

Community Safety and Environment Policy and Accountability Committee Minutes

Monday 9 September 2019

PRESENT

Committee members: Councillors Bora Kwon (Chair), Iain Cassidy, David Morton, Ann Rosenberg and Victoria Brocklebank-Fowler

Other Councillors: Councillors Stephen Cowan (the Leader of the Council), Wesley Harcourt (Cabinet Member for the Environment)

Officers: Richard Duffill (Cycling Officer), Chris Bainbridge (Head of Transport Policy), Dan Levene (Media Manager), Graham Morrison (Environmental Health Officer), Stephanie Needham (Food and Health Safety Manager), Bram Kainth (Chief Officer), Russell Butt (Communications Officer)

External: Tanya & Nadim Ednan Laperouse (Parents of Natasha Ednan Laperouse)

1. **MINUTES**

RESOLVED:

THAT the minutes of the meeting held on 18 June March 2019 were approved as a correct record and signed by the Chair.

2. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

3. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4. FOOD ALLERGIES AND OUR ROLE IN THEIR CONTROL

Graham Morrison Environmental Health Officer provided a presentation of the Council's role in controlling food allergies in local businesses. An overview was provided of the work that the Food Safety team had carried out to keep residents and visitors to the borough, safe. The UK law defined 14 substances that needed to be clearly labelled or indicated as being present in foods. In Britain, these substances were: celery, cereals containing gluten, crustaceans, eggs, fish, lupin, milk, mollusc, mustard, nuts, peanuts, sesame seeds, soya, and sulphur dioxide. He showed slides that explained the role and the bodies response to allergic reactions, anaphylaxis, or anaphylactic shock, food intolerance and histamine poisoning. A local case study of a customer suffering an anaphylactic shock after eating a takeaway and the steps taken by the Council were outlined. The customer reported the case to the Council and relevant investigations were carried out by the team. 2 statutory notices were served on the business and as a result their website was updated.

An overview was provided on the Law and regulations relating to food allergies. Additionally, the three basic styles of sale to the public were noted. These included catering & take-away, pre packed retail (e.g. supermarket), and retail made on the premises (e.g. Pret a Manger). Currently legal requirements varied across this spectrum. On 4th July 2019 the Food Standards Agency (FSA), following consultation with all interested parties, issued the following decision. "Mandate the name of the food and full ingredient list labelling, with allergens emphasised, on packing of food prepacked for direct sale." The Food Information (Amendment)(England) Regulations were laid on 5 September 2019 and would come into effect on 1 October 2021. Local authorities would be responsible for enforcement as part of the routine inspections.

Graham Morrison explained that the Council had a statutory responsibility for food hygiene and food standards in all food outlets; this included food allergies, of which 14 were listed in the legislation. Routine inspections were made on a risk-based schedule and complaints were investigated as they occurred and appropriate action was taken. There were many different theories suggesting why allergies occurred, however the issue had not been resolved. There had been an increase in reporting and going forward, officers would ensure that the website was updated to raise awareness of what questions needed to be asked when ordering food to minimise risk.

The Chair welcomed Tanya & Nadim Ednan Laperouse, parents of Natasha Ednan Laperouse who had a fatal allergic reaction after eating a partially labelled baguette, containing sesame. Mr and Mrs Ednan Laperouse commented that they were pleased to note that under 'Natasha's law', food businesses would have to include full ingredients labelling on pre-packaged food. The law was set to come into force by Summer 2021 and businesses would be given a two-year implementation period to adapt to the changes. It was noted that according to data relating to food allergies, this affected 5-7% of infants and 1-2% of UK adults, extreme cases had resulted in fatalities, therefore this needed to be taken seriously.

Tanya & Nadim Ednan Laperouse felt that businesses needed to do more work around cross contamination and clearly labelling pre-prepared food and menus of any food allergies. Both parents supported the work carried out by the Council and noted that awareness and academic support was vital to tackle this issue, whilst developing new therapies that would offer hope for effective allergy treatments.

The Chair thanked Mr and Mrs Ednan Laperouse for sharing their story with the Committee and was pleased to note that 'Natasha's law' was due to come into force by 2021. In addition, she offered the support of the Council for this cause.

Councillor Iain Cassidy enquired whether smaller companies were being as proactive as larger ones. In response Graham Morrison explained that larger companies were taking this matter seriously, however staff required more training. This issue was more challenging to tackle amongst smaller businesses due to the challenges faced around complicated and lengthy menus. It was noted that the warnings needed to be displayed in obvious locations and the Council took formal action where businesses failed to comply. A substantial more intensive piece of work was due to take place in 2020 to address some of the key concerns within the borough.

Councillor David Morton asked if food allergies predominately affected Western European countries or was this a broader concern. Graham Morrison explained that this was a wider issue affecting many countries globally.

Councillor Victoria Brocklebank-Fowler queried how many Council officers undertook allergen related work. Stephanie Needham, Interim Head of Environmental Health noted that there were 4 full time equivalent (FTE) posts. In addition, the Council had also secured Section 106 funding for a Food Environment Health Officer (EHO), however this was for the current financial year 2019/20 and was specific to Westfield. There were 2000 registered premises in the borough and each year the Council had a duty to inspect a set amount of businesses to ensure that their practices minimised the risk of harm to the consumer. Part of complying with food safety was managing food hygiene and food standards

Councillor Ann Rosenberg felt that food allergies was a growing issue, particularly in Western Europe and asked if businesses could use adequate signing and label each item going forward. Graham Morrison said that most businesses displayed a small text on their lengthy menus, however this was often overlooked. It was essential for businesses to ask customers if they had any allergies at the beginning of their order and provide them with a menu chart to minimise risk.

The Chair asked how regularly the food hygiene and food standards inspections were carried out. In response Graham Morrison explained that statutory food hygiene and food standards inspections were a principle tool in the prevention of food incidents including allergies. Food hygiene inspections were carried out at least every 6 months for businesses that posed a high risk. Food standards inspections must be made at least every 12 months for highest risk businesses and at least every 5 years for lower risk businesses.

As food safety and food standards inspection timing was not coincident, officers looked at the robustness of allergy systems regardless of the next scheduled food standards inspection. In addition, labelling menus were examined during routine sampling programmes.

A resident queried if there was a website available to check details relating to allergies e.g. if he was hosting a dinner for a group of people at his house. Graham Morrison explained that the law required the 14 food allergens to be outlined in bold on packaging, therefore it would be important to check the labels before purchasing food items. In addition, it would also be useful to directly ask people of any specific allergies. Additionally, the Council was updating the website to ensure the latest information was provided, including new developments on this matter.

RESOLVED

THAT the Committee noted and commented on the key importance and potential impact of this issue and the ongoing work of officers.

5. SAFER CYCLE PATHWAY AND A4 CYCLE HIGHWAY

Richard Duffill, Cycling Officer provided an update on the Council's proposals on safer cycle pathway, including a cycle highway alongside the A4 and noted the following key points:

- The Council would ensure that the design met all the needs of its disabled and less mobile residents as well as businesses in the borough.
- The pathway would be designed to suit slower, less confident riders and families.
- It would be designed to improve the environment and protect the high numbers of pedestrians in the borough.
- The design would seek to maximise pedestrian space and make the transition from pavement to pavement safe and usable for everyone.
- The A4 cycle highway would shuttle faster, more confident riders and commuters from the border with Chiswick to the Hammersmith gyratory. This provided an alternative route away from the high street.
- The Council was committed on delivering a healthy streets approach. This aimed to encourage walking, cycling and the use of public transport to tackle poor air quality and reduce car dependency.

Richard Duffill, Cycling Officer explained that the Council welcomed the opportunity to engage with residents, businesses and disabled groups to feed into the design process before it was finalised. To achieve this resident, working groups and drop-in sessions for all stakeholders would be arranged. At these staff would be available to explain the planning proposals and particularly to listen to residents about their views around the development of the scheme. All the suggestions would be gathered for the design and series of working group workshops would be held with the aim to create a final design for the route. Furthermore, approval would be sought from each working group to proceed with the design.

Councillor David Morton commented that whilst he agreed with the worthy objectives of the presentation, the concerns relating to the potential traffic implications along Hammersmith Road as a result of safer cycle pathway and potential developments in the Olympia area needed to be addressed. Richard Duffill explained that the Council had agreed with Transport for London (TfL) to build a fully segregated safer cycle pathway running across the borough from Chiswick down King Street and Hammersmith Road to Kensington Olympia. TfL had designed an outlined scheme, however at this stage the Council was unable to add to these designs until it fully understood the Olympia proposals and what residents wanted to achieve. Drop in sessions would be arranged to encourage engagement and clarify issues concerning residents and input into the detailed design for the two routes. In addition, it was noted that the final designs would factor in the redevelopment of Olympia once this was established.

Councillor Victoria Brocklebank-Fowler enquired if there was an option for the Council to not implement the scheme if residents were not in favour of the proposals. In response Richard Duffill explained that the Council was committed to developing two new cycle routes providing better, safer cycling facilities combined with improvements for pedestrians. The route would be designed to improve the environment in consultation with all stakeholders. In addition, residents would have the opportunity to feed into the final designs.

Councillor Victoria Brocklebank-Fowler asked what the cost of the engagement process was. In response Richard Duffill explained that the Council was still in the process of finalising these figures and these would be circulated to Committee members as soon as they were available.

Councillor Ann Rosenberg asked if the new designs would include the use of motorised scooters. Richard Duffill explained that officers were currently carrying out a piece of work to establish the safety arrangements for these types of devices within the borough. The Council was also working with other London Boroughs to create a new Bye-law to control Dockless bikes and other travel devices in the borough. This would be developed by the end of the year. Furthermore, Electric scooters were not legal for roads and some boroughs were using heavy enforcement on these. The Department for Transport (DfT) were currently reviewing the legalities of scooters on roads and highways. A decision would be made in 2020.

A resident commented that the accessibility needs for disabled people who wished to cycle in the borough needed to be factored into the scheme. Richard Duffill said that the aim of the drop-in sessions was to gain an in depth understanding of what residents wanted to achieve to develop the scheme. Furthermore, the Council recognised these needs, therefore a safer segregated cycle pathway would aim to provide mobility for disability vehicles.

A resident commented that during a Community Safety and Environment (CSE) PAC meeting in 2018, residents made some strong suggestions and asked for these to be taken into consideration in the final designs, particularly concerns around traffic impact as a result of the safety cycle pathway.

A representative from Wendell Park Primary school welcomed the proposals and was pleased to hear that schools and nurseries also had the opportunity to share their views and was keen to feed into the final designs via the drop-in sessions to help develop the scheme.

A resident commented that being a cyclist himself he felt that the cycle route was situated in the right place for his particular commute. He also noted that data suggested that car pollution decreased as a result of the cycle super highway in Embankment. He felt that this aimed to provide a sustainable environment for London as a whole therefore welcomed the Councils proposals.

A Resident expressed his concerns around bus stop bypasses. He asked whether the Council had any plans to reduce bus stops within the borough to speed up traffic, especially around King Street. Richard Duffill explained the disability workshop would aim to discuss and understand the issues and concerns of residents. Accessibility to different transport means for disabled people, including mobility was critical for the Council. The Council would initially implement two bus stops bypasses at two different locations, however where possible the Council would relocate a bus stop for improved accessibility if this was necessary.

A resident commented that he was pro cycling. However, was not in favour of the TfL segregated cycle routes and felt that the scheme was flawed due to the following reasons:

- According to department for transport (DfT) figures 96% of residents in the borough were road users and 4% were cyclists. Therefore, felt that this scheme would provide exclusivity to a smaller proportion of residents compared to those who used other methods of transportation.
- Felt it would create more traffic implications along Hammersmith Road due to the reduction of bus journeys and there would be no improvement on air pollution.
- Felt it was anti-democratic as many residents were not in favour of the scheme.
- Noted that according to TfL's study on the scheme there would be no improvement in air pollution.
- Raised some concerns around the safety of the scheme.

Councillor Iain Cassidy commented that he had lived in the Netherlands and used cycling as a means of transport to and from work on a regular basis by using safe bi directional cycle pathways. More women in the Netherlands were likely to cycle compared to men and the peak age of women that cycled was 72 years old. This was due to the infrastructure which allowed people to make safer cycle journeys. However, in London people were less likely to cycle because they felt unsafe and frightened. Therefore, implementing a safer cycle pathway would enable more people to cycle, especially women and, children. Additionally, by encouraging safer cycling in London, this would help reduce issues surrounding obesity and air quality.

Many residents echoed Councillor Iain Cassidy's views and noted that they were broadly in favour of the scheme. Residents felt that people were less likely to cycle due to the lack of non-segregated routes across London. Additionally, motorised traffic needed to be discouraged to reduce air pollution and if safer cycle lanes were added, some of the pollution would evaporate as more people would use cycling as an option for transport. Residents were also delighted to hear that women were in favour of this scheme and noted that it was an important step to ensure that the borough was combating climate change and cutting CO2 emissions.

A resident asked what the average speed was for segregated cycle pathways in London. In response Councillor Iain Cassidy said that this was 9.8 miles per hour.

John Griffiths, HF Cyclists expressed concerns around pedestrian safety and traffic implications on Hammersmith Road as this would create big queues for buses on North End Road. He asked if a risk assessment had been carried out. Richard Duffill explained that two safety audits had been carried out and these would be shared with residents.

A number of residents expressed their concerns around bi directional traffic and the safety of pedestrians. Furthermore, the speed of cyclists, the location of bus stops and how these would impact pedestrians were all raised as key issues.

The Leader took a moment to thank everyone for sharing their views with the Committee. He raised concerns around the current condition of the environment and noted that this needed to be improved. Therefore, it was essential for the Council to encourage more people to travel safely and reduce the use of motorised vehicles in the urban sectors. The scheme proposed an A4 cycle highway for the use of faster more confident cyclists and a safer cycle pathway along King Street and Hammersmith Road to enable a better space for all residents. He explained that the Council would work in collaboration with residents to iron out any concerns and a suitable plan would be put in place to tackle some of the most important concerns, including climate change. He highlighted that the current situation was not sustainable and made references in support of Greta Thunberg, an environmental activist who was credited with raising global awareness of the risks posed by climate change.

Councillor Wesley Harcourt commented that the Council was committed to making the borough a better place to live for residents and offered reassurances that all feedback received would be considered. It was noted that Councillor Wesley Harcourt intended to work closely with the working groups and was determined to find a solution to all the concerns raised to meet the needs of residents.

RESOLVED:

THAT the all members except Councillor Victoria Brocklebank-Fowler endorsed the proposed engagement plan.

THAT, any comments received from the meeting were incorporated into any engagement plans.

6. WORK PROGRAMME

RESOLVED:

THAT the Committee noted the work programme.

8. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

THAT under Section 100A(4) of the Local Government Act 1972, that the public and press was excluded from the meeting during the consideration of the following items of business, on the grounds that they contain the likely disclosure of exempt information, as defined in paragraph 3 of Schedule 12A of the said Act, and that the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.

9. EXEMPT MINUTES OF THE PREVIOUS MEETING

RESOLVED:

THAT the exempt minutes of the meeting held on 18 June March 2019 were approved as a correct record and signed by the Chair.

Meeting started: 7:00pm
Meeting ended: 9:15pm

Chair

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