

Community Safety and Environment Policy and Accountability Committee

Agenda

Monday 9 September 2019 - 7.00 pm
Main Hall (1st Floor) - 3 Shortlands, Hammersmith, W6 8DA

MEMBERSHIP

Administration	Opposition
Councillor Bora Kwon (Chair) Councillor Iain Cassidy Councillor David Morton Councillor Ann Rosenberg	Councillor Victoria Brocklebank-Fowler



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Hammersmith,
London W6 8DA

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Community Safety and Environment Policy and Accountability Committee Agenda

9 September 2019

<u>Item</u>		<u>Pages</u>
1. MINUTES		4 - 9
	To approve the minutes of the meeting held on 18 June 2019.	
2. APOLOGIES FOR ABSENCE		
3. DECLARATIONS OF INTEREST		
	<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.</p>	
4. FOOD ALLERGIES AND OUR ROLE IN THEIR CONTROL		10 - 17
	This report provides an overview of the Council's work in controlling food allergies in food businesses.	
5. SAFER CYCLE PATHWAY AND A4 CYCLE HIGHWAY		18 - 23
	This paper seeks to update the Policy and Accountability Committee on progress on the development and engagement for the safer cycle pathway along King Street and Hammersmith Road, and the proposed A4 cycle highway.	

6. WORK PROGRAMME

The Committee is asked to consider its work programme for the remainder of the municipal year.

7. DATES OF FUTURE MEETINGS

- 13 November 2019
- 28 January 2020
- 31 March 2020

8. EXCLUSION OF THE PRESS AND PUBLIC

The Committee is invited to resolve, under Section 100A (4) of the Local Government Act 1972, that the public and press be 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

To agree the exempt minutes of the meeting held on 18 June 2019.

Agenda Item 1

London Borough of Hammersmith & Fulham

Community Safety and Environment Policy and Accountability Committee Minutes



Tuesday 18 June 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) and Patricia Quigley

Officers: David Chapot (Prevent Manager), Chris Bainbridge (Head of Transport Policy), Sharon Lea (Strategic Director of Residents' Services), Bram Kainth (Chief Officer Highways), Dan Levene (Media Manager), Valerie Simpson (Head of Environmental Health), Matt Hooper (Chief Officer - Safer Neighbourhood), Kim Smith (Chief Executive)

External: Linda Moss & Iain Killingbeck (TfL), Casey Abaraonye (HF Cyclists), Annabel Clarke (Hammersmith Society)

1. **MINUTES**

RESOLVED:

THAT the minutes of the meeting held on 27 March 2019 were approved as a correct record and signed by the Chair.

2. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Sue Fennimore.

3. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4. **HAMMERSMITH BRIDGE**

Chris Bainbridge, Head of Transport Policy and Network Management, provided a presentation of the Councils plans to fully restore Hammersmith Bridge. He showed slides that provided a brief history of the bridge, including a sketch of the original drawings and plans. The bridge was originally designed to move and flex to absorb shock and vibration. In the post war period, weather and vibration damaged the suspension system, Preventing it from flexing. As a result, this stressed the iron, creating small cracks in the casings surrounding the bridge's pedestals.

In 2012, the Council spent £250,000 on decking however, no plan to fully test the structural integrity or fully refurbish the bridge existed until 2015. It was noted that between 2015 to the current date the Council and Transport for London (TfL) had undertaken £5.35 million of works so far, including weekly safety checks. Furthermore, state of the art sensors had also been installed. Detailed safety checks had revealed 5 micro-fractures so far. World-class, specialist engineers were monitoring the bridge on a daily basis and dismantling the casings around the micro-fractures to identify the repairs needed.

The Council was working in collaboration with TfL to re-open the bridge and restoring it to its former Victorian splendour as soon as possible. It was noted that a full diagnostic would be carried out by mid-August and a more precise timescale would be available, however this might be as long as three years.

Councillor Victoria Brocklebank-Fowler said that the condition of the bridge was previously discussed at the Community Safety and Environment PAC in December 2018. However, she felt that immediate action was not taken by the Council which had led to an emergency closure. Therefore, she queried why funding negotiations with TfL had not progressed sooner.

Councillor Stephen Cowan (the Leader of the Council) explained that the Council needed to review the overall detail to determine a suitable solution to refurbish the 132-year-old suspension bridge. In 2015, the Council commissioned a full structural integrity assessment to check all aspects of the bridge's structure. The safety checks revealed that works needed to be carried out to repair the decking and refit the bolts. TfL had committed £25 million towards the repair of the bridge; however, the work was delayed.

In April 2019 the bridge was closed to motor vehicles until major safety critical strengthening work was completed. The Council's engineers discovered hairline micro-fractures which had started to appear in the iron casings around the pedestals of the bridge. To date, 5 micro-fractures had been discovered and a thorough evaluation was being carried out to establish the extent of the damage.

Councillor Victoria Brocklebank-Fowler asked whether the Council had established who would be funding the repair works. In response, the Leader explained that funding structures were in place. However, engineers were still in the process of establishing what works needed to be carried out to restore the bridge. Therefore, funding had not yet been finalised. In the meantime, the Council was proactively working with TfL to create a plan for the repairs to fund the restoration of the bridge.

The Leader explained that all funding options would be explored with the Government and TfL. The Council may introduce a toll on the bridge, though H&F residents would be exempt from paying.

The Leader took a moment to formally thank TfL, The Mayor of London and Councillor Gareth Roberts (Leader of the London Borough of Richmond Upon Thames) for their huge efforts, working in collaboration with the Council to support the refurbishment of the bridge.

A resident asked to what extent was the bridge damaged and why were the cracks not spotted earlier, given that weekly safety checks had taken place since 2015. The Leader explained that the bridge was currently closed to motor vehicles and a comprehensive review was being carried out to determine engineering solutions. Furthermore, ultrasonic testers had also been implemented to assess the level of corrosion.

A resident noted that a suspension structure was rebuilt in Budapest and was interested to know whether this had been examined by the Council. In response the Leader said that engineers had taken this into consideration, however the Budapest bridge was structurally quite different to Hammersmith bridge, despite looking similar.

Councillor Iain Cassidy queried whether inspections carried out by engineers had gradually intensified since they commenced in 2015. The Leader said that they had intensified recently. Micro-fractures had been discovered using the latest ultra-sound technology. Furthermore, he noted that there had not been an inspection process prior to 2015.

A resident thanked the Leader for a detailed presentation and analysis of the bridge. He felt that the bridge was originally designed for pedestrians, cyclists and horses and carriages as opposed to heavy traffic. This was due to the detrimental effect motor vehicles would have on the materials used to build the bridge. Therefore, commented that the Council should not re-open it to motor vehicles in the foreseeable future.

Councillor David Morton asked for clarification around the timescales for the re-opening of the bridge. The Leader explained that at this stage it was difficult to predict how long the repair work would take, however this could take as long as three years. A precise timetable including costs would be made available in September once engineers had carried out full investigatory works. In addition, the Council was working with engineers and TfL to re-open the bridge to motor vehicles at its earliest convenience. However, the bridge was currently only open to cyclists and pedestrians.

A resident said that this was an opportunity for the Council to reconsider its strategy in line with its commitment to combat air pollution, whilst restoring the bridge back to its Victorian splendour. He commented that it was important to deliberate the reduction of traffic in the borough and felt that it would be unreasonable to restore the bridge to its original capacity.

Another resident mirrored these concerns and explained that it was important to recognise the high volume of traffic caused by motor vehicles in the borough, which had an adverse effect on the environment. Therefore, they felt that restoring the bridge back to its original state was not a realistic plan.

The Leader said that many commuters needed to access the bridge, therefore the Council was exploring all opportunities in collaboration with TfL including the possibility of an underground tunnel as a replacement to the bridge, which would allow convenient access whilst considering environmental factors. Following feedback received from the public, the overall aim was to fully restore the bridge, allowing traffic to move back and forth. A full engineering review would also be carried out to determine the full capacity of the bridge. In addition, the Council was fully committed to protecting the environment and providing a cleaner air space within the borough and reassurances were provided that this was being reviewed as a separate issue.

The Chair asked what options had been considered for ensuring venerable residents could still access the bridge. The Leader noted that the Council was working with TfL to establish a robust service to meet the needs of venerable residents on both sides of the bridge. This service would be put into place as soon as engineers confirmed that they were confident that the bridge could be used safely.

The Chair explained that it was essential for the Council to communicate the timeline and plans when it was available in September to keep the public updated of the Council's plans going forward.

RESOLVED

THAT the Committee noted and commented on the update.

5. AN OVERVIEW OF THE WORK OF THE PREVENT TEAM

David Chapot, Prevent Manager, presented the report which provided an overview of the work undertaken by Prevent during the 2018/19 financial year. The report set out details about the performance of the team and the outcome of the Prevent Peer Review. David Chapot gave a presentation and outlined the following key points:

- The Counter-Terrorism and Security Act 2015 had made it a legal requirement for local authorities to have due regard to the need to prevent people from being drawn into terrorism (known as the *Prevent Duty*).
- The objectives of the Prevent strategy were outlined, including the local reporting and accountability processes.
- A steering group had been set up to scrutinise the work of the Prevent team.
- Community engagement played a vital role for the service - The team undertook 237 instances of community outreach in the borough, in addition, the team was in the process assisting in the creation of a local Faith Forum.

- The team had a commitment to offer safeguarding support to individuals vulnerable to radicalisation.
- Training was crucial as it allowed the team to address concerns in line with the Prevent strategy.
- Training in the education and non-education sector was delivered and positive feedback was received.
- The teams peer review took place from 20 to 23 November 2018. A range of external practitioners worked together to assess the work carried out by the Council.
- The peer review found that local delivery was of a very high standard and generally excellent. In addition, a range of recommendations were identified for the continued improvement of local delivery.

Councillor Iain Cassidy asked whether any additional measures had been implemented to improve local delivery, outside of the key recommendations identified as a result of the peer review. David Chapot explained that officers were consistently exploring different ways to improve all areas of the service. In particular the Council was focusing on strengthening its communication and partnership work in collaboration with relevant Council stakeholders and boards to ensure that the best outcome was achieved.

Councillor Victoria Brocklebank-Fowler queried whether the Council had identified any areas of improvement to the service that could be valuable for the future following recent attacks in London. In response David Chapot said that a review was carried out following the Parsons Green terror attack to ensure any lessons learned identified in the Home Affairs Select Committee letter were implemented.

In addition, a Channel Panel was set up with representation from relevant sectors. This acted as an early intervention service to safeguard vulnerable individuals from radicalisation. Monthly community meetings took place to determine areas of risk and any community concerns. Whilst these measures were in place there would always be areas of unknowns that were more challenging to detect at the early stages.

Councillor David Morton asked how success was monitored within the Prevent team. David Chapot explained that the team evaluates various elements of its work. The Prevent team also arranged focus groups and engaged with the Prevent Advisory Group (PAG) - a group of community organisations that scrutinised local Prevent delivery to ensure that the Council was meeting the key requirements – for feedback. In addition, the team has provided feedback forms to individuals who had engaged in the Channel process following their departure.

The Chair asked officers to explain the role of whistle-blowers and if any referrals had been received. Officers explained that the Council worked in collaboration with the Police as they played a vital role in managing risks for individuals. In addition, the Council did receive some referrals from whistle-blowers, and reassurances were provided that any information received was kept confidential.

David Chapot explained that cross departmental working was vital to this service to manage risks and improve delivery. The Prevent team worked with a number of different teams across the Council. These included Children's Services, Adult Social Care, Mental Health, and Ending Gang Violence and Exploitation.

RESOLVED:

THAT the Committee reviewed and commented on the contents of the report.

6. WORK PROGRAMME AND DATES OF FUTURE MEETINGS

RESOLVED:

THAT the Committee noted the work programme.

7. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

THAT under Section 100A(4) of the Local Government Act 1972, that the public and press be 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.

8. AN OVERVIEW OF THE WORK OF THE PREVENT TEAM (EXEMPT ELEMENTS)


The exempt elements of the report were noted.

Meeting started: 7.00 pm
Meeting ended: 9.00 pm

Chair

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Agenda Item 4

<p>London Borough of Hammersmith & Fulham</p> <p>POLICY & ACCOUNTABILITY COMMITTEE</p> <p>9 September 2019</p>	
FOOD ALLERGIES AND OUR ROLE IN THEIR CONTROL	
Report of the Cabinet Member for Environment, Transport and Residents Services - Councillor Wesley Harcourt	
Open Report	
Classification: For information	
Key Decision: No	
Consultation: N/A	
Wards Affected: All	
Accountable Director: Sharon Lea – Director of Environment	
Report Author: Graham Morrison Environmental Health Officer	Contact Details: Tel: 020 8753 3964 / 07899 915 286 graham.morrison@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 The council has a legal duty to ensure that food businesses are compliant with the appropriate food law.
- 1.2 The important issue of allergens has received much media attention over the last 12 months which has helped to highlight the potentially fatal impact that some allergens can have. This report seeks to inform the committee about the differences between allergens and intolerances and provides an overview of the work that the Food Safety team are doing to keep residents and visitors to the borough, safe.

RECOMMENDATIONS

- 1.3 This work is an essential element in maintaining the safety of food sold in the borough and protecting the health and wellbeing of our residents and visitors.
- 1.4 It is recommended that Members note and comment about the key importance and potential impact of this issue and the ongoing work of officers.

2. BACKGROUND AND INTRODUCTION

- 2.1 Intolerances and allergies are not the same thing. Allergic reactions occur when the body's immune system overreacts by producing antibodies in response to a protein in the food. This can affect numerous body organs and can be fatal.
- 2.2 **Food intolerance**, also known as non-allergic food hypersensitivity, is a digestive problem where the gut is unable to process the food fully and is biologically unrelated to an allergic reaction. Intolerances, although unpleasant for those affected, are rarely serious in the way that allergies are, and symptoms can take hours to manifest themselves.
- 2.3 **Anaphylaxis, or anaphylactic shock**, is a severe reaction to an allergen to which the person has already become sensitized by previous contact and can affect multiple organs in the body; it can be fatal.
- 2.4 **Histamine poisoning** is frequently misinterpreted as an allergy. It is caused by excessive histamine usually from the scombroid group of fish and occasionally some other foods. Histamine poisoning is not an allergic reaction but food poisoning and anyone can be affected if the histamine level in the food is high enough. It can be described as an allergic-like reaction.
- 2.5 **Allergens:** UK law defines 14 substances information of which must be given to customers. In Britain, these substances are: celery, cereals containing gluten, crustaceans, eggs, fish, lupin, milk, mollusc, mustard, nuts, peanuts, sesame seeds, soya, and sulphur dioxide.
- 2.6 Food allergies affect some 5 - 7% of infants and 1 - 2% of UK adults¹; extreme cases have resulted in fatalities. 'AllergyUK' estimates 1 – 10% of people have a food hypersensitivity while 20% of the population believe they have². Food allergy is the commonest cause of anaphylaxis, which can be fatal, but the mortality rate is unclear. However, a study using USA and EU data suggested an incidence rate of 1.81 per million persons/year. The same study concluded that up to 10% of young children and 2 – 3% of adults were affected by food allergies, and this percentage was increasing³.
- 2.7 Some infant food allergies resolve out with age, but once a food allergy is established in an adult it is rarely cured. The NHS has advice on allergies and young children and babies; it can be found on the following website: <https://www.nhs.uk/conditions/pregnancy-and-baby/food-allergies-in-babies-and-young-children/>
- 2.8 There has been limited work on adult vulnerabilities, although those who are already seriously ill are likely to suffer more. In the elderly allergic reactions can be disguised by other issues or mistaken for another affliction. All body systems including the immune system alter with age.

¹Parliamentary Select Committee on Science & Technology, 6th Report.

²Association of UK Dieticians, 2015.

³National Center for Biotechnology 2013: US National Library of Medicine (Wiley).

3. PROACTIVE AND REACTIVE ALLERGY RELATED WORK

- 3.1 Officers visit food businesses including schools, childminders and nurseries both as a routine inspection, on complaint, reference from another body, e.g. the Food Standards Agency (FSA), or as part of a sampling programme. Our schools record allergy information provided by parents, and most require a GP certificate.
- 3.2 For allergies, we also review web sites. During these inspections we examine the business' systems for preventing cross contamination when an allergen can become mixed with a meal by mistake, and the information provided to the customer. Schools maintain comprehensive diet and allergy records but for allergies most require a GP's certificate. The standard inspection schedules are explained in paragraph 5.2 below.
- 3.3 The most common 'allergy' non-compliance found on inspection (including web sites) is a lack of suitable information and signage. This could be incorrect information on menus, or lack of a prominent sign offering customers the legally required advice. If the business is unable to resolve the issues, then a Statutory Notice can be served. Failure to comply with a Statutory Notice is an offence likely to result in prosecution.
- 3.4 There are internet and classroom-based courses to help businesses to comply. During inspections and other visits, we regularly advise businesses on where to find information including the FSA website. Also, we include any advice or requirements in writing following inspections.
- 3.5 From April 2018 to June 2019 the team received 17 complaints concerning allergies. There have been seven specific complaints alleging an allergic reaction, from April 2016 to April 2018.

4. OFFICER POWERS

- 4.1 In London, Environmental Health Officers (EHOs) investigate cases of allergic reactions from food, inadequate labelling of food, or inadequate signposting to where information on allergens can be provided.
- 4.2 Issues might arise from inadequate or no information at the point of sale, cross contamination, mistakes in handling or criminally negligent preparation.
- 4.3 Environmental Health Officers have the power to serve Statutory Notices, close a food business that poses an imminent risk to health (for example, a pest infestation), require items to be removed from the food chain, seize food and take it before a magistrate to request that the food be condemned. In serious cases, legal proceedings will be considered in line with our enforcement policy. See section 12 below.

5. ROUTINE FOOD HYGIENE & FOOD STANDARDS INSPECTIONS AND FOOD SAMPLING

- 5.1 Statutory food hygiene and food standards inspections are a principal tool in the prevention of food incidents including allergies.
- 5.2 Businesses are risk rated for food hygiene A – E where A-rated premises present the highest risk. An example of an A rated business is a restaurant where we have little confidence in the controls and serving high risk menu items; the business would require a food hygiene inspection at least every 6 months. Food Standards inspections must be made at least every 12 months (A-rated) or 24 months (B rated), or for the lowest risk (C rated) businesses at least every 5 years.
- 5.3 As food safety and food standards inspection timings are not coincident, we look at the robustness of allergy systems regardless of the next scheduled food standards inspection. In addition to this, labelling and menus are examined during routine sampling programmes.
- 5.4 In addition to scheduled inspections and non-routine interventions (e.g. a complaint visit) we partake in sampling programmes, with other boroughs as part of the North West London Sector Food Group. This provides an enhanced picture of food safety issues. Allergens in food from take-away businesses are part of this programme.
- 5.5 The Food Safety team registered 346 new food business in 2018-2019 which must be inspected within 28 days from when they start trading. The total registered food business for food hygiene and/or food standards is currently 2027. Officers carried out 1040 food hygiene inspections in 2018/19.
- 5.6 Food sampling undertaken in 2018/2019 included four samples which were analysed for the presence of known allergens. All the samples procured by 'test purchasing' were found to be satisfactory. Since 1 April this year, there have been two samples taken that are being analysed for the presence of peanuts following a complaint from a resident who has anaphylaxis.

6. COSTS & EFFECTS

- 6.1 The cost to businesses can be significant when mistakes are made leading to products containing allergens entering the food chain and being consumed by susceptible customers. Consequences can be substantial, varying from loss of custom and reputational damage, to a term of imprisonment for manslaughter. Civil claims by customers against businesses for compensation are also likely to arise.
- 6.2 The impact to those affected customers range from minor to extreme; inconvenience to life threatening and the possibility of fatalities.

7. HEADLINES OF HIGH PROFILE AND TRAGIC CASES IN THE MEDIA

- 7.1 "Chloe Gilbert, 15, had a severe dairy allergy and died in Bath after eating a kebab she did not know contained yoghurt" (<https://www.theguardian.com/uk-news/2017/jun/16/teenager-with-dairy-allergy-died-accidentally-rules-coroner> Also Press Association June 2017)

- 7.2 'Two Indian takeaway workers arrested' after father, 38, dies from severe allergic reaction from curry containing peanuts” (Mail OnLine April 2014 republished May 2019: <https://www.dailymail.co.uk/news/article-2610420/Two-men-arrested-father-38-dies-severe-allergic-reaction-caused-takeaway-meal-containing-peanuts.html>)
- 7.3 A "reckless" restaurant owner has been jailed for six years for the manslaughter of a customer who had an allergic reaction to a curry. <https://www.bbc.co.uk/news/uk-england-36360111>
- 7.4 “Pret a Manger’s allergy labelling was inadequate”, the coroner in the case of a girl who died after eating a baguette from the food chain has said. ... The victim “went into cardiac arrest on a flight after buying a sandwich at Heathrow Airport in 2016.” (<https://www.bbc.co.uk/news/uk-45679320>)
- 7.5 The ‘Pret’ case occurred because it was not clear to the customer, who had a nut allergy, that the product contained sesame seeds. As the product was made on the premises for immediate sale, the law did not require full labelling. Pret has since published a revised policy promising full allergen labelling in advance of likely changes to the law. (<https://www.pret.co.uk/en-gb/labelling-commitment>)
- 7.6 In January 2019 the government (FSA/DEFRA) issued a consultation document to overhaul allergy labelling laws with reference to outlets preparing pre-packed food for direct sale to the customer. The consultation opened on 25th January 2019 and closed on 29th March. Officers responded to the consultation to the effect that these outlets should comply with the full labelling regime applied to pre-packed not for direct sale.
- 7.7 In late June of this year, it has been announced that there will be changes to the following the death of Natasha Ednan-Laperouse.
- 7.8 Under "Natasha's law", food businesses will have to include full ingredients labelling on pre-packaged food. The law, which will apply to England, Wales and Northern Ireland, is set to come into force by the summer of 2021. Businesses will be given a two-year implementation period to adapt to the changes. Some companies have already altered their practices in expectation of this.

8. CONCLUSION

- 8.1 H&F is a cosmopolitan inner London borough, which has seen an increase in developments both commercial and residential. There are over 2000 food business with start-ups registering weekly. The Council has a statutory duty to carry out food safety inspections, and to investigate complaints, by qualified EHOs who are legally competent to do so.
- 8.2 There are several academic theories as to why people develop allergies including genetic, environmental, the ‘hygienic hypothesis’, Caesarean birth, and high consumption of junk food.

- 8.3 Some evidence suggests that the more affluent communities suffer more from allergies than the less affluent, and that the developed countries suffer more than the less developed. But no single theory has found universal acceptance or proof; nobody knows for certain, and it seems unlikely that pure genetics is the sole reason. The genetic heterogeneity of the population has not changed in 50 years, but susceptibility to allergic reactions has increased substantially in the same period. It seems most likely that there are elements of all these theories involved in allergic reactions.
- 8.4 H&F has major entertainment venues and events, including three football clubs, Olympia exhibition centre, Polo, Fevertree Tennis and Westfield. These bring a significant large number of visitors to the borough and benefits local businesses. For this reason, particular attention is paid to compliance in these venues and at large events.
- 8.5 Officers will continue to be proactive and react as needed to individual cases and work to ensure compliance by all businesses large or small.

9. CONSULTATIONS

- 9.1 Officers have taken note of the national issues, consumer concerns, expert opinion, and government advice. We have also consulted our Public Health England partners for accuracy on clinical matters. References to academic publications and other sources are credited in the text.

10. EQUALITY IMPLICATIONS

- 10.1 The Council, when making decisions in relation to any of its functions, must comply with its public-sector equality duty as set out in s149 of the Equality Act 2010.
- 10.2 Food allergies present a worldwide problem and can affect anyone in our community. There are no particular issues in relation to their impact on the areas under the statutory duties contained in the equalities impact assessment for the Food Safety team, but contributes towards the corporate priorities of the council, as set out in the H&F Business Plan, specifically; creating and compassionate council and building shared prosperity.

11. LEGAL IMPLICATIONS

- 11.1 The following legislative provisions cover the legal duties for the Council in relation to allergies:
- 11.2 Cross contamination would be addressed by The Food Hygiene (England) Regulations 2013 and associated Codes of Practice.
- 12.3 Defective, incomplete, or absence, of information is addressed by The Food Information Regulations 2013, which brought into UK law the provisions of European Regulation (EU) No. 1169/2011.

- 12.4 Regulation (EU) 1169/2011 also amended The Food Safety Act 1990 with specific provisions concerning food information. The Act now defines the term 'food information' as having the meaning attributed to it in Regulation (EU) 1169/2011. Section 15A was inserted to effect this. Section 15 provides the offence of falsely describing food.
- 12.5 The Food Safety Act 1990 section 9 empowers the service of a Notice to prevent food from being used, or to be taken before a Justice of the Peace. Section 14 provides the offence of selling food not of the nature or substance or quality demanded by the customer.
- 12.6 The Health & Safety at Work etc. Act 1974, although not specific to food, could be employed in very serious cases.
- 12.7 In cases where gross negligence and a total disregard for the safety of food has resulted in a fatality, the police and the Crown Prosecution Service might (and have) submitted charges for manslaughter under The Homicide Act 1957.

Implications verified by: Champa Gurnani – Senior Solicitor, Legal Services, telephone 020 8753 2763.

13. FINANCIAL IMPLICATIONS

- 13.1 The Food Safety team already undertakes this work and we envisage that the continuation of this statutory duty and changes to the law will not require any additional resources going forward.

Implications verified by: Lucy Varenne – Interim Head of Finance – Environment Department, telephone 020 7341 5777.

14. IMPLICATIONS FOR BUSINESS

- 14.1 The implications for compliant business are limited to ensuring that new employees are aware of the law and have enough knowledge for the business to remain compliant. The implications for non-compliant businesses are both financial and reputational. In the most serious cases the continued operation of the business could be put at risk.
- 14.2 The financial implications to businesses which cause customers to suffer allergic reactions or anaphylaxis can be considerable by way of remedial work, Court appearances, reputational damage, the possibility of civil action by customers, seizure of product, etc. In extreme cases Courts can impose custodial sentences upon food hygiene and food standards failings.
- 14.3 Businesses on which this law impacts will need to redesign packaging/wrapping in line with the requirements for businesses not preparing on the premises (e.g. supermarkets). This is likely to have a bigger impact on smaller businesses with only a few outlets. However, it has always been the case that these businesses must inform customers of allergens so there should be no financial penalty except for individual labels for products. The

government proposes summer 2021 for implementation to allow businesses time to prepare. Larger companies may choose to follow Pret and start sooner.

15. COMMERCIAL IMPLICATIONS

15.1 None, this is a Statutory function with no general power to charge or recharge.


16. IT IMPLICATIONS

16.1 There are no specific IT implications for this work beyond our normal operating procedures. However, this subject carries a greater than normal likelihood of FOI requests by solicitors on behalf of client who are victims, as civil litigation for compensation is likely to arise. If Statutory Notices have been served, we could only respond to an FOI in general terms until the case is closed (so as not to prejudice an appeal or prosecution) and in compliance with the General Data Protection Regulations.

17. BACKGROUND PAPERS

None.

Agenda Item 5

<p>London Borough of Hammersmith & Fulham</p> <p>POLICY & ACCOUNTABILITY COMMITTEE</p> <p>Date: 9 Sept 2019</p>	
SAFER CYCLE PATHWAY AND A4 CYCLE HIGHWAY UPDATE	
Report of the Cabinet Member	
Open Report	
Classification: For information	
Key Decision: No	
Consultation: N/A	
Wards Affected: ALL	
Accountable Director: Bram Kainth, Chief Officer for Public Realm	
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1. EXECUTIVE SUMMARY

- 1.1. This paper seeks to update the Policy and Accountability Committee on progress on the development and engagement for the safer cycle pathway along King Street and Hammersmith Road, and the proposed A4 cycle highway. The report will outline the engagement process proposed to ensure that residents, disabled groups and local businesses are fully engaged in the development of the two routes in a way that will inform the detailed design. The council will then use the feedback to carry out the detailed design in-house.

2. RECOMMENDATIONS

- 2.1 That the committee endorse the proposed engagement plan
- 2.2 That any comments received from the meeting are incorporated into any engagement plans.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that all residents, disabled groups and local businesses can input into the detailed design for the two routes.
- 3.2 That the council's manifesto commitments are met regarding the use of pedestrian space.
- 3.3 The council's Healthy Streets programme is adopted in developing these routes.
- 3.4 The council has agreed with Transport for London (TfL) that the detail design for the two routes will be carried out by the council, and requires input from its residents, businesses and disability groups to ensure that the designs meet both local aspirations and the council's manifesto.

4. BACKGROUND

- 4.1 The first public consultation on the cycle route, managed by Transport for London, was held between 21 September and 31 October 2017. This indicated support for the proposed route through Hammersmith and Fulham.
- 4.2 In January 2019 Hammersmith council announced that it had agreed with TfL to develop two new cycle routes providing better, safer cycling facilities combined with improvements for pedestrians.
- 4.3 H&F Council 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.
- 4.4 The council negotiated with TfL to fund a complementary scheme of improvements to the cycle highway along the A4 to make it ideal for faster and experienced commuting riders.
- 4.5 TfL has also announced it would be dropping the 'Cycle Superhighway' and 'Quietway' names for cycling schemes following feedback that they are misleading.
- 4.6 The council has set itself the aim of making sure all residents – especially children, disabled people and older people - can walk and cycle safely around the borough, ensuring environmental concerns are at the heart of all we do, and that we improve the look and feel of our public spaces.

5. Safer Cycle Pathway

- 5.1 The Safer Cycle Pathway will be suited to slower, less confident riders. It will run from the Chiswick end of King Street across the north of Hammersmith gyratory to Hammersmith Road, and finish at the borough border with

Kensington. It will be designed to improve the environment and protect the high numbers of pedestrians in these areas.

- 5.2 The Safer Cycle Pathway will be tailored to suit families, novice riders and those just looking to pop to the shops.
- 5.3 The design will be based upon a segregated cycle path that features all the key elements of Healthy Street design, but will also consider in its content, sustainable drainage, seating areas, and water fountains, as well a new lighting.
- 5.4 The design will seek to maximise pedestrian space and make the transition from pavement to pavement safe and usable for everyone.
- 5.5 The design will consider a full range of sustainable materials and will look to increase the number of trees and planting along the route.

6. Cycle Highway

- 6.1 The A4 Cycle Highway will shuttle faster, more confident riders and commuters from the border with Chiswick to the Hammersmith gyratory.
- 6.2 The Cycle Highway will provide an alternative route for faster riders away from the high street.
- 6.3 The cycle highway will be designed to minimise the number of 'cross-overs' and provide as direct as possible route.

7. Engagement

- 7.1 Before the council can proceed with any detailed design it wishes to engage with residents, businesses and disabled groups along the route to ensure that the final design is both clearly understood and that everyone has had the opportunity to have their input into the design. We are proposing the following levels of engagement:
- 7.2 A web-based engagement system, which will enable residents, businesses and interested groups to plot their concerns and issues in relation to their environment on a map.
- 7.3 Leaflets will be delivered to all households and businesses along the route giving an update on the scheme as well as links to best practice examples of a Healthy Street.
- 7.4 We will liaise with key community forums and resident groups.

7.5 We will create new content for the council communications channels such as social media, press, web and newsletters.

7.6 We will provide regular updates for all media.

8. Drop in sessions

8.1 To ensure that we receive feedback from stakeholders along the proposed route, we will hold a few drop-in sessions at key locations where any issues concerning residents can be ironed-out and examples of best-practice for a Healthy streets design can be shown.

8.2 Residents and businesses will be offered separate opportunities to discuss with the council the opportunities that the route will offer.

8.3 Drop-in sessions will show examples of Healthy Streets and best practice examples from other areas. Our aim is to get the message out that **“we want your feedback”**.

9. Target Audience

9.1 External Residents and residents’ groups, businesses, emergency services such as the Fire Service, Police, Ambulance Service and utility companies, schools in the area, community groups, faith groups, disability groups, cycling groups, any other relevant organisations.

10. Timeframes

Early September: Council will draft content and design leaflets, web page.

Mid-September: Leaflet distribution to households and businesses / Emails to targeted groups and contacts such as existing stakeholders.

- Communication will be sent out to the local community. Leaflets delivered to residents and businesses.
- Posters displayed around the local area. Emails to key stakeholders.

End September – Start of October 2019:

Drop-in sessions at the following proposed locations:

- Avonmore (Hammersmith Road)
- Ravenscourt Park area
- Lyric (Gyratory)

Mid October: Start engagement with businesses/business perception surveys (e.g. Kings Mall) via face-to-face meetings, emails, mailouts.

Mid October: We will engage with Taxi drivers, public transport providers and emergency services to understand their business needs.

Late October: We will focus on the Schools around Ravenscourt Park through Mailouts, emails, face-to-face events/activities with schools.

Ongoing: Social media advertising throughout/Social media – target groups and use local community group channels where possible.

Throughout all the drop-in sessions we will be gathering contacts and expressions of interest to join the workshop group.

11. Design Workshops in early November

- 11.1 Following analysis from all the drop-in sessions we will create a detail design workshop made up from Key stakeholders and resident groups.
- 11.2 We will explain to residents and businesses “these are the proposed design options from the drop-in sessions, this is why they have been designed this way and these are the benefits”. We will ask them – “Tell us what you think
- 11.3 The workshops will be fully interactive and will be manned by experienced professional urban design experts.
- 11.4 We will contact everyone who left their contact details with an update email.

12. Streetscape designs early December

- 12.1 Following the initial design workshop we will then present our designs to the workshop members.
- 12.2 We will communicate the proposed designs on all forms of media and to all known contacts.
- 12.3 We will then seek agreement to proceed with these revised designs.
- 12.4 Once designs have been signed of by the workshop group these will be presented to the administration for agreement.

13. Summary

- 13.1 The Cycle Highway and Safer Cycle Pathway and their associated benefits present a big opportunity for the local community to make a positive improvement to the area. By improving the way our streets and facilities work for us, walking and cycling will be more appealing and accessible to everyone.

- 13.2 Our goals are to make sure all residents – especially children, disabled people and older people - can walk and cycle safely around the borough, ensuring environmental concerns are at the heart of all we do, and that we improve the look and feel of our public spaces.
- 13.3 Together, we're determined to improve our streetscape and deliver healthier streets that are better for pedestrians and cyclists of all ages and abilities. This is an important part of our approach to improving our environment for all.
- 13.4 We listened to our residents. The A4 will be more suitable for the faster, confident cycle commuter and is an important new investment from the Mayor of London.
- 13.5 Walking and cycling in Hammersmith & Fulham will be safer and easier after the council insisted on redesigning TfL's cycling routes planned for the borough.
- 13.6 Walking and cycling as part of an everyday routine has huge benefits for our health and wellbeing.
- 13.7 Transport for London have agreed that Hammersmith council will carry out all detailed design for these routes making them designs that work locally.

Community Safety and Environment PAC Work Programme 2019/20

9 September 2019 TBC, HTH. 7:00pm.		
ITEM	LEAD OFFICER	REPORT BRIEF
Cycle Pathway Report	Chris Bainbridge/ Richard Duffill	To receive an update on how the project has progressed following TfL's consultation.
Allergies in a Food Context Report	Graham Morrison	To receive a report on food allergies and the Council's work in controlling them in food businesses to reduce the risk of exposure to residents.

13 November 2019 28 January 2020 31 March 2020 TBC, HTH. 7:00pm.		
POTENTIAL FUTURE ITEMS	LEAD OFFICER	REPORT BRIEF
Electrical Vehicle Charging	Ian Hawthorne	To receive an update on the installation of Electrical Charging Points across the borough.
Parking	David Taylor	To review the Council's Parking Strategy.
Modern Slavery	Beth Morgan/ Chris Reynolds	