

A meeting of the **LICENSING AND PROTECTION COMMITTEE** will be held in the **COUNTRYSIDE CENTRE, HINCHINGBROOKE COUNTRY PARK, HUNTINGDON PE29 3TN** on **THURSDAY, 17 NOVEMBER 2016** at **2:00 PM** and you are requested to attend for the transaction of the following business:-

**Contact
(01480)**

1. MINUTES (Pages 5 - 10)

To approve as a correct record the Minutes of the meeting held on 19th July 2016.

**C Bulman
388169**

2. MEMBERS INTERESTS

To receive from Members declarations as to disclosable pecuniary and other interests in relation to any Agenda Item.

3. REPORT ON THE DELIVERY OF THE HEALTH AND SAFETY SERVICE PLAN (Pages 11 - 16)

To consider a report by the Commercial Team Leader regarding the delivery of the Health and Safety Service Plan for the period 1st April to 30th September 2016.

**K Lawson
388291**

4. MONITORING REPORT ON THE DELIVERY OF THE FOOD LAW ENFORCEMENT SERVICE PLAN (Pages 17 - 24)

To consider a report by the Commercial Team Manager outlining progress with the delivery of the Plan during the period 1st April to 30th September 2016.

**K Lawson
388291**

5. THE FOOD HYGIENE RATING SCHEME (FHRS) - INTRODUCTION OF COST RECOVERY ARRANGEMENTS FOR RE-SCORING VISITS (Pages 25 - 28)

To consider a report by the Commercial Team Leader regarding the introduction of cost recovery arrangements for re-scoring inspections under the Food Hygiene Rating Scheme.

**K Lawson
388291**

6. DRIVER TESTING FOR PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS (Pages 29 - 34)

To consider a report by the Head of Community regarding the need to establish a replacement scheme for the driver testing of prospective Private Hire and Hackney Carriage drivers.

**C Allison
387075**

7. LICENSING AND PROTECTION SUB-COMMITTEE (Pages 35 - 36)

To receive a summary of the meetings of the Licensing and Protection Sub-Committee that have taken place since the last meeting of the Committee.

**C Bulman
388234**

8. SUSPENSION OF PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE LICENCES UNDER DELEGATED POWERS

To consider a report by the Head of Community, summarising the actions which have taken place since the last meeting of the Licensing and Protection Committee.

**C Allison
387075**

9. DATE OF NEXT MEETING

To note that the next meeting of the Licensing and Protection Committee will be held on Tuesday, 21 February 2017 at 2pm.

Dated this 9th day of November 2016



Head of Paid Service

Notes

1. Disclosable Pecuniary Interests

- (1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*
- (2) *A Member has a disclosable pecuniary interest if it -*
 - (a) *relates to you, or*
 - (b) *is an interest of -*
 - (i) *your spouse or civil partner; or*
 - (ii) *a person with whom you are living as husband and wife; or*
 - (iii) *a person with whom you are living as if you were civil partners*

and you are aware that the other person has the interest.
- (3) *Disclosable pecuniary interests includes -*
 - (a) *any employment or profession carried out for profit or gain;*
 - (b) *any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);*
 - (c) *any current contracts with the Council;*
 - (d) *any beneficial interest in land/property within the Council's area;*
 - (e) *any licence for a month or longer to occupy land in the Council's area;*
 - (f) *any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or*
 - (g) *a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.*

Non-Statutory Disclosable Interests

- (4) *If a Member has a non-statutory disclosable interest then you are required to declare that interest, but may remain to discuss and vote providing you do not breach the overall Nolan principles.*
- (5) *A Member has a non-statutory disclosable interest where -*
- (a) a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or*
 - (b) it relates to or is likely to affect a disclosable pecuniary interest, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association, or*
 - (c) it relates to or is likely to affect any body –*
 - (i) exercising functions of a public nature; or*
 - (ii) directed to charitable purposes; or*
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of control or management.*

and that interest is not a disclosable pecuniary interest.

2. Filming, Photography and Recording at Council Meetings

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Please contact Mrs Claire Bulman, Democratic Services, Tel: 01480 388234 / email: Claire.Bulman@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

[Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk \(under Councils and Democracy\).](#)

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Elections & Democratic Services Manager and we will try to accommodate your needs.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION COMMITTEE held in Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Tuesday, 19 July 2016.

PRESENT: Councillor R Fuller – Chairman.

Councillors Mrs S Conboy, J E Corley,
J W Davies, Mrs S A Giles, D J Mead,
Mrs J Tavener, D R Underwood and
R J West.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors Mrs B E Boddington, S J Criswell and D Watt.

16. MINUTES

Subject to the deletion of “the appeal mechanism” in the last sentence of the penultimate paragraph of Minute No. 7 and its replacement with “an appeal to the Magistrates Court” and the deletion of the words “to enable the District Council” which had been duplicated within the second paragraph of item number 13, the Minutes of the meeting of the Licensing and Protection Committee held on 21st June 2016 were approved as a correct record and signed by the Chairman.

17. MEMBERS INTERESTS

No declarations were received.

18. SERVICE PLAN FOR HEALTH AND SAFETY REGULATION 2016/17

Pursuant to Minute No. 16/9, the Committee considered a report by the Commercial Team Leader (a copy of which is appended in the Minute Book) to which was attached a draft Service Plan for Health and Safety Regulation for 2016/17. Members were reminded that consideration of the Plan had been deferred from the Committee's last meeting to enable Officers to address Member's concerns regarding the activities of the Commercial Team, given the estimated reduction in the number of inspections and interventions for 2016/17.

By way of introduction, the Commercial Team Leader explained that the Service Plan had been updated since the Panel's last meeting to include a Plan of Work for 2016/17. Specific details of which were set out in Section 5.4 of the Plan. Members were advised that this work would be guided by the content of Local Authority Circular 67/2 (rev5), the National Local Authority Enforcement Code and the HSE's Help GB Work Well Strategy. It would also align with the priorities identified within the Council's Corporate Plan.

In welcoming the improvements that had been made since the last meeting, the Committee agreed that the Service Plan for future years should include more specific details within Section 5.4 of the activities

that the authority would be undertaking during the course of that year. Having noted that some of the work would have commenced by the date of the Committee's next meeting in November, it was agreed that further details would be presented to the Committee at this time.

With reference to the preparation of future Service Plans, the Committee suggested that discussions should start at an earlier stage for the 2017/18 year. Members also commented on the references within the Plan to the impact of large-scale events such as the Secret Garden Party and suggested that it would be useful to quantify the significant staff resources that were required during the planning and operational phases within the Plan for future years.

In response to a specific question as to the resource implications and benefits of signing up to the Enforcement Concordat, the Committee were advised that the Concordat was essentially a good practice guide and should the Council not observe its principles, it would be difficult to defend the Council's actions within a Court of law or tribunal situation.

With regards to the resources available to support the delivery of the Plan, Members questioned whether the staffing levels within the Commercial Team were sufficiently robust to cover any unforeseen or unexpected eventualities. Officers explained that the draft Plan had been adjusted to reflect the resources that were currently available and should any unforeseen incident occur, approval could be sought to bring in temporary resources to the team. In terms of the ongoing vacancy within the Commercial Team, Members were advised that a re-structure of the Community Division was currently being undertaken, which should enable a decision to be taken with regard to this post in the early Autumn.

Members also emphasised a role for the Executive Member to ensure that resources were allocated effectively and operating efficiently within the Service. In response to which, the Chairman explained that he and the Vice-Chairman would be meeting with the Executive Councillor for Community Resilience shortly and could pose these questions to him at that time.

To enable the Committee to obtain a better understanding of the workload and activities undertaken by the Commercial Team, the Commercial Team Leader extended an invitation to all Committee Members to join the Team on any routine visits to business premises. Those who were interested in doing so were asked to contact the Commercial Team Leader directly.

Whereupon and on the understanding that further information would be presented to their next meeting on the Plan of Work for 2016/17, it was

RESOLVED

that the Service Plan for Health and Safety Regulation for 2016-17 as appended to the report now submitted be approved.

(At 14.05pm, Councillors J E Corley and Mrs J Tavener took their seats at the meeting during the discussion on this item).

19. SERVICE PLAN FOR FOOD LAW ENFORCEMENT AND HEALTH AND SAFETY MONITORING 2015/16

With the assistance of a report by the Commercial Team Leader (a copy of which is appended in the Minute Book) the Committee received a performance update on progress made against the Council's Food Safety and Health and Safety Service Plans during the period 1st April to 31st March 2016. Members were reminded that the two plans collectively describe how the Council discharges its duty as a 'Food Authority' and a health and safety 'Enforcing Authority'.

By way of introduction, the Commercial Team Leader drew attention to the significant reduction in the number of scheduled inspections of food businesses in 2015/16, compared to the target within the Food Safety Plan. The Committee were advised that this was a result of an increase of the number of new food businesses within the district and a greater than expected number of food related service requests and complaints. This had included a fatal accident investigation, a 'food recall' relating to a Huntingdon food business and a higher than anticipated level of formal enforcement actions being undertaken. In addition there had been a loss of resource as a result of an unexpected long-term sickness absence within the team.

In reviewing the monitoring information that had been provided, Members commented upon the significant reduction in the target for planned food hygiene inspections for category A-D businesses from 450 in 2015/16 to 300 in 2016/17. Having sought clarification as to the reasons and rationale for this change, the Committee were advised that there was an expectation that the number of new businesses within the District would continue at a high level and given that the Team had increased their commitment to other activities it was important to avoid raising expectations. Officers reiterated that routine inspections were only one small part of the service which the Commercial Team delivers and that the team had significantly increased its commitment to Food, Water and Environmental sampling, as a legitimate alternative to routine inspections.

The Commercial Team Leader explained that if the demand continues to increase, radical changes in service delivery may be required. Members noted that for 2016/17 a system had already been introduced whereby a number of Category D premises would not receive a routine full scoring inspection.

With regard to Food sampling, comment was made regarding the recent press coverage concerning E-coli in mixed salad leaves and the Commercial Team Leader indicated that he would expect the team to focus on food sampling in this area in the next month to respond to public interest. The Head of Community drew Members attention to a recent BBC programme, which had demonstrated findings that may not have been made during a routine inspection. In response to a question by a Member, the Committee went onto discuss the co-ordinated approach which was required when food sampling for a nationwide provider and the ways in which the Authority make decisions on whether to target larger providers or those who utilise very local resources.

In response to a question concerning the National Food Hygiene Rating System, the Committee were advised that the Food Standards Agency were currently considering the potential to levy a charge on those businesses who required re-inspection. It was intended that any fees would be retained by the local Authority. Having noted that the Authority had been selected to take part in a three-month pilot project, it was agreed that an update should be presented to their next meeting in November 2016.

Whereupon and having noted that the monitoring report for the first quarter of 2016/17 was expected shortly, it was

RESOLVED

that the monitoring report against the 2015-16 Food Safety and Health and Safety Services Plans be received and noted.

20. SCHEME OF DELEGATION

(a) LICENSING & PROTECTION COMMITTEE - SCHEME OF DELEGATION TO LICENSING & PROTECTION SUB-COMMITTEE

With the assistance of a report by the Head of Community (a copy of which was appended in the Minute Book), the Committee were invited to consider a proposed scheme of delegation between the Licensing & Protection Committee and the Licensing and Protection Sub-Committee.

The Committee were reminded that the Council had approved a new Constitution in March 2016 and subsequent legal advice had recommended that the Licensing and Protection Committee should formerly resolve to approve a scheme of delegation between the Committee and its sub-committee.

Having noted that the recommended scheme allows for the efficient and effective execution of the Council's licensing and registration function and also permits the Committee to reverse a delegation if it deems it necessary, it was

RESOLVED

- (a) that the scheme of delegation from the Licensing and Protection Committee to the Licensing and Protection Sub Committee as set out in the report now submitted be approved;
- (b) that the Head of Community be authorised to make minor editorial changes which by definition make no change to the powers of the delegations; and
- (c) that the Head of Community, in consultation with the Chairman and Vice-Chairman of the Licensing and Protection Committee, be authorised to make changes as a result of

revocations, amendments or the enactment of relevant statutory provisions.

(b) LICENSING AND PROTECTION COMMITTEE - SCHEME OF DELEGATION TO OFFICERS

With the aid of a report by the Head of Community (a copy of which is appended in the Minute Book) the Committee were invited to consider a proposed scheme of delegation between the Licensing & Protection Committee and the Council's Officers.

The Committee were reminded that the Council had approved a new Constitution in March 2016 and subsequently legal advice had recommended that the Licensing and Protection Committee should formerly resolve to approve the scheme of delegation between the Committee and the Council's Officers.

Having noted that the recommended scheme allows for the efficient and effective execution of the Council's licensing and registration function and also permits the Committee to reverse a delegation if it deems it necessary, Members were advised that the proposed scheme replicated that which had previously been contained within the Council's Constitution with one exception.

The Head of Community then outlined a proposal to amend the former scheme in the interest of public safety, such that in those instances whereby the Licensing Manager wished to suspend a vehicle licence on safety grounds and in the interests of efficiency this could be undertaken without the need to consult with the Chairman and Vice-Chairman of the Committee. Members agreed that they were content to make this change. Whereupon, it was

RESOLVED

- (a) that the Scheme of Delegation from the Licensing and Protection Committee to Officers as set out in the report now submitted be approved;
- (b) that the Head of Community be authorised to make minor editorial changes to the Scheme, which by definition make no change to the powers of delegations;
- (c) that the Head of Community, in consultation with the Chairman and Vice-Chairman of the Licensing and Protection Committee be authorised to make changes as a result of revocations, amendments or the enactment of relevant statutory provisions;
- (d) that the Head of Community be authorised to appoint such suitably qualified officers as deemed appropriate to exercise those duties delegated to him.

21. REPRESENTATIONS ON EXTERNAL ORGANISATIONS

With the assistance of a report by the Elections and Democratic Services Manager (a copy of which is appended in the Minute Book), the Committee were invited to review the Council's representation on those organisations to which it appoints on an annual basis.

RESOLVED

that nominations be made to the following organisations as indicated in the table below –

Organisation	Representative for 2016/17
Cambridgeshire Consultative Group for the Fletton Brickworks Industry	Councillor E R Butler
Little Barford Power Station Liaison Committee	Councillor J E Corley
Needingworth Quarry Local Liaison Committee	Councillors R C Carter and M Francis
Warboys Landfill Local Liaison Committee	Councillor P L E Bucknell

22. LICENSING AND PROTECTION SUB-COMMITTEE

With the aid of a report by the Elections and Democratic Services Manager (a copy of which is appended in the Minute Book) the Committee noted details of the two meetings of the Licensing and Protection Sub-Committee which had taken place between 28th June and 14th July 2016.

With reference to the meeting which had been held on 14th July 2016, the Chairman reported that the Sub-Committee had decided to renew the three expired Hackney Carriage Licences which had been under consideration.

It was agreed that the agendas for future meetings of the Committee should include a quarterly report, summarising vehicle licences which had been suspended by the Head of Community during that period under his delegated authority.

Chairman

**Public
Key Decision - No**

HUNTINGDONSHIRE DISTRICT COUNCIL

Title:	Report on the Delivery of the Health and Safety Service Plan
Meeting/Date:	Licensing and Protection Committee – 17 November 2016
Executive Portfolio:	Executive Councillor for Community Resilience – Cllr Steve Criswell
Report by:	Commercial Team Leader – Keith Lawson
Ward(s) affected:	All

Executive Summary:

The Health and Safety Service Plan was considered on 21 June 2016 and deferred to the meeting on 19 July at which it was approved. Members requested that further information be provided at the next meeting.

This report provides more information about the health and safety service together with numerical data about the level of activity in each of the service areas in the approved plan. The programmed work is largely driven by the Health and Safety Executive (HSE), in particular the National Enforcement Code and the Help GB Work Well Strategy. Much of the necessary preparatory work was completed in the first quarter of the year and several pieces of work have now begun. This is reflected in the number of premises inspections.

This year has already seen a high number of reported accidents that require investigation. These investigations often require officers to carry out extensive research as they relate to unusual work activities in non-food businesses.

The number of complaints and service requests is also higher than expected. These range from concerns about staff welfare facilities to notifications about asbestos removal.

Appendix 1 shows a detailed breakdown of each service area.

Recommendation(s):

Members are requested to:-

1. Comment on the delivery of the Health and Safety Service Plan for the period 1 April to 30 September;
2. Consider the need to receive further reports at future meetings

1. PURPOSE OF THE REPORT

- 1.1. The report provides information about the delivery of the Health and Safety Service Plan and covers the period between 1 April 2016 and 30 September 2016.

2. WHY IS THE REPORT NECESSARY?

- 2.1. At the meetings on 21 June and 19 July Members asked for further details about the content and delivery of the Service Plan.

3. THE SERVICES COVERED BY THE REPORT

- 3.1 Health and Safety regulation consists of these areas of work:
- a) Planned activities such as unannounced inspections of high risk businesses and targeted interventions in line with the HSE's strategic aims;
 - b) Unplanned (reactive) work such as the investigation of notifiable accidents, prescribed diseases, complaints and dealing with serious risks that are identified during other activities: so called Matters of Evident Concern (MEC);
 - c) The provision of compliance advice to businesses.

4. PROGRESS AGAINST THE APPROVED PLANS

- 4.1 Appendix 1 compares the recorded activity in each of the service areas with the predicted activity in the approved Service Plan.
- 4.2 Several inspections of the highest risk businesses have already been carried out and two targeted projects have also begun. These projects focus on the management of work-related dermatitis in small catering businesses and the management of forklift trucks in small warehouses. Over 200 businesses have been included in these projects, 34 inspections have already been carried out and officers will maintain this commitment for the rest of the year.
- 4.3 The number of complaints received and the number of accident investigations are both higher than anticipated. Officers follow up every complaint but accidents are selected for investigation using the established risk-based criteria in Local Authority Circular (LAC) 22/13. This means that only 25% of the reported accidents are actually investigated.
- 4.4 Business advice is an integral part of every visit but we recognise the importance of providing information and advice to new and start-up businesses. This helps businesses to "get it right first time", to make an effective contribution to the growing local economy and is consistent with the Council's aspiration to promote business growth. We have produced a bespoke business card aimed at new businesses in order to signpost them to the best sources of health and safety advice.
- 4.7 Officers continue to witness serious health and safety problems whilst carrying out other duties. These are identified as "Matters of Evident Concern" (MEC), fifteen of which have been recorded since 1 April. This is the first full year in which MECs have been formally recorded and will be reported in our annual return to the HSE. The frequency with which they are identified is an indication of the extent to which businesses fail to manage serious risks without our intervention. There is no adverse effect on service delivery and this approach is consistent with the commitment to risk-based interventions in section 2.1.2 of the Service Plan

5. RISKS

- 5.1. The failure to monitor the delivery of the approved Service Plan could invite criticism from the HSE in their capacity as the national regulator.
- 5.2. Members must be kept informed about the delivery of the approved Service Plan in order that they can comment on the way in which the service is provided and the available resources.

6. LINK TO THE CORPORATE PLAN

- 6.1. These reporting arrangements support the wider corporate objectives to “*Create safer communities*” and to “*Promote business growth*”.

7. LEGAL IMPLICATIONS

- 7.1 None

8. RESOURCE IMPLICATIONS

- 8.1 The Licensing & Protection Committee, on behalf of the Council, approved the Service Plan for 2016/17. At the time of approval, the resources allocated to the plan were considered to be sufficient to deliver the Plan in year. With the increased reactive activity demonstrated within this report Officers are satisfied that the Plan remains deliverable.

9. OTHER IMPLICATIONS

- 9.1. None.

10. REASONS FOR THE RECOMMENDATION

- 10.1. To keep Members informed about the delivery of the approved Service Plan.

11. APPENDICES

Appendix 1 – Health and Safety Activity

CONTACT OFFICERS

Mr Chris Stopford
Head of Community
Tel: 01480 388280

Mr Keith Lawson
Commercial Team Leader
Tel 01480 388291

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Appendix 1 – Health and Safety Activity

Type of Activity	Level of Activity		Progress
	Service Plan Approved 2016-17	Recorded Activity to 30 Sept 2016	Status (Green, Amber, Red)
Premises inspections and interventions (including revisits)	100	34	Amber
Health and safety complaints and requests for service received	40	41 ¹	Red
Accident and dangerous occurrence investigations commenced	20	13 ²	Amber
Specific smoke free enforcement visits	10	0 ³	Green
Matters of Evident Concern (MEC) Identified*	n/a	15	Green
Health and safety promotion and advice to business/enquiries	Summer Newsletter and use of social media Letters to 219 businesses – provision of information about work-related dermatitis in advance of targeted visits Letters to 10 businesses – provision of information about the safe use of fork lift trucks in advance of targeted visits Production of a bespoke business card for new businesses. It signposts new businesses to a variety of sources of information.		
Liaison with other organisations	Three meetings of the Cambridgeshire and Peterborough Environmental Health Managers Group		

Notes

1. This figure includes six notifications about working with asbestos, five Adverse Insurance Reports (AIR) about unsafe work equipment and 23 requests for advice and information. The diversity of work illustrates the importance of maintaining resources in order that effective investigations can be carried out.
2. We have received 39 reports in total and the selection of accidents for investigation is based upon the risk-based criteria in Local Authority Circular (LAC) 22/13. The percentage of investigations is unusually high but reflects the severity of the incidents in question. They include the following:

- Three notifications of specified work-related diseases: dermatitis; hand-arm vibration; and carpal tunnel syndrome
 - Serious injuries caused by having to carry a 60kg double oven up four flights of stairs
 - Life-changing crush injuries caused by being trapped by a horse carriage weighing almost one ton
 - A 12 year old boy injured at a kart racing circuit.
3. This figure is driven by the number of relevant complaints. Officers might visit premises about which complaints have been made. We have received only two service requests about smoking restrictions: both were dealt with by giving advice over the telephone.
 4. Matters of Evident Concern are significant health and safety problems that officers have noted during non health and safety activities. The figures include unattended electrical hazards, defective gas appliances, uncontrolled working at height, unsafe storage racking and high levels of workplace noise. The number of MECs is indicative of the extent to which employers fail to deal with significant risks and only do so when officers intervene.

**Public
Key Decision - No**

HUNTINGDONSHIRE DISTRICT COUNCIL

Title:	Monitoring Report on the Delivery of the Food Law Enforcement Service Plan
Meeting/Date:	Licensing and Protection Committee – 17 November 2016
Executive Portfolio:	Executive Councillor for Community Resilience – Cllr Steve Criswell
Report by:	Commercial Team Leader – Keith Lawson
Ward(s) affected:	All

Executive Summary:

The Food Law Enforcement Service Plan 2016-17 was approved on 21 June 2016.

This is a progress report on the delivery of the Service Plan and covers the period from 1 April 2016 to 30 September 2016. In general terms it shows that the service is on target to deliver the programmed work in the approved Service Plan.

Programmed work is delivered alongside reactive work, the volume of which by definition is impossible to predict. Therefore it is important to carry out this work according to risk in order to ensure that valuable resources are not diverted from the programmed work. Complaints and accident investigations are prioritised using risk-based selection criteria.

The increasing numbers of start-up businesses and the high turnover of ownership amongst some sectors of the food industry (especially takeaways) also place unpredictable demands on resources. New food businesses must be visited as soon as possible after they start to trade but those visits must not be at the expense of visits to high risk established businesses.

Corporate Performance Indicator PI20 refers to the percentage of newly registered food businesses which are inspected within 28 days of registration and the target for 2016-17 is 50%. The service is currently meeting this target and has already carried out 57% of the high risk premises inspections that were scheduled on 1 April.

Appendices 1 and 2 contain detailed information about the delivery of the Food Law Enforcement Service Plan. The report only contains headline information about the delivery of the Health and Safety Service Plan as Members requested that the detail be provided in a separate report.

Recommendation(s):

Members are requested to:-

1. Comment on the delivery of the Food Safety Service Plans for the period 1 April to 30 September;
2. Consider the need to receive further reports at future meetings.

1. PURPOSE OF THE REPORT

- 1.1. The report provides information about the delivery of the Service Plan for the period between 1 April 2016 and 30 September 2016.
- 1.2 It focuses on the Food Safety Service Plan but contains only headline information about the Health and Safety Service Plan as Members have asked for a separate report.

2. WHY IS THE REPORT NECESSARY?

- 2.1 At the meetings on 21 June and 19 July Members asked to be kept informed about the delivery of the work in the approved plans. At the meeting on 19 July Members were invited to accompany an officer on some routine visits and to contact the Commercial Team Leader to make the necessary arrangements.
- 2.2 Cllr Criswell and Cllr Conboy have since visited some premises with officers from the Commercial Team and this report will provide some context within which those visits can be considered.

3. A DESCRIPTION OF THE SERVICES COVERED BY THE REPORT

- 3.1 Food Law Enforcement consists of these areas of work:
 - a) Planned activities such as routine inspections of food businesses, food and environmental sampling and the provision of food hygiene training courses;
 - b) Unplanned (reactive) work such as the investigation of customer complaints, dealing with requests for compliance advice and following up notifications of food poisoning;
 - c) Liaison with other departments in the interests of coordinated service delivery: in particular licensing and planning;
 - d) Supporting national strategies and the wider public health agenda.
- 3.2 Health and Safety regulation consists of these areas of work:
 - a) Planned activities such as unannounced inspections of high risk businesses and targeted interventions in line with the HSE's strategic aims;
 - b) Unplanned (reactive) work such as the investigation of notifiable accidents, prescribed diseases, complaints and dealing with serious risks that are identified during other activities (Matters of Evident Concern);
 - c) The provision of compliance advice to businesses.

4. PROGRESS AGAINST THE APPROVED PLANS

- 4.1 Appendices 1 and 2 relate to the delivery of the Food Law Enforcement Service Plan.
- 4.2 Appendix 1 compares the recorded activity in each of the programmed work service areas with the predicted activity in the approved Service Plan.
- 4.3 The key activities of scheduled inspections, compliance revisits, inspections of new businesses and sampling visits are on target.
- 4.4 The provision of information, advice and training is an important part of the service. Business advice is an integral part of every inspection but there is an established programme of food hygiene courses aimed at people who work in food businesses and for whom appropriate training is vital to protect public health.
- 4.5 The service also uses social media to promote good practice, good news stories and to support the FSA's strategic aims.

- 4.6 Appendix 2 refers to the unplanned (reactive) work. Customer complaints and service requests are slightly ahead of the predicted numbers. However they are closely monitored and prioritised according to risk using publicly available selection criteria.
- 4.7 The Health and Safety Service Plan also contains a mixture of programmed work, reactive work and the provision of compliance information and advice. Several pieces of work have begun since the last meeting in July and this is reflected in the numbers of premises inspections.
- 4.8 The number of complaints received and the number of accident investigations are both higher than the predicted levels. Whilst it is impossible to stem the flow of complaints it is important that responses and investigations are proportionate to risk. The number of complaints is monitored closely and it may be necessary to introduce some selection criteria if the numbers continue to rise. Accident investigations are already selected according to established selection criteria.
- 4.9 Officers continue to witness serious health and safety problems whilst carrying out other duties. These are identified as “Matters of Evident Concern” (MEC). The frequency with which they are reported is an indication of the extent to which businesses fail to manage serious risks without our intervention.

5. RISKS

- 5.1. The failure to monitor the delivery of the approved Service Plans could invite criticism from the Food Standards Agency and the Health and Safety Executive in their capacities as the national regulators.
- 5.2. Members have asked to be kept informed about the delivery of the approved Service Plans in order that they can comment on the way in which the service is provided as well as the available resources.

6. LINK TO THE CORPORATE PLAN

- 6.1. These reporting arrangements support the wider corporate objectives to “*Improve the efficiency of service delivery and become more business-like*” and to “*drive service priorities*”.

7. LEGAL IMPLICATIONS

- 7.1 None

8. RESOURCE IMPLICATIONS

- 8.1 The Licensing & Protection Committee, on behalf of the Council, approved the Service Plan for 2016/17. At the time of approval, the resources allocated to the plan were considered to be sufficient to deliver the Plan in year. With the increased reactive activity demonstrated within this report Officers are satisfied that the Plan remains deliverable.

9. OTHER IMPLICATIONS

- 9.1. None.

10. REASONS FOR THE RECOMMENDATION

- 10.1. To keep Members informed about the delivery of the approved Service Plans.

11. APPENDICES

Appendix 1 - Food Safety Service Plan: Programmed (proactive) Activity
Appendix 2 - Food Safety Service Plan: Unplanned (reactive) Activity

CONTACT OFFICERS

Mr Chris Stopford
Head of Community
Tel: 01480 388280

Mr Keith Lawson
Commercial Team Leader
Tel 01480 388291

Appendix 1 – Food Safety Service Plan: Programmed (proactive) Activity

Proactive Tasks	Level of Activity		Progress
	Approved activity 2016-17	Recorded activity up to 30 Sept 2016	RAG Status
Planned food hygiene inspections (risk group A-D, in addition to those below)	300	144	Green
Alternative Enforcement Strategy (AES) (e.g. cake makers and child-minders)	130	47	Amber
Revisits	100	50	Green
Inspections of new food businesses	100	76 ¹	Green
Visits to Approved Establishments	10	4	Green
Primary Authority Partnership Activity – includes requests for advice, attendance at meetings and provision of training ²	15	5	Amber
Other proactive visits (food, water and environmental samples/advisory)	150	143 ³	Green
Prosecutions and cautions	1	2	Green
Formal action (service of notices, closures)	20	6	Green
Food safety and public health promotion	<p>3 food hygiene courses attended by 39 people from 32 different businesses. These ranged from Hinchingsbrooke Hospital to independent cafes and takeaways – 100% pass rate</p> <p>Food and Safety Newsletter – Summer 2016 Emailed to 1336 businesses</p> <p>150 tweets and Facebook posts – promotion of food hygiene courses, “re-tweets” of FSA tweets, businesses with FHRS 5</p> <p>Invited to participate in the Healthier Cambridgeshire Options Project – declined because of lack of resources</p>		

	Invitation to participate in the UK Communication for Compliance Trial	
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Notes

1. The number of new businesses continues to be an unpredictable demand on resources. This figure includes a small number of brand new start-up businesses but the majority are changes of ownership of existing businesses. There were 17 in St Neots, 16 in Huntingdon, 8 in St Ives and 7 in Sawtry. There 66 catering businesses (including 11 takeaways and 10 cafes) and 14 retailers of which 8 were mobile food vendors. They all have to be added to the premises database and visited as soon as possible. These figures will need to be monitored in order to ensure that new businesses are not visited at the expense of high risk established businesses.
2. Each activity is charged to Cambridgeshire Catering and Cleaning Services (CCS) in accordance with the agreed cost recovery arrangements.
3. This figure includes 61 occasions on which visits were recorded as “no access/abortive”. Usually this was because there wasn’t anyone at the premises at the time. This is inevitable as there is an expectation that inspections are unannounced unless to do so would defeat the purpose of the visit. There were also occasions when businesses had changed their expected opening hours, when they failed to keep appointments and when subsequent enquiries revealed that the business had in fact ceased trading.
4. Our Enforcement Policy states that formal enforcement action is a last resort and will be reserved for the most serious cases. The joint owners of a small independent business each accepted a Simple Caution as an alternative to prosecution and three businesses chose to close voluntarily when officers discovered them operating without any hot water.

Appendix 2 – Food Safety Service Plan: Unplanned (reactive) Activity

Reactive Tasks	Level of activity	
	Approved Service Plan 2016-17	Recorded activity up to 30 September 2016
Complaints and service requests about food and about/from food businesses	600	323 ¹
Infectious disease control - notifications of food-borne/food poisoning illnesses	150	50 ²
FSA food alerts for action	5	0 ³

Notes

1. This includes 101 complaints about standards of hygiene at food businesses; 80 requests for advice; 41 requests for food hygiene training and 24 complaints about unsound or suspect food. We have also received 48 applications for export certificates for which we charge a fee of £76 per certificate.

We have reviewed the criteria for the investigation of customer complaints. This is primarily in response to an increase in the number of unfounded and malicious allegations of food poisoning and also in the number of complaints which appear to be prompted by poor customer service and present little or no public health risk.

2. This is an unexpectedly low figure. Initially we suspected that there may have been some problems with the electronic notification arrangements but the Consultant in Communicable Disease Control (CCDC) has assured us that is not the case.

Many local authorities have experienced some problems with the Food Standards Agency's new reporting methods but these have now been corrected. As soon as the faults were corrected, we checked the FSA's database and none of the alerts that we missed related to food businesses in HDC's area.

3. We have continued to reduce our commitment to the Secret Garden Party but the event still makes significant demands upon resources. We recorded 115 hours of officer time for the 2015 event but only 80 hours for the 2016 event. The level of activity increases during the year and peaks in the 3-4 months before the event itself. 70 of the 80 hours have been recorded since 1 April and 22 hours over the four days of the event.

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**Public
Key Decision - No**

HUNTINGDONSHIRE DISTRICT COUNCIL

Title:	The Food Hygiene Rating Scheme (FHRS) – Introduction of Cost Recovery Arrangements for Re-scoring Visits
Meeting/Date:	Licensing and Protection Committee – 17 November 2016
Executive Portfolio:	Executive Councillor for Community Resilience – Cllr Steve Criswell
Report by:	Commercial Team Leader – Keith Lawson
Ward(s) affected:	All

Executive Summary:

The Food Hygiene Rating Scheme (FHRS) is operated by local authorities in England, Northern Ireland and Wales and applies to a wide range of food businesses. Each business is given a rating after an inspection by a local authority inspector and the ratings range from the top score of 5 (“very good”) down to 0 (“urgent improvements necessary”). A business can apply for a re-scoring inspection and the local authority is obliged to carry out that inspection if the business can provide sufficient evidence of the improvements carried out since the original inspection.

Re-scoring inspections place unforeseen demands on resources and historically the costs have been borne within existing budgets. However, changes in legislation and updated guidance from the Food Standards Agency (FSA) in its FHRS ‘Brand Standard’ mean that local authorities can now charge for such inspections. The FSA invited Huntingdonshire District Council (HDC) to take part in a 12 week trial to test the introduction of cost recovery arrangements as an “early adopter”.

The FSA has asked HDC to report back on the results for the period between 15 August and 7 November and confirmed that all early adopters can continue to recover costs after the end of the trial period. We introduced a fee of £90 on 1 September and our officers will not carry out a re-scoring inspection unless the business has submitted a full application and paid the fee. This approach is consistent with the Council’s continued evolution toward the commercialisation of services.

Recommendation(s):

Members are requested to:-

1. Comment on the introduction of the fee in order that those comments can be incorporated into the final report to the FSA;
2. Agree to receive further reports at future meetings.

1. PURPOSE OF THE REPORT

- 1.1. The report provides information about the introduction of cost recovery arrangements for the provision of re-scoring inspections associated with the Food Hygiene Rating Scheme (FHRS).

2. WHY IS THIS REPORT NECESSARY?

- 2.1. At the meeting on 19 July Members were informed about the plans to introduce cost recovery arrangements and requested an update at the next meeting.
- 2.2. Local authorities are expected to operate the FHRS in accordance with the FSA's requirements (the "Brand Standard"). Under the Brand Standard food businesses can request a re-scoring inspection if they have been issued with an FHRS rating of lower than 5. They must provide detailed information about the hygiene improvements that have been implemented since the original inspection, upon receipt of which the local authority must carry out the re-scoring inspection.

3. LEGAL FRAMEWORK

- 3.1 Historically, local authorities have not been allowed to charge for re-scoring inspections. In 2010 the FSA published its views about how local authorities should operate the scheme. At that time their view was that local authorities did not have the power to charge for re-scoring inspections, either under domestic food hygiene law or under section 93 of the Local Government Act 2003 (the power to charge for "discretionary" services).
- 3.2 However, since the publication of those views, the Localism Act 2011 has been passed and it introduced a range of measures to devolve more power to local authorities. One of those powers is contained in section 1 of the Act and it means that in certain circumstances, local authorities can now charge for some of their functions. The FSA's view is that the operation of FHRS falls within those general powers as a result of which it is appropriate to charge for re-scoring visits on request.
- 3.3 The basis of their decision was that:
 - a) The re-scoring visits are provided on a non-commercial basis;
 - b) The local authority is not under a statutory duty to carry out re-scoring visits and;
 - c) The local authority does not have any other power to charge for the visits.

4. INVITATION FROM THE FSA

- 4.1. In July 2016 the FSA invited HDC to participate in a trial to test the introduction of cost recovery arrangements over a 12 week period up to 7 November. All participating local authorities (so-called "early adopters") would be able to continue to recover costs after the trial and are then expected to report back to the FSA with their findings.
- 4.2. The introduction of cost recovery arrangements is made possible by the Localism Act 2011 which allows local authorities to introduce charges subject to certain criteria. The way in which local authorities operate FHRS satisfies those criteria and we introduced a fee of £90 (incl. VAT) on 1 September.

5. OPTIONS CONSIDERED

- 5.1. There was no obligation to take part in the cost recovery trial but had we decided not to take part, then we wouldn't have been able to introduce cost recovery arrangements as soon as the trial allowed.
- 5.2. There was very little work associated with setting up the trial arrangements and there was widespread support to do so from within the Commercial Team. Anecdotal evidence suggested that food businesses would not object to the introduction of a reasonable fee.
- 5.3. In 2015-16 we received 23 applications for re-scoring inspections, all of which were processed according to the Brand Standard and provided free of charge.
- 5.4. The introduction of cost recovery represents a new income stream that HDC could not ignore. There have already been 16 applications for re-scoring inspections since 1 April and it is reasonable to assume that by 31 March 2017 we will receive at least as many as we did in 2015-16. If applications continue at the current rate and they contain all the supporting information then they would be a source of additional income.

6. DETERMINATION OF THE FEE

- 6.1. Most of the work associated with an application is completed by the officer who carried out the original inspection. There is also a small contribution from the administration team.
- 6.2. The Accountancy Team provided the hourly rates of pay for the officers who deal with the applications and our records show that it takes almost 2½ hours to deal with each re-scoring application.
- 6.3. The FSA stated that there should be a single "across the board" fee, that it should be fair and cover, but not exceed, the cost of delivery. It was agreed that a fee of £90 (incl. VAT) would be required for each application and that it would be introduced as soon as possible after the commencement of the FSA trial on 15 August.

7. IMPLEMENTATION

- 7.1. The fee of £90 was introduced on 1 September.
- 7.2. Since the introduction of the application fee, four businesses have applied for re-scoring inspections all of whom have paid the fee. This equates to approximately two applications per month, is consistent with the number of requests received in 2015-16 but it might be premature to suggest that the introduction of a fee has affected the likelihood of an application.

8. LINK TO THE CORPORATE PLAN

- 8.1. These arrangements support the wider corporate objective to "*Improve the efficiency of service delivery and become more business-like*".

9. LEGAL IMPLICATIONS

- 9.1 See 3.1, 3.2 and 3.3.

10. RESOURCE IMPLICATIONS

10.1 None

11. OTHER IMPLICATIONS

11.1. It is widely expected that the mandatory display of FHRs window stickers will be introduced in 2017. This will provide an extra incentive for food businesses to achieve the best possible FHRs rating, may result in an increase in the number of applications for re-scoring inspections and in turn this represents an opportunity for additional income.

12. REASONS FOR THE RECOMMENDED DECISIONS

12.1. Members' comments are welcomed and will be incorporated into the final feedback to the FSA.

CONTACT OFFICERS

Mr Chris Stopford
Head of Community
Tel: 01480 388280

Mr Keith Lawson
Commercial Team Leader
Tel 01480 388291

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Driver Testing for Private Hire and Hackney Carriage Drivers

Meeting/Date: Licensing and Protection Committee – 17 November 2016

Executive Portfolio: Cllr S Criswell - Executive Councillor for Community Resilience

Report by: Head of Community

Ward(s) affected: All

Executive Summary:

To establish a replacement scheme for the driver testing of prospective Private Hire and Hackney Carriage drivers following the decision of the Driving Standards Agency (DSA) to withdraw the test specifically designed for Private Hire and Hackney Carriage Drivers with effect from 31 December 2016.

This is a 'live' position, with many licensing departments having to react to the decision of the DSA. Further information may be available at the time of the Committee meeting, and will be presented verbally at the meeting.

Recommendation(s):

It is recommended that:

- a) The Licensing and Protection Committee consider the content of the report, together with the options put forward.
- b) That the existing District Council policy requirement that an appropriate formal driving qualification be undertaken and obtained for all new applicants for Private Hire and Hackney Carriage driver's badges and for cases where there are serious concerns as to the fitness of an existing driver to hold a licence due to driving problems.
- c) That the appropriate qualification be amended from the DSA driver's assessment for Private Hire and Hackney Carriages, or future equivalent testing body, to include other equivalent testing bodies e.g. The Blue Lamp Trust.
- d) That tests be valid for a period of one year from the pass date.
- e) Should an annual test rebate be paid at the end of the financial year in the form of a 'grant cheque' that it be awarded to a charity approved by the donator and the Chairman of the Licensing & Protection Committee for the benefit of a community project within the area.
- f) That delegated authority remains for the Head of Community, after consultation with the Chairman and Vice Chairman of the Licensing and Protection Committee, to determine whether a test should be undertaken in

circumstances where there serious concerns as to the fitness of an existing driver to hold a licence and that each case should be considered on its individual merits.

1 WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 On 26 October 2011 the Licensing and Protection Committee approved the DSA driver's assessment for Private Hire and Hackney Carriages as the appropriate qualification for all new applicants for Private Hire and Hackney Carriage driver's badges and for cases where there are serious concerns as to the fitness of an existing driver to hold a licence due to driving problems.
- 1.2 The DSA have recently announced that they are to withdraw the assessment for Private Hire and Hackney Carriage Drivers with effect from 31 December 2016.
- 1.3 A suitable replacement needs to be established as a matter of urgency.

2 WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 create a statutory duty for Local Authorities to licence Private Hire and Hackney Carriage drivers and to ensure that the service to the public is accessible and safe.
- 2.2 Until 31 December 2011 the Council provided in-house driver testing conducted by an officer. This method of testing carried a risk that the Council may not have a qualified officer available to undertake testing and the possibility of the Council being open to challenge on driver standards with associated financial implications and legal proceedings.
- 2.3 With effect from 1 January 2012 all tests were outsourced to the DSA, thereby removing the risks to the Council and the system has been operating successfully since that date without incident.
- 2.4 A situation has arisen where DSA test slots are fully booked to 31 December 2016 and no further booking for tests are being made.
- 2.5 Although discussions are taking place between a number of bodies, including the Local Government Association and the Institute of Licensing, no positive feedback has been received to date about the DSA re-considering their decision.
- 2.6 We therefore need to establish an alternative solution for the driver testing of prospective Private Hire and Hackney Carriage drivers and for cases of serious concern as to the fitness of an existing driver to hold a licence due to driving problems.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 We have available a number of options, namely:
 - a) Have no test;
 - b) Revert to in-house testing;
 - c) Require a BTEC qualification for drivers;
 - d) Outsource to an alternative provider.

**4. KEY IMPACTS/RISKS?
HOW WILL THEY BE ADDRESSED?**

- 4.1 To have no test would likely lower standards of driving and public safety and leave the Council open to challenge.
- 4.2 To revert to in-house testing would again expose the Council to the possibility of having no suitably qualified officer available to undertake the testing and the possible challenge of inconsistent standards in testing.
- 4.3 To establish a new BTEC qualification for private hire and hackney carriage drivers would raise standards, but would need a longer term timeframe for implementation, as links with a local college would need to be established. It may also extend the time for obtaining a licence if courses were run upon a demand basis. The cost (likely to be around £250) could be prohibitive. Consultation with the trade would be required.
- 4.4 Outsourcing the testing to an alternative recognised body removes risk from the Council and provides one consistent examining body.
- 4.5 A number of external examining bodies currently advertise their services, although many only operate in specific localities. We have looked into a number of companies offering their services, but the sudden decision by the DSA means many need to revisit their current business practices to accommodate the sudden increase in Council activity. At the present time, one provider in particular appears to stand out as being suitable for our purposes, The Blue Lamp Trust.
- 4.6 The Blue Lamp Trust is a police, fire and ambulance registered charity that has been delivering taxi driver assessments alongside the DSA for over 5 years. Although based at the police and fire headquarters in Eastleigh, Hampshire, they offer a fast efficient service of 1-2 weeks nationally using their network of DVSA approved fleet accredited assessors.
- 4.7 The process involves the driver telephoning the Blue Lamp Trust to arrange an appointment. The examiner contacts them direct with a time and meeting location. The test is undertaken, after which the driver and the Council is advised of the outcome. A pass certificate is issued.
- 4.8 The charge for a test is £85 paid directly to the trust by the prospective new driver. The proceeds of their assessments are recycled back into the community. For local authorities outside Hampshire the fee includes a £7 per test rebate which is paid at the end of the financial year in the form of a 'grant cheque' for the Council to award to a community group or project in our area.
- 4.9 For more information the trust has a website link: https://www.bluelamptrust.org.uk/?f=Driver_Training/taxi_driver_assessment.php
- 4.10 The DSA test is valid for one year. This is stated on all their certificates and our current policy is only to accept valid certificates. As there is no validity date on the Blue Lamp Trust certificates it is considered necessary to stipulate that only pass certificates less than one year old from the date of test will be accepted.

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 5.1 In view of the extremely short timeframe imposed upon us by the DSA, we have established an interim arrangement with the Blue Lamp Trust. This has enabled the continuity of new driver testing, and provides a safeguard service against which existing drivers can be retested if required. This has provided a valuable opportunity to 'test' the process.
- 5.2 As at the date of writing this report, fifteen drivers have undertaken the test and the feedback received has been positive. The drivers were able to obtain their tests within two weeks at Huntingdon and their pass certificates were e-mailed to the Council the following day.

6. LINK TO THE CORPORATE PLAN

- 6.1 Becoming a more efficient and effective council. Deliver value for money services. Customer focussed. Enabling Communities.
- 6.2 Although the overall cost to the applicant is £7 more than the current DSA test charge, the difference will be paid back as a donation for the benefit of the community. Applicants are able to secure their tests within a quicker timeframe and are able to benefit from a more local test location in Huntingdon, although tests can still be undertaken in Cambridge or Peterborough. Tests are undertaken to suit the applicant and it is understood that it may be possible to include evenings (dependent upon the individual examiner concerned).

7. CONSULTATION

- 7.1 Prior to the change from in house testing to the introduction of the DSA test in 2011, the council undertook 6 weeks consultation with the trade. Out of 688 individual letters sent, no responses were received. In view of the extremely short notice given by the DSA, consultation has not been possible. If the recommendation is approved, the licensing process will remain the same, there will just be the substitution of one testing body for another.

8. LEGAL IMPLICATIONS

- 8.1 None identified.

9. RESOURCE IMPLICATIONS

- 9.1 None identified.

10. OTHER IMPLICATIONS

- 10.1 None identified.

11 REASONS FOR THE RECOMMENDED DECISIONS

- 11.1 Public safety which includes the maintaining of high driving standards is of paramount importance. The Council needs to maintain high standards of driving and at the same time provide a consistency of approach through one standard, impartial qualification supplied by a recognised agency. It will ensure all applicants have achieved a high standard of driving relating to Private Hire and Hackney Carriage Vehicles. The recommendation will allow us to continue with the DSA, should they revisit their decision and at the same time expand our

options for the future in permitting the Council to outsource to other suitable bodies.

BACKGROUND PAPERS

Report to the Licensing & Protection Panel, 26 October 2011 on the Adoption of the DSA driving test for private hire and hackney carriage drivers.
Hackney Carriage and Private Hire Driver licence application pack.

f/licensing/PH & Taxis/Panel Meetings- Reports material/Lic & Prot panel reports/2016

CONTACT OFFICER

Christine Allison, Licensing Manager
Tel No.01480 387075

Agenda Item 7

Public
Key Decision – No

Subject Matter: LICENSING AND PROTECTION SUB-COMMITTEE

Meeting/Date: Licensing and Protection Committee – 17 November 2016

Executive Portfolio: Councillor S Criswell – Executive Councillor for Community Resilience

Report by: Elections and Democratic Services Manager

1. INTRODUCTION

- 1.1 The Licensing Sub-Committee comprising four Members of the Licensing and Protection Committee is convened when necessary to determine such matters in the case of an individual licence or application which has not been delegated to officers. Below is a summary of the meetings that have taken place since the last meeting of the Committee. Full Minutes are available on request.

Meeting Date	Chairman	Application	Determination
2 August 2016	R Fuller	New Application for a Hackney and Private Hire Licence. Review of an existing Joint Hackney Carriage and Private Hire Drivers Licence.	Refused. Written Warning.
16 August 2016	R Fuller	Review of an existing Joint Hackney Carriage and Private Hire Drivers Licence. Review of an existing Joint Hackney Carriage and Private Hire Drivers Licence. Review of an existing Joint Hackney Carriage and Private Hire Drivers Licence.	Licence Revoked. Written Warning, Written Warning.
26 September 2016	R Fuller	New Application for a Hackney Carriage and Private Hire Licence. Review of an existing Joint Hackney Carriage and Private Hire Drivers Licence.	Allowed to Proceed. Licence suspended until 31st October 2016 or until presentation of evidence to the Licensing Team.
1 November 2016	R Fuller	New Application for a Hackney Carriage and Private Hire Licence. New Application for a Hackney Carriage and Private Hire Licence.	Allowed to Proceed. Refused.

2. RECOMMENDATION

- 2.1 The Committee are invited to note the above information.

BACKGROUND PAPERS

Agenda and Minutes of the Licensing and Protection Sub-Committee.

Contact Officer: Mrs C Bulman, Democratic Services - ☎ 01480 388234.

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