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then "Members Focus".*



July 2008

MEMBERS' FOCUS

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MEMBERS' FOCUS

AREA: Environment

CORPORATE THEME HEADING: Caring for the Environment

SUBJECT: Flytipping prosecutions	CONTACT OFFICER: Diane Parsons
TEL/EMAIL :No.Ext 2236 diapa@braintree.gov.uk	BACKGROUND PAPERS: None
INFORMATION:	
Members of the public assist in bringing flytippers to Court	
<p>The Environmental Protection Department of Braintree District Council has successfully prosecuted 2 fly-tippers.</p> <p>On the 19th March 2008 the Council received a telephone call from a member of the public who reported seeing items being thrown out of a white transit van near a parking area at Chalkney Wood, Earls Colne. Chalkney Wood is a Site of Special Scientific Interest and includes an ancient Roman trackway. The area is visited by many people, including educational visits by school parties. The witness took the registration number of the van and passed this information to the Environmental Protection Team. A DVLA check revealed the vehicle was registered to Mr L.J. Bowers of Diss in Norfolk.</p> <p>Mr. Bowers was invited to attend a taped interview at Braintree Town Hall where it was established that he was a painter and decorator and had been working in Kelvedon in an empty house and had some items of furniture to clear. He had 2 young men helping him and he told them to get rid of the furniture as he needed the van to be empty. Consequently they took the armchair, wardrobes and other items to Chalkney Wood and threw them out of the van, close to a public parking area. When asked, Mr. Bowers declined to provide the names and addresses of the 2 men, saying he took full responsibility himself.</p> <p>Mr. Bowers was reported for an offence under the Environment Protection Act 1990, which carries a fine not exceeding £20,000 and/or 6 months in prison on summary conviction in a Magistrate's Court.</p> <p>In court in the 7th July 2008, Mr. Bowers pleaded guilty to the offence. The Magistrates, after consideration, imposed a fine of £400.00 for the offence, a victim fee of £15 and costs of £200.00</p> <p>-----</p> <p>On 8th April 2008 a member of the public was driving along a country lane in Rayne Hatch and witnessed items being thrown off a white van onto the side of the road. The witness took the registration number of the vehicle and passed the information to the Environmental Protection Team. A DVLA check revealed the van was a hire vehicle and on approaching the company in question, they advised the vehicle had been on hire to Mr. Goater of Forest Road, Witham on the day in question.</p>	

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Mr. Goater was invited to attend a taped interview at Braintree Town Hall where it was established that he was in the process of decorating a property in Halstead, provided by Greenfields Community Housing, prior to moving in. Mr. Goater explained he was driving the van on the day in question and whilst on the way back to Witham, he was talked into dumping the items which were in the back of the van. These items included 5 recycling sacks of stripped wallpaper, a plastic bag of old waste-pipe fittings, 3 cardboard boxes, an old wallpaper stripper, a large sheet of polystyrene and large pieces of clear plastic. These last items resembled the packaging from a large kitchen appliance, possible a washing machine or tumble dryer. Mr. Goater accepted full responsibility for the incident.

Mr. Goater was reported for an offence under The Environmental Protection Act 1990, which carries a fine not exceeding £20,000 and/or 6 months in prison on summary conviction in a Magistrates Court.

In Court on 7th July 2008, Mr. Goater pleaded guilty to the offence. The Magistrates, after considering Mr. Goater's overall financial situation, granted him a conditional discharge but ordered him to pay the full costs of £450.00.

AREA: Environmental Services

CORPORATE THEME HEADING: Helping people to feel safe and well

SUBJECT: Food Safety Week 2008	CONTACT OFFICER: Anna Wright
TEL/EMAIL No.: 01376 551414 x 2222 anna.wright@braintree.gov.uk	BACKGROUND PAPERS: None
INFORMATION: Food Safety Week 9 – 13 June 2008	
<p><u>To highlight Food Safety Week this year, the Health Protection Team arranged for a theatre company (Quantum Theatre) to visit 3 large schools in the District. This was to raise awareness of the importance of Food Safety, Healthy Eating and Exercise.</u></p> <p>Visits by Quantum Theatre were made to John Bunyan School and John Ray County Junior School in Braintree and Templars County Junior School in Witham.</p> <p>The play was called Captain Cholesterol and the Grannies from Mars.</p> <p>The play was based on Attainment target 2 of the National Curriculum for Science and explored the sections on health and nutrition and food safety.</p> <p>The session focused on exercise, circulation, what happens to our teeth if they are not brushed properly and when children eat too many sweet things. They also covered what foods make a balanced diet and how to achieve a healthy lifestyle. This was carried out along with humour, songs and audience participation.</p> <p>The actors went through the importance of Proteins, Carbohydrates, Fats, Vitamins, Fibre and Water.</p>	

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The whole school attended each of the performances.

This meant that over 830 children and the majority of the teachers watched the show. The presentation was well received and the children appeared to have understood the information through question and answer sessions at the end of the show. They clearly had fun too.

Food Safety Week is predominantly promoted by Environmental Health Departments around the Country and is supported by The Food Standards Agency and The Chartered Institute Of Environmental Health.

See photo



MEMBERS' FOCUS

The Environmental Protection Team has successfully prosecuted Paul Keenan the licensee and Designated Premises Supervisor of Hogs Wine Bar in Bradford Street, Braintree for failure to comply with the smoke free laws.

A year has now passed since the implementation of the smoke-free laws on 1st July 2007 and there has been a high level of compliance in premises across the Braintree District. However Mr Keenan of Hogs Wine Bar in Braintree has continued to allow patrons to smoke inside his premises.

In November 2007 the Council received its first complaint that Mr Keenan was allowing patrons to smoke inside his premises. In accordance with Government guidance Mr Keenan was given his first warning and advised that should he continue to allow people to smoke inside his premises he faced a fine of up to £2500 for 'failure to prevent smoking in a smoke free place.'

No further complaints were received until January 2008 when a complainant once again stated that they had visited the premises and patrons were openly smoking inside. A warning letter was sent to Mr Keenan advising him that any further breaches of the smoke free legislation would result in a prosecution at the magistrate's court.

On 15th February 2008 an out of hours visit to the premises was carried out by officers who saw that ashtrays had been placed around the room and they also witnessed several patrons smoking inside the premises. Mr Keenan was present at the time of their visit.

As this was the 3rd incident of smoking in the premises it was decided to make a case for prosecution against Mr Keenan for allowing smoking inside his premises and Mr Keenan was advised of this.

On 25th April 2008 a second out of hours visit to the premises was made. Once again Mr Keenan was present at the premises and was not doing anything to stop his customers smoking.

On 10th May 2008, officers carried out a third out of hours visit. During this visit they again noticed ashtrays on tables containing ash and cigarette butts and again witnessed patrons smoking inside the premises.

On 24th May 2008 a fourth out of hours visit was carried out. Once again Mr Keenan was present at the premises and was allowing people to smoke inside the premises.

At Chelmsford Magistrate's Court on 30th June 2008, Mr Paul Keenan was found guilty under The Health Act 2006 (8) for the offence of failing to prevent smoking in a smoke-free place. Mr Keenan was fined £100 for the first offence on 15th February 2008, £200 for the 2nd offence on 25th April 2008, £400 for the third offence on 10th May 2008 and £800 for the 4th offence on 24th May 2008, bringing the total fine for the offences to £1500. Added to this were a victim surcharge and Council costs, bringing the total bill to £2265.

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AREA:

CORPORATE THEME HEADING:

SUBJECT: Nacro Braintree Community Sports project	CONTACT OFFICER: James Martin
TEL/EMAIL No.: 2353 Jamma@braintree.gov.uk	BACKGROUND PAPERS: N/A
INFORMATION: <u>Recruitment of new staff.</u> <p>In April 2008 the Project was successful in receiving funding from the Football Foundation for working with hard to reach and disadvantaged groups. The Project uses sport as a means of engaging young people, steering them away from anti social behaviour and petty crime into positive activities that have an impact on building self confidence and self esteem. They also provide opportunities to gain qualifications which could lead to further education and employment. The funding from the Football Foundation is until March 2011. The Project was also asked by the Children's Fund to continue the work for young people aged 5 to 13 with the same aims and objectives as the Football Foundation Project. The project was also successful in obtaining V-Match funding for working with volunteers aged 16 to 25; this funding is for two years. With the increase in funding, the project has been able to recruit new members of staff to continue the successful work in the Community.</p> <p>The project has recruited new staff,</p> <ul style="list-style-type: none">• James Martin; Sports Project Coordinator. <i>James's role will be managing all aspects of the project and its programmes to ensure the project is achieving the required outcomes and objectives in line with funding requirements.</i>• James Taylor; Rural Sports Development Worker. <i>James will be looking to work in the most rural location across the District to provide sporting activities for young people who may not have access to facilities due to the isolated areas or for transport/ financial reasons as well as promoting healthy living.</i>• Zoe Rushen; Sports development Worker. <i>Zoe will be looking to expand on the current sessions that are taking place by developing a Community Street Football League (CSFL) in the areas of Braintree, Witham, Halstead and Great Notley. The CSFL will provide young people with the chance to take part in a structured organised league and provide them with a responsibility on the up keep of their team. The League will be a useful tool to break down the barriers between different Communities using the power of sport. Other areas of the Sports Development Worker will be developing Female participation and disability sports as well as</i>	

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assisting in the recruitment of volunteers.

Summer programme.

During the past month the project has produced a summer holiday programme, working along side Braintree district council activity days targeting rural areas across the district. The project have also organised its own '*turn up and play sessions*' to be held everyday across Braintree, Witham, Silver end, Great Notley and Halstead.

Junior referees course.

The junior referee course is a course set up to show children the roles and responsibilities of the officials in football matches. It allows them to referee football matches within their school and at specific tournaments. Nacro project in Braintree brought this course into Lyons Hall School and with the successful running of the course have decide to incorporate it into more schools across the district.

Volunteer achievements.

Three of the projects volunteers attended a Level 1 coaching in football course and passed, this is a great achievement for the volunteers and it will allow them more responsibility in the running of Nacro sessions.

The project has also recruited five new volunteers. Two of which are males and three are females.

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News

Gum busters in town (Braintree, Witham and Halstead)

A team of mobile steam pressure washers worked through the summer evenings this July to rid pavements of unsightly chewing gum residue.

They finished in Braintree by the end of June, working from around 6pm to 10.30pm moving to Halstead over 5 evenings - and on to Witham the following week for 7 evenings.

Special gum bins have been installed on many lamp posts in the town centres to encourage better disposal of gum, which blights the streets and costs a considerable amount to remove: in this case around £8,000 for the three towns.

For comment, please call Cllr Roger Walters 07860 304784.

ENDS

For more press information or enquiries contact Chris Trim

Issued by Braintree DC PR 26 June 2008.

MEMBERS' FOCUS

News

Council commended for tackling obesity

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Walk organisers at Braintree District Council have received a commendation from the Walking the Way to Health initiative. It approves the standards set by the council's Heart & Sole Walking Scheme, which is committed to improving residents' fitness by providing **free**, safe, short walks which are open to anyone. Walks in Great Notley, Witham, Halstead and Coggeshall are offered each day of the week, with each walk lasting approximately 45 minutes.

Maurice Lipton, one of the Great Notley Volunteer Walk Leaders said, "The reason they appeal to so many people is because they're a great way to start exercising if you've never thought about exercising before and a great way to relax and socialise with new friends. Mosts of our walks finish with a cup of tea and a chat".

Anyone wanting to join one of the free walks or find out more information should contact the Council to find their nearest walk.

Walking the Way to Health is a joint initiative between Natural England and the British Heart Foundation with additional funding from the Big Lottery Fund which has helped to create over 525 local health walk schemes. Since 2000, it is estimated that over a million people throughout the UK have been encouraged to walk more.

Cllr Nigel Harley is portfolio holder for leisure development at the Council. He says: "Walking more has to be one of the simplest, safest, cheapest ways to improve your fitness and reduce weight. You can increase your activity according to your needs whether it's part of your journey to work, to shops or to see friends."

ENDS

For more information or enquiries contact: Chris Trim 01376 557752.

See walking@braintree.gov.uk or www.whi.org.uk. 3 July 2008

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News

Council chairman seeks community achievers

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Chairman Councillor Lady Patricia Newton invites nominations for a new awards scheme designed to celebrate the effort of people who stand out for commitment to their community.

Three categories are open; to young people, to champions for the local environment or to individuals whose contribution to voluntary groups or local community set them apart.

Lady Newton says: "By visiting local groups and charities, I know the great depth of goodwill and community spirit shown by many people throughout the whole of the Braintree District. These new awards will recognise their outstanding contributions to the community, which improve other people's quality of life by giving time, support or care, without seeking financial reward.

Cllr Jo Beavis says: "Nominees could be people who are fundraisers, carers of elderly or disadvantaged people, or campaigners for environment or conservation. They'll be people that their community group would want to reward for their commitment and effort and this award scheme will help to focus their good wishes and offer a means for them to do so."

Nominations close 30th September, with assessment during October and award winners will be invited to a civic reception in January 2009.

Nominations can be made on paper or by email, using a form from the council's web site or on request.

<http://www.braintree.gov.uk/Braintree/community/Awards.htm>.

Photo: Cllr Lady Newton with Cllr Jo Beavis (portfolio holder for customers and communication) announce the new Community Achievement awards scheme.

ENDS

For more press information or enquiries contact Chris Trim or Aurelia Moreaux, 01376 551414 – just say the name.

Issued by Braintree DC PR 25 June 2008.

MEMBERS' FOCUS

News

Prizedraw winners receive green prizes

During Environment Week at the beginning of June, the council advice trailers visited Braintree, Halstead and Witham. Visitors to the events were asked to complete an Environment Pledge. Over the course of the week 150 pledges were completed and all were entered into a free prize draw.

Four lucky winners were picked at random from the completed pledges.

On Monday 7th July two of the winners visited Causeway House in Braintree where Councillor Robert Mitchell, deputy cabinet member for the environment, presented their prizes.

Three of the winners, Mr. Lees of Braintree, Mr. Davies of Stambourne and Mrs Lucy Gunn of Braintree, each received: composter bin, water butt, eco-balls (for environmentally friendly laundry), kitchen caddy, intelli plug and eco-kettle.

Alfie Fagg, aged 6, from Witham was also a winner. Alfie received a glow-in-the-dark wind-up torch, a water powered calculator and a colourful book about the environment.

ENDS

For more press information or enquiries contact
Margaret McCloud, 01376 551414, just say the name.

Issued by Braintree DC PR 8 July 2008.

MEMBERS' FOCUS

News

Halstead Public Gardens joins list of best parks and green spaces announced today

Halstead Public Gardens is among the record 742 green spaces across the country, all freely accessible to the public, which have received a Green Flag Award - the national standard for quality parks and green spaces. The winners are judged to be welcoming and well maintained with the support and involvement of the local community.

The Gardens have also been judged to meet the standard required to receive Green Heritage Site accreditation for 2008/09, an award which recognises their local historic importance. Over the years many individuals and local organisations such as Friends of Halstead Public Gardens, Halstead Town Council and the River Colne Countryside Project have given their time and support to the council teams.

These lovely Gardens were fully restored in 2001, exactly 100 years after the original opening, with the aid of a major grant from the Heritage Lottery Fund. Key features dated from the earliest days include the pond, dancing green, bandstand, shelters and a drinking fountain, all set within substantial boundary planting with spectacular bedding, specimen trees and fine-cut lawns. Later introductions include the garden of remembrance around a stone war memorial, swings and cycle racks.

Councillor Roger Walters, Cabinet member for the environment, said, "I am delighted that the years of hard work by Braintree District Council's officer team, supported by local organisations and individuals have been recognised by this national Green Flag Award. Joint working can benefit local communities in many ways, Halstead Public Gardens is a stunning example. The gardens provide an beautiful oasis of calm, a wonderful setting for events and are, without doubt, a great asset to the town."

Paul Todd, Green Flag Award scheme Application Manager, said: "The increasing number of Green Flag Award winning parks and green spaces highlight the important role they play in bringing people together and improving their quality of life. Congratulations to all the management, staff, and in particular, thousands of volunteers whose hard work and dedication has brought this award of excellence."

For information on all winners please visit: www.greenflagaward.org.uk
For more press information or enquiries contact Jenny Claydon,
01376 551414 – just say the name.
jenny.claydon@braintree.gov.uk

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Civic Trust Press contacts: Sarah Egerton: 07811 726 534 E:

segerton@civictrust.org.uk

Caroline Williams: 0151 231 6903 E: cwilliams@civictrust.org.uk

Issued by Braintree DC PR 16 July 2008.

Notes to Editors

The Green Flag Award scheme, launched in 1996, is managed by the Civic Trust on behalf of Communities and Local Government and the Green Flag Advisory Board which comprises founders of the scheme, sponsors, winners and judges. It is sponsored by Communities and Local Government, English Heritage, The Countryside Agency, English Nature and in Wales by the Countryside Council for Wales, the Design Commission for Wales, Environment Agency Wales and the Welsh Assembly Government.

Any green space that is freely accessible to the public is eligible to enter for a Green Flag Award. Awards are given on an annual basis and winners must apply each year to renew their Green Flag status. A Green Pennant Award recognises quality sites managed by voluntary and community groups. Green Heritage Site accreditation is judged on the treatment of the site's historic features and the standard of conservation. This year, 72 community run sites received a Green Pennant Award and 42 Green Flag Award sites achieved Green Heritage Site Accreditation.

The Civic Trust is an independent, national charity, founded in 1957. It works with people to promote thriving towns and villages, developing partnerships between communities, government and business to deliver regeneration and local improvement. It is the umbrella body for 850 civic societies across the country, representing over 250,000 individuals committed to improving and caring for places where people live and work. www.civictrust.org.uk

MEMBERS' FOCUS

News

Council proposes investment for new allotments

Braintree District Council will consider proposals for significant new investment in allotments.

A range of proposals will require most of £128,000 to be invested next year, with the conversion of a disused rugby pitch into 70 new plots at Tabor Field, Braintree and 40 new full and half size plots at Cut Throat Lane in Witham.

Recognising the health and leisure benefits of allotment cultivation, the Council will consider making allotments a requirement of significant new developments in the District, with an emphasis on encouraging schools and youth groups to take up allotment tenancies.

Existing sites will be brought up to standard, with access, security, water storage and parking improved. The Council's Local committees in Braintree and Witham will be asked to consider allocating discretionary funds for allotment improvements in their areas: otherwise the improvements will wait until the new financial year.

Endorsing the findings of a councillors' study group: Cllr Roger Walters says: "Our waiting lists show that there is a strong demand for allotments and these proposals will go a long way to reviving the interest in allotment cultivation, with all the benefits of healthy activity and healthy eating for people throughout the District. The 'task and finish' groups have conducted an excellent series of reviews which the Council is taking seriously and acting upon."

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The report is from one of the Council's 'Task & Finish' groups, which takes a specific subject, makes recommendations for improvements or change as a discrete and completed task within a defined time.

For more press information or enquiries contact Chris Trim, 01376 557752

Issued by Braintree DC PR 7 July 2008.

MEMBERS' FOCUS

News

Young people question Leader of the Council

Leader of Braintree District Council, Graham Butland, faced a tough audience on Monday morning when he met with young people from Alec Hunter Humanities College.

The four youngsters were accompanied by their elected Youth Champion Councillor Fred Swallow as they questioned the leader of the council over their concerns. Also on hand to listen to their views was Chief Executive Allan Reid.

The face to face meeting was the latest development to come from the 'I'm a Councillor, get me out of here' project started in September last year which aimed to bring councillors and young people together and to make local democracy more relevant for them.

As a result of the democracy project, Councillor Swallow encouraged the youngsters taking part to write to him about the issues that were important to them and what they felt could be done. These issues, together with any new ideas were discussed with the leader of the council.

ENDS

For more press information or enquiries contact
Councillor Fred Swallow – 01787 469409
Councillor Graham Butland – 07768 357571

Issued by Braintree DC PR 14 July 2008

MEMBERS' FOCUS

ITEM FOR MEMBER FOCUS

The Local Government Ombudsman's Annual Letter for the year ended 31st March 2008

Introduction

The Local Ombudsman provides an annual letter summarising the complaints that his office has received about the Council. It includes comments on the Council's performance and complaint-handling arrangements.

Main points

The main points from the Ombudsman's letter are set out below. Statistical data covering a three year period is contained in the Appendix.

"Complaints Received

Volume

During the year, 20 complaints were received by my office. This was a decrease of seven complaints on the previous year. The highest number of complaints was about Planning and Building Control (six), the same number as we received last year. This was followed closely by Housing (five), to which should be added one complaint classified as "Other" which concerned anti-social behaviour which was allegedly caused by Council tenants. These six Housing complaints were seven less than last year. This is only to be expected as the Council transferred its housing stock to Greenfields Community Housing – a Registered Social Landlord – mid way through the year in November 2007. This meant that from that date onwards, the majority of housing complaints were no longer in my jurisdiction, but would need to be addressed by the Housing Ombudsman Service which deals with complaints made against Registered Social Landlords.

Decisions on complaints

My office made decisions on 19 complaints against your authority during the year, four of which were local settlements. A 'local settlement' is a complaint where, during the course of our investigation, the Council has agreed to take some action which we consider is a satisfactory response to the complaint. The investigation is then discontinued.

In 2007/08 the Local Government Ombudsman determined 27% of complaints by local settlement (excluding 'premature' complaints – where councils have not had a proper chance to deal with them before they are put to me – and those outside our jurisdiction). The percentage of local settlements for your Council is 26.3%.

None of the complaints we investigated this year justified the issue of a report.

One of the local settlements concerned the outcome of works carried out in a private property with the aid of a Disabled Facilities Grant. Water was leaking under the

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door to an extension and a shower seat had fallen off the wall. Although these works were not the responsibility of the Council, it attempted to get the contractor to carry out the work and when this failed, agreed to do the work and recharge the contractor for the associated costs.

We settled a case where the complainant had disputed the Council's decision that he was not entitled to a Council Tax exemption for an unoccupied property he had recently purchased. The Council had failed to inform him of his right of appeal to the Valuation Tribunal. The Council obtained a Liability Order against him and added £95 legal costs to his account. We advised the complainant to request an "out of time" appeal to the Valuation Tribunal and they agreed to hear his appeal. The Council agreed to reimburse the complainant's legal costs and pay him £100 compensation. It also agreed that it would notify taxpayers of their right of appeal to the Valuation Tribunal where there is a dispute about liability or entitlement to exemptions or discounts.

Of the remaining two settlements, one involved the Council reimbursing a complainant some rent which had been wrongly charged, and the other involved Officers responding to a request from a Council tenant who had had a new heating system installed but needed some advice in learning how to use it efficiently. I am pleased to note that the Council remains very willing to respond to suggested proposals for settling complaints.

YOUR COUNCIL'S COMPLAINTS PROCEDURE AND HANDLING OF COMPLAINTS

I referred just one complaint back to the Council as premature, where it was evident that the Council had not had a sufficient opportunity to deal with it before it was put to me. This is a rate of 5% which is much lower than the national average of 27% and would suggest that there are no immediate concerns about the accessibility of the Council's own complaints procedure.

In the one complaint which was referred back to the Council, the complainant was unhappy with the Council's decision and so she referred the complaint back to my office. We found no fault by the Council and so ended our involvement in the complaint.

Liaison with the Local Government Ombudsman

My office made enquiries on 14 complaints this year, and the average response time was 21.8 days, well within my requested timescale of 28 days. Nationally 56.4% of District Councils respond to first enquiries within this target period. I am grateful to the Council for the obvious priority it gives to responding to our enquiries. It is in the interests of both the Council and the complainant that I complete my consideration of a complaint as soon as possible, and my ability to do this is greatly aided by local authorities like yours who respond well within the targets I set.

*Tony Redmond
Local Government Ombudsman"*

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Appendix

Statistics – Local Ombudsman Complaints – Braintree District Council – year ending 31/3/08

Complaints Received by Subject Area

	BENEFITS	HOUSING	OTHER	Planning & Building Control	Public Finance	Transport and Highways	TOTAL
1/4/07 – 31/3/08	0	5	4	6	3	2	20
2006/07	2	8	8	6	2	1	27
2005/06	0	8	3	12	1	0	24

Note: these figures will include complaints that were made prematurely to the Ombudsman and which were referred back to the Council for consideration.

Decisions

	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature Complaints	Total excl premature	Total
1/4/07 – 31/3/08	0	4	0	0	9	1	4	1	18	19
2006/07	0	2	0	0	17	2	1	4	22	26
2005/06	0	4	0	0	10	3	5	8	22	30

Headings in this table are explained below:-

MI reps: where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

LS (local settlements): decisions by letter discontinuing our investigation because the authority has agreed to take some action which is considered by the Ombudsman as a satisfactory outcome for the complainant.

M reps: where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

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NM reps: where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

No mal: decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

Omb. disc: decisions by letter discontinuing an investigation in which we have exercised the Ombudsman's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

Outside jurisdiction: these are cases which were outside the Ombudsman's jurisdiction.

Premature complaints: decisions that the complaint is premature. The LGO does not normally consider a complaint unless a Council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will usually refer it to the council as a 'premature complaint' to see if the council can itself resolve the matter.

Total excl premature: all decisions excluding those where we referred the complaint back to the council as 'premature'.

Response times

	FIRST ENQUIRIES	
	No. OF FIRST ENQUIRIES	Avg no. of days to respond
1/4/07 – 31/3/08	14	21.8
2006/07	17	29.3
2005/06	8	29.3

These figures record the average time the Council takes to respond to the Ombudsman's first enquiries on a complaint.

Average local authority response times - 1/4/07 to 31/3/08

TYPES OF AUTHORITY	<= 28 days %	29 – 35 days %	>=36 days %
DISTRICT COUNCILS	56.4	24.6	19.1
Unitary Auth.	41.3	50.0	8.7
Metro. Auth.	58.3	30.6	11.1
County Councils	47.1	38.2	14.7
London Boroughs	45.5	27.3	27.3
National Park Auth.	71.4	28.6	0.0

For more information, please contact Steve Bore, Scrutiny Manager (ext. 2003) (e-mail: stebo@braintree.gov.uk)

MEMBERS' FOCUS

AREA: ALL

CORPORATE THEME HEADING: Helping People Feel Safe And Well/A Better Place to Live, Work and Play.

SUBJECT: Local launch of scores on the doors website	CONTACT OFFICER: Lisa Le Besque
TEL/EMAIL No.: x 2212 Lisa.LeBesque@braintree.gov.uk	BACKGROUND PAPERS: None
<p>INFORMATION:</p> <p>On June 6th the Health Protection team launched a new scheme called Scores on the Doors (SOTD). The scheme gives an award of between 0-5 stars to food premises within the district. 0 star premises are Very Poor and 5 star premises Excellent.</p> <p>At present all of the catering premises in the district are on the system. The intention is that in due course the scheme will be extended to include all food premises within the district.</p> <p>Of the 702 premises currently on the website</p> <ul style="list-style-type: none"> • 53 (7 %) are rated as Excellent (5 star) • 116 (17 %) are Very good (4 star) • 195 (28%) are Good (3 star) • 177 (25%) are Fair (2 star) • 67 (10%) are Poor (1 star) • 14 (2%) are Very Poor (0 star) <p>There is a facility for us to add premises as Not Yet Rated (eg for new premises, or ones under new ownership etc), and 76 premises (10%) are on the site as AES (Alternative Enforcement Strategy – which is used for our low risk premises, eg some pubs that serve drinks only etc).</p> <p>The aim of launching this scheme was to both provide the public with access to information about food premises that they may frequent and raise standards at food premises. The initial feelings are that the scheme will have the desired effect – already over 50 of the lower and mid rated premises have contacted the department to ask how they can improve their score.</p> <p>Premises are re-rated following a full food hygiene inspection. If a premise has improved since the inspection there is a facility to allow the proprietor to post a ‘right to reply’ comment on the webpage. The site also allows the proprietor to add a link to their webpage, or upload a photograph of their premises.</p> <p>4 and 5 star award holders were invited to our launch and were given a talk about why we chose this scheme, what we hoped would happen by introducing the scheme and the site</p>	

July 2008

MEMBERS' FOCUS

was demonstrated. Cllr Roger Walters presented the certificates to the businesses represented.

Currently there are almost 200 Local Authorities running a scores on the doors system with the majority offering a 5 star scheme using the same website as Braintree DC. Locally data from Southend, Basildon, Thurrock and Maldon Councils can be found on the scores on the doors website with Harlow also due to launch in September 2008.

There is a direct link to the website from the front page of the Braintree Council webpage, or the site can be found at <http://www.scoresonthedoors.org.uk>
There is publicity about the scheme in the libraries, museums and council offices and an article is in the contact magazine to go to all householders in the Autumn.

MEMBERS' FOCUS

AREA: Environment

CORPORATE THEME HEADING: Caring for the Environment

SUBJECT: Stray Dogs	CONTACT OFFICER: Stuart Thompson
TEL/EMAIL :No.Ext 2217 stuth@braintree.gov.uk	BACKGROUND PAPERS: None
INFORMATION: <p style="text-align: center;">Man prosecuted for no tags on dog</p> <p>The Dog Warden Service of Braintree District Council has successfully taken action against a dog owner who's dog continually strayed and had no identification tags.</p> <p>Despite numerous requests by the Dog Warden for the dog, a Staffordshire bull terrier to be wearing a collar and tag bearing the owners name and address. The owner failed to comply and on the previous 5 times the dog was seized it was only found to be wearing a collar. Consequently on the 6th time the dog was seized, Braintree District Council prosecuted the owner under The Control of Dogs Order 1992.</p> <p>At Chelmsford Magistrates Court on the 9th of June 2008, Thomas Gilbert, Deanery Gardens, Braintree was fined £225 and ordered to pay £350 in costs after being found guilty of failing to have an identification tag on his dog when it was seized by the dog wardens straying.</p> <p>.</p>	

MEMBERS' FOCUS

AREA: Environment

CORPORATE THEME HEADING: Caring for the Environment

SUBJECT: Waste Disposal	CONTACT OFFICER: Garry Philp
TEL/EMAIL :No.Ext 2228 garph@braintree.gov.uk	BACKGROUND PAPERS: None
<p>INFORMATION:</p> <p>Vehicles stopped in campaign against metal theft</p> <p>The Environmental Protection Department of Braintree District Council has been working with Essex Police and Maldon District Council to catch scrap metal thieves and illegal waste carriers in the Braintree, Maldon and Chelmsford area.</p> <p>On the 7th July 2008, Officers from the Environment Protection Department searched vehicles and questioned drivers of vehicles likely to be carrying waste or those that had waste onboard using their powers under the Control of Pollution (Amendment) Act 1989 to check that the operators were licensed to carry waste. Police officers also checked the vehicles for scrap metal as part of a national campaign.</p> <p>During the operation, officers also checked compliance with the Environmental Protection (Duty of Care) regulations 1991 to ensure that those carrying waste had to documentation to prove where they were taking the waste.</p> <p>As a result of the operation, 1 fixed penalty notice was issued for £300 for not having a waste carriers licence, 1 producer was issued to another waste carrier and a further 2 are being investigated.</p>	