17 5LF
www.arun.gov.uk
 01903 737500

Appendix 1
 to Bathing Water Quality report
 to Environment & Neighbourhood Services
 Committee 23 September 2021

Plan

-  Dual signage with advice plates
-  Single information signs

Drg No - Appendix 1
 Scale - 1 : 80,000 (@ A4)
 Drawn by OS & RS
 Date - September 2021

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Appendix 2: Bathing Water Quality and Short Term Pollution Signage (Felpham Beach)



Left – water quality information with plate to display advice against bathing
Right – bathing water information and classification

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Environment & Neighbourhood Services Committee	Report Author	Send to Gemma for CMT by 2pm Thurs	CMT Tues	Draft Reports to Committees	Agenda Prep Meeting	Final Reports to Committees	Agenda Publish Date	Date of Meeting	Full Council Meeting Date
Elmer Sands Community Flood Fund Amendment to Parking Order	R Spencer C.Baylis	17-Jun-21	22-Jun-21	5pm Wednesday 16/06/21	24-Jun-21	10am Monday 28/06/21	Wednesday 30/06/21	15-Jul-21	15-Sep-21
Stoken Gardens – Heads of Terms for Procurement Food Safety Service Plan Health & Safety Service Plan Bognor Regis Beach Access Options Appraisal Budget 2022/2023 Process Bathing Water Quality	Joe R-W Neil Williamson Neil Williamson Roger Spencer Carolyn Martlew N Williamson	12 Aug	17 Aug	5pm Wednesday 25/08/21	02-Sep-21	10am Monday 06/09/21	Wednesday 08/09/21	23-Sep-21	10-Nov-21

Tree Planting Strategy	Joe R-W	7 Oct	12 Oct	5pm Wednesday 20/10/21	28-Oct-21	10am Monday 01/11/21	Wednesday 03/11/21	17-Nov-21	12-Jan-22
Car Parks Strategy	Joe R-W								
Variation to Parking Charges	Joe R-W								
Fuel Poverty Framework	Louise Crane								
Empty Property Assistance Programme	Louise Crane								
Annual Engineering Service Review	Roger Spencer								
Changing Places Toilets Expressions of Interest	Nat Slade								
Food Waste Trial (FWT) update	Joe R-Wells	25 Nov	30 Nov	5pm Wednesday 08/12/21	16-Dec-21	10am Monday 03/01/22	05-Jan-22	20-Jan-22	09-Mar-22
Budget 2022/23 Timetable	C Martlew								

Solar Together Sussex	Louise Crane	27 Jan	01 Feb	5pm Wednesday 09/02/22	17-Feb-22	10am Monday 21/02/22	23-Feb-22	10-Mar-22	11-May-22
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