

A meeting of the **LICENSING AND PROTECTION COMMITTEE** will be held in **MEETING ROOMS 0.1A AND 0.1B, GROUND FLOOR, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **WEDNESDAY, 4 DECEMBER 2019** at **2:00 PM** and you are requested to attend for the transaction of the following business:-

AGENDA

APOLOGIES

1. MINUTES (Pages 5 - 8)

To approve as a correct record the Minutes of the Licensing and Protection Committee held on 19th June 2019.

Contact Officer: Democratic Services - (01480) 388169

2. MEMBERS INTERESTS

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

Contact Officer:

3. PROPOSED PUBLIC SPACE PROTECTION ORDER FOR ST IVES (Pages 9 - 26)

To consider a report by the Community Resilience Manager seeking approval for the implementation of a Public Space Protection Order under the Anti-Social Behaviour, Crime and Policing Act 2014 for an area in St Ives.

Contact Officer: C Deeth - (01480) 388233

4. MONITORING REPORT ON THE DELIVERY OF THE FOOD LAW ENFORCEMENT AND HEALTH AND SAFETY PLANS (Pages 27 - 38)

To consider the monitoring report on the delivery of the Food Law Enforcement and Health and Safety Service Plans for the period 1st June 2019 to 30th September 2019.

Contact Officer: M Bebbington - (01480) 388002

5. LICENSING AND PROTECTION SUB COMMITTEES (Pages 39 - 40)

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

Contact Officer: Democratic Services - (01480) 388169

6. SUSPENSION AND REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES

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

Contact Officer: Licensing Team - (01480) 387075

7. DATE OF NEXT MEETING

To note that the next meeting will be held on Wednesday 11th March 2020 at 2pm.

Contact Officer:

26 day of November 2019



Head of Paid Service

Disclosable Pecuniary Interests and Non-Statutory Disclosable Interests

Further information on [Disclosable Pecuniary Interests and Non - Statutory Disclosable Interests is available in the Council's Constitution](#)

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Arrangements for these activities should operate in accordance with [guidelines](#) agreed by the Council.

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](#).

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.

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION COMMITTEE held in the Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 19 June 2019

PRESENT: Councillor S J Criswell – Chairman.

Councillors B S Banks, Mrs M L Beuttell, J R Clarke, Ms A Diaz, Mrs A Dickinson, Mrs S A Giles, Mrs P A Jordan, L W McGuire, Mrs P E Shrapnel and R J West.

APOLOGY An Apology for absence from the meeting was submitted on behalf of Councillor D J Mead.

5 MINUTES

The Minutes of the meetings held on 13th March and 15th May 2019 were approved as correct records and signed by the Chairman.

6 MEMBERS INTERESTS

No declarations were received.

7 MONITORING REPORT ON THE DELIVERY OF THE FOOD LAW ENFORCEMENT AND HEALTH AND SAFETY PLANS

With the assistance of a report by the Operational Manager (Business) (a copy of which is appended in the Minute Book) the Committee received an update on progress against the delivery of work in the Council's Food Law Enforcement and Health and Safety Service Plans during the period 1st April to 31st May 2019.

The Committee's attention was drawn to the Appendices to the report which contained the detailed performance information relating to the delivery of the Plans and Members were pleased to note that progress against all performance targets was currently set at green.

With regards to the Food Law Enforcement Service Plan, the Committee were informed that work is progressing on the Primary Authority pilot to link businesses with a regulator who is able to deliver primary authority services. The Better Business for All partnership held a staff launch event in May 2019 to promote the programme which is part of the Government's national agenda to use positive regulation and business support services to boost business growth. In addition it was reported that the Food Standards Agency Register is now ready to roll out to local authorities and work was progressing on the development of National Inspection Strategies which will result in greater consistency for businesses in the inspection regime.

The Committee noted that Officers would continue to monitor the number of complaints and service requests, the numbers of which seem to be slightly higher than usual at this stage of the year.

In relation to Health and Safety, the Committee were advised that the Authority had submitted a bid to the Health & Safety Executive to hold a business event to explain the requirements for compliance and how this can be achieved by an in-house safety culture. As requested at the previous meeting, details of accidents reported and investigated over the last two months were also reported.

In reviewing the performance report and in response to a question regarding the recent issues being reported in the media regarding listeria linked to pre-packed sandwiches and salads, the Committee were advised that local hospitals had not been affected, although the source of the outbreak had now been identified and controlled.

Whereupon and having commended officers for the work which was being undertaken to communicate with local businesses on food safety and health and safety matters, it was

RESOLVED

that progress on the delivery of the Service Plans for the period 1st April to 31st May 2019 be noted.

8 LICENSING AND PROTECTION COMMITTEE - SCHEME OF DELEGATION TO LICENSING AND PROTECTION SUB COMMITTEE

With the assistance of a report by the Head of Community (a copy of which is appended in the Minute Book), the Committee considered a proposal to amend the current scheme of delegation from the Licensing and Protection Committee to officers.

The Scheme of Delegation had last been revised in July 2016 and following a lean review of the licensing team and the introduction of a new and more robust licensing policy and conditions, it was now proposed to amend the delegations such that decisions relating to taxi licensing could be taken more efficiently and effectively within the service.

The Committee's attention was drawn to the proposed changes to the scheme (as set in Appendix B to the report) and Members were assured that the Sub-Committee and the Chairman and Vice-Chairman would still have a role to play in the new approach. It would also provide efficiency savings within the licensing team which could be utilised for further enforcement activity.

In considering the contents of the report, the Chairman welcomed the proposals as a positive step to ensure that the Council provides a safe and secure taxi-service and suggested that any decisions under delegated powers could continue to be reported to the Committee at their quarterly meetings.

Arising from the report, Member went on to discuss the testing regime for vehicles, the work which had been started on scrutinising vehicle insurance and whether there was any potential for the future use of organised 'spot checks'.

The Committee were also reassured that there were a number of mechanisms in place for members of the public to report specific issues with taxis and that Officers also actively scrutinise social media for this purpose. Whereupon, it was

RESOLVED

- a) that the amended scheme of delegation from the Licensing and Protection Committee to Officers as set out in Appendix B to the report be approved; and
- b) that the Head of Community be authorised to delegate decisions to the Operational Manager and Licensing Manager where appropriate to expedite efficient decision making.

9 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) and a verbal update at the meeting, the Committee received and noted the details of 2 meetings of the Licensing and Protection Sub-Committee which had taken place between 24th April and 12th June 2019.

10 SUSPENSION AND REVOCATION OF PRIVATE HIRE AND HACKNEY CARRIAGE AND DRIVERS LICENCES UNDER DELEGATED POWERS

With the aid of a report by the Head of Community (a copy of which is appended in the Minute Book) the Committee noted the details of actions which had been taken since the last meeting under the Head of Community's delegated authority. In so doing, the Committee were informed that 4 vehicles remained suspended at the time of the report.

Having commented on the number of suspensions of vehicle licences as a result of there being no proof of insurance cover, the Committee were advised that this was an increasing problem nationally owing to the ability of operators to change insurance details quickly electronically. Members agreed that a clear message should be sent to the trade that this would not be tolerated, particularly as it was contrary to the District Council's Licensing Policy. The Licensing Manager undertook to raise the issue further at a forthcoming meeting that the Institute of Licensing with the Department for Transport and the Local Government Association.

Chairman

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Public

HUNTINGDONSHIRE DISTRICT COUNCIL

- Title/Subject Matter:** Proposed Public Space Protection Order for St Ives.
- Meeting/Date:** Licensing and Protection Committee – Wednesday 4 December 2019.
- Executive Portfolio:** Cllr Marge Beuttell, Executive Member for Operations and Regulation.
- Report by:** Community Resilience Manager.
- Ward(s) affected:** St Ives.
-

Executive Summary:

The Anti-Social Behaviour, Crime and Policing Act received royal ascent on 13th March 2014 and the legislation within the Act became available for use in October 2014. The Act was as a result of a reform of the previous tools and powers available and was designed to put victims at the heart of the response to anti-social behaviour and give professionals the flexibility they need to deal with any given situation. Within the Act, one of the powers available is the Public Space Protection Order (PSPO). The PSPO replaces the Designated Public Place Order (DPPO) that was available within the Anti-Social Behaviour Act 2003 and is designed to stop individuals or groups committing anti-social behaviour in a public space. Local Authorities have the ability to issue PSPOs if the test has been met and following consultation

The term 'boy racer' has many definitions but for the purposes of this report and in-line with the nature of the problem that is trying to be addressed, 'boy racer' means - 'A motorist who drives an automobile that has been modified with aftermarket body kits, audio system and exhaust system, usually in an unlawful manner'.

Following frequent complaints over a number of years from residents of St Ives about the alarm, harassment and distress caused by 'boy racers' as well as anti-social behaviour as a result of consuming alcohol, a PSPO is being proposed for two areas of St Ives. The request for the Local Authority to apply a PSPO has been received from Cambridgeshire Constabulary. If approved, the PSPO will prohibit certain activities and will be enforceable by Police Officers, Police Community Support Officers and Officers delegated by Huntingdonshire District Council. Those who breach the PSPO risk being issued with a Fixed Penalty Notice (FPN) of £100 or a fine not exceeding Level 3 (£1,000) on prosecution.

RECOMMENDATIONS:

That the Licencing and Protection Committee approve the implementation of a Public Space Protection Order under the Anti-Social Behaviour, Crime and Policing Act 2014, for the area of St Ives in response to persistent complaints of the anti-social behaviour caused by 'boy racers' and the consumption of alcohol resulting in anti-social behaviour. The Order will cover The Quay to the Bus Station and adjacent areas and Warner's Park. If approved, the Order will commence on 1st January 2020 for a period of 3 years.

1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 This report seeks to obtain the approval of the Licencing and Protection Committee for the implementation of a Public Space Protection Order, from here on referred to as 'Order', in St Ives. The Order is being proposed in response to complaints from residents of 'boy racers' causing alarm, harassment and distress to those in the vicinity as well as anti-social behaviour as a result of consuming alcohol. The behaviours being experienced include loud, offensive behaviour resulting in violence, urinating and or vomiting on residential properties as well as general noise disturbance to the community until the early hours of the morning.
- 1.2 There are two parts to the Order. The first area proposed will cover The Quay to the Bus Station and the area in between and the second part of the Order relates to Warner's Park. The areas have been identified following calls for service to the Constabulary and as part of this process consideration has been given to the possibility of displacement of the problem. The Order proposes the following prohibitions:

Anti-Social Behaviour

1. At all times, persons will not act in a manner that is causing or is likely to cause, harassment, alarm or distress in the designated area.

Alcohol related

2. Persons must immediately leave the designated area marked in red for a period of 24 hrs if ordered to do so by a designated officer;
3. Alcohol must be disposed of or surrendered if requested by a designated officer;

Vehicle related nuisance

4. Persons not to use a vehicle in a manner likely to cause alarm, harassment or distress;
5. Persons not to gather in their vehicles or park their vehicles in groups of two or more for the purposes of congregating and may result in causing alarm, harassment or distress;
6. No person shall use their vehicle to cause unreasonable levels of noise including the noise from engines and exhausts and the playing of music from car stereos; and
7. Persons not to drive their vehicles in an anti-social manner.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 Complaints about the problems associated with 'boy racers', anti-social behaviour and alcohol related disorder in St Ives have been reported to both Huntingdonshire District Council and Cambridgeshire Constabulary for a number of years.
- 2.2 St Ives has a very successful night time economy with a number of premises having a license that enables them to operate into the early hours of the morning. There are also a large number of residential properties both within the Town Centre and on the outskirts that are joined to the centre by historic passageways. The passageways are a common route both in and out of the Town meaning that frequently, residents are significantly affected by those under the influence of alcohol.
- 2.3 St Ives has a Pub Watch Scheme made up of representatives from the licensed premises operating in the area as well as representatives from Huntingdonshire District Council, Cambridgeshire Constabulary, St Ives Town Council and Huntingdonshire Business Against Crime. The scheme enables members to share information about particularly problematic individuals and works together to jointly ban from their premises those who are causing most harm within the community.
- 2.4 During the period between 21st April 2019 to the 21st September 2019 there were a total of 60 incidents of anti-social activity in the St Ives area were reported to the Police, these are broken down as follows:

Reports relating to Anti-Social Behaviour:

	Date:	Inc number:	Location:
1.	21/04/2019	161	WELLINGTON ST, ST IVES
2.	05/04/2019	134	BARNARDOS, 8A THE PAVEMENT ST IVES
3.	06/04/2019	0505	CROWN ST, ST IVES
4.	06/04/2019	476	CROWN ST, ST IVES
5.	18/04/2019	184	CAMBRIDGE BUILDING SOCIETY, 2 STATION RD, ST IVES
6.	19/04/2019	522	FREE CHURCH CENTRE, MARKET HILL ST IVES
7.	20/04/2019	513	AMORE, 4 THE QUAY ST IVES
8.	21/04/2019	161	13 WELLINGTON ST, ST IVES
9.	22/04/2019	105 (cross ref 513)	3 THE QUAY ST IVES
10.	22/04/2019	371	3 THE QUAY ST IVES

11.	23/04/2019	423	THE QUAY ST IVES
12.	23/04/2019	426	AMORE, 4 THE QUAY ST IVES
13.	26/04/2019	451	BUS STATION, STATION RD, ST IVES
14.	30/04/2019	546 (cross ref 551)	MEADOW LN, MEADOW LN, ST IVES
15.	30/04/2019	551	ONE LEISURE, CALIFORNIA ROAD, ST IVES
16.	01/05/2019	178	GUIDED BUSWAY ST IVES
17.	05/05/2019	174	STATION RD, STATION RD, ST IVES
18.	08/05/2019	558	CHURCH YARD WALL ST IVES PARISH, CHURCH ST, ST IVES
19.	09/05/2019	460	3 THE QUAY ST IVES
20.	11/05/2019	291	STATION RD, STATION RD, ST IVES
21.	11/05/2019	252	BUS STATION, STATION RD, ST IVES
22.	11/05/2019	291	STATION RD, STATION RD, ST IVES
23.	16/05/2019	567	BRIDGE ST, BRIDGE ST, ST IVES
24.	26/05/2019	63	17B BRIDGE ST, ST IVES
25.	02/06/2019	177	AMORE, 4 THE QUAY ST IVES
26.	10/06/2019	200	WAITROSE AND SHOPS,STATION RD , ST IVES
27.	14/06/2019	394	STATION RD, STATION RD, ST IVES
28.	21/06/2019	395	RAMSEY RD, ST IVES
29.	22/06/2019	42	RAMSEY RD, ST IVES
30.	28/06/2019	221	PEACOCKS, 16 MARKET HILL ST IVES
31.	29/06/2019	432	WARNERS PARK, PARK RD, ST IVES
32.	03/07/2019	293	CROWN ST, ST IVES
33.	06/07/2019	329	LIBRARY ROW, STATION RD, ST IVES
34.	06/07/2019	361	LIBRARY ROW, STATION RD, ST IVES
35.	08/07/2019	60	CROWN ST, ST IVES
36.	11/07/2019	319	WAITROSE AND SHOPS, STATION RD, ST IVES
37.	23/07/2019	250	MARKET HILL ST IVES
38.	16/07/2019	236	WARNERS PARK, PARK RD, ST IVES
39.	10/08/2019	344	BUS STATION, STATION RD, ST IVES
40.	06/09/2019	382	THE QUAY ST IVES
41.	14/09/2019	608	MERRYLAND ST IVES
42.	19/09/2019	579	WARNERS PARK, PARK RD, ST IVES

Reports relating to Vehicle Related Anti-Social Behaviour:

	Date:	Inc number:	Location:
1.	04/03/2019	525	PARK AND RIDE, MEADOW LN, ST IVES
2.	14/05/2019	0497	PARK AND RIDE, MEADOW LN, ST IVES
3.	14/05/2019	491	LAND FOR GUIDED BUSWAY ATTACH, MEADOW LN, ST IVES
4.	01052019	178	CAMBRIDGESHIRE GUIDED BUSWAY ST IVES
5.	09/06/2019	513	PARK AND RIDE, MEADOW LN, ST IVES
6.	15/06/2019	528	PARK AND RIDE, MEADOW LN, ST IVES

7.	15/06/2019	517	EAST ST, ST IVES
8.	15/06/2019	556	PARK AND RIDE, MEADOW LN, ST IVES
9.	12/07/2019	570	PARK AND RIDE, MEADOW LN, ST IVES
10	13/07/2019	523	PARK AND RIDE, MEADOW LN, ST IVES
11	13/07/2019	501	ST IVES
12	13/07/2019	219	ST IVES
13	13/07/2019	175	THE WILDERNESS ST IVES
14	27/07/2019	n/a Planned unauthorised car meet prevented	PARK AND RIDE, MEADOW LN, ST IVES
15	07/09/2019	199	THE BROADWAY ST IVES
16	08/09/2019	479	PARK AND RIDE, MEADOW LN, ST IVES
17	09/08/2019	644	MEADOW LN, ST IVES
18	21/09/2019	580	PARK AND RIDE, MEADOW LN, ST IVES

2.5 Police powers alone have not been capable of adequately addressing these issues which are causing significant concerns to the public. Police do attend and deal with the incidents, however often no criminal offences are being committed, or offences may have been committed but irrespective of how robust officers are they often cannot gather sufficient evidence to satisfy the points to prove, to make arrests or progress offences to a criminal justice outcome (i.e. conviction, caution, community remedy, etc.).

2.5.1 The Police are currently engaging the use of Community Protection Warnings (CPWs) and Community Protection Notices (CPNs) when specific individuals can be identified but this is only possible for one or two members of the group and fails to address the problem as a whole.

2.5.2 Criminal Behaviour Orders (CBOs) have been considered for these individuals, however these would require the perpetrator to be convicted of a criminal offence and the order applied for post-conviction. As stated above, the Police do not always have sufficient evidence to progress matters to this level.

2.5.3 As the purpose of a PSPO is **“to stop individuals or groups committing anti-social behaviour in a public place”** it seems that this is the appropriate piece of legislation to be invoked to address the numerous and persistent calls from concerned members of the public about anti-social behaviour which the Police are unable to address using warranted powers alone.

- 2.6 The first part of the Order is proposed to cover the areas of The Quay and Bus Station and include the areas shown on Map A contained at Appendix A. The second part of the Order proposes to cover Warner's Park and includes the areas on Map B contained at Appendix B. The areas will form one Order and be made up of the prohibitions detailed at 1.2 of this report. The prohibitions proposed relate to the nature of the complaints that have been received to date and if implemented intends to put a stop to these forms of anti-social behaviour.
- 2.7 For a Public Space Protection Order to be considered the behaviour being restricted has to:
- be having, or be likely to have, a detrimental effect on the quality of life of those in the locality;
 - be persistent or continuing in nature; and
 - be unreasonable

It is felt that based on the persistent nature of this issue, the test for an Order has been met. A breach of a PSPO is a criminal offence and can be enforced by Police Officers, Police Community Support Officers and delegated Officers of the Local Authority. Huntingdonshire District Council also proposes to utilise the CCTV cameras that are in place to enforce the Order. If breached, Officers have the ability to issue a Fixed Penalty Notice of £100 that will be payable within 14 days of issue and non-payment or prosecution may result in a fine of up to Level 3 (£1,000).

- 2.8 The legislation requires the Local Authority proposing a PSPO to consult with the Police, Police and Crime Commissioner, other relevant bodies as well as those who may be affected by the implementation of an Order. This consultation has been carried out and is detailed further at point 7.0 of this report. The process adopted by Huntingdonshire District Council requires that following consultation, proposed PSPOs must be considered for implementation by the Licensing and Protection Committee, hence the submission of this report.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 As previously stated, a successful Pub Watch Scheme operates in St Ives which in turn allows the licensed premises to mutually ban problem individuals from their premises for an agreed period of time, often 12 months. This has had a significant impact but only when the identity of the individual is known. The issues being experienced in St Ives have also been referred to and discussed at the District Problem Solving Group to enable best practice to be shared. This has resulted in Community Protection Warnings as well as Community Protection

Notices being issued and the details of incidents shared with Registered Housing Providers which in turn can have a negative impact on an individual's tenancy.

- 3.1.1 The tools and powers mentioned in 3.1 above are all very useful but are not spontaneous and therefore the impact is not felt at the time of the offence.
- 3.1.2 St Ives was previously covered by a Designated Public Places Order that was implemented following persistent complaints of street drinking. The Order was hugely successful which allowed it to expire naturally in 2016 and issues did not begin to occur again until 12 months after its expiration. This therefore suggests that a PSPO would have the desired affect and would also act as a deterrent in relation to the problems that it intends to prevent.
- 3.1.3 Vehicle related ASB, specifically unofficial 'car meets' and 'boy racers' using St Ives Park and Ride and the surrounding roads has become frequent and is cause for concern. This issue is of particular poignancy following the reports in the summer of injury to 17 bystanders at an unofficial (supposedly static) car meet in Stevenage. On 27th July 2019, the Police were forced to put in place a Dispersal Order after receiving notification that an unauthorised car meet was due to take place at the St Ives Park and Ride. The implementation of the Order was successful resulting in the meet being cancelled.
- 3.2 It is therefore felt necessary to consider the implementation of a Public Space Protection Order to cover the areas where the majority of the issues are occurring. To avoid displacement and following consultation, the area of the proposed Order has been extended. If approved, the Order would commence on 1st January 2020 and remain in place for 3 years after which time and following consultation, there is the option to renew the Order for up to a further three year period.

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

- 4.1 By implementing a Public Space Protection Order that covers particular areas of St Ives, there is the risk of displacement. As a result of concerns raised during the consultation process, the areas to be covered by the Order have been extended to avoid displacement. This will be monitored from the date of implementation and will be a standing agenda item for the monthly District Problem Solving Group. The group will monitor any signs of displacement and agree the most appropriate action to be taken. The legislation enables the Order to be amended at any time during its

three year term so should displacement be evidenced; a proposal to vary the Order can be considered and actioned as necessary.

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 5.1 Prior to presentation of this report to the Licencing and Protection Committee, a consultation process was conducted as required within the legislation. The results of the consultation are contained at point 7.0 of this report. Following approval of the Public Space Protection Order by this Committee the proposed implementation date is 1st January 2020 for a period of three years. In preparation of the commencement of the Order, the local press will be notified and provided with a copy of the Order. As required by the legislation, a copy of the approved Order will be displayed on the Huntingdonshire District Council website.
- 5.2 If approved by the Committee at their meeting on 4th December 2019, the Order will be considered to be effective from 1st January 2020 and from this date; designated Officers will be responsible for enforcing the prohibitions that are in place.

6. LINK TO THE CORPORATE PLAN

- 6.1 One of the strategic priorities and objectives of the Corporate Plan 2018 - 22 is to 'Create, protect and enhance our safe and clean built and green environment'. Part of the work programme of the 'Place' strand of the Plan is to 'Ensure that our streets and open spaces are clean and safe' and 'Work closely with partners to reduce crime and anti-social behaviour'.
- 6.2 Huntingdonshire District Council has the ability to make Public Space Protection Orders under the Anti-Social Behaviour, Crime and Policing Act 2014. Following complaints from the community to the Police, it is felt that a Public Space Protection Order is necessary to address the anti-social activity that is occurring. Should the Order be approved, the District Council will be actively working to achieve its priorities and objectives as set out within the Corporate Plan.

7. CONSULTATION

- 7.1 For a Local Authority to issue a Public Space Protection Order they must first consult with the Chief Constable for the local Police and the Police and Crime Commissioner. In addition, the owner or occupier of the land should be consulted as well as any community representatives felt appropriate. In proposing the implementation of a Public Space Protection Order in St Ives, the Community Team at Huntingdonshire District Council has consulted the following:

- Chief Constable Nick Dean, Cambridgeshire Constabulary
- Police and Crime Commissioner Jason Ablewhite
- St Ives Town Council
- St Ives Chamber of Commerce
- District Council Ward Members for this area
- Cllr. Marge Beuttell, Huntingdonshire District Council Executive Member for Operations and Regulations
- Huntingdonshire Business Against crime
- St Ives Pub Watch
- Cambridgeshire County Council
- Members of the public via an advert in the Hunts Post
- Members of the public via an online consultation on the Huntingdonshire District Council web pages

7.2 The consultation was carried out for a period of 35 days finishing on 28th October 2019. The consultation results suggest that there is overwhelming support for the proposed Order.

7.3 The proposed Order received the support of St Ives Town Council at their Full Council meeting held on 9th October 2019 with a request to extend the Order to cover The Broadway and Cow and Hare Passage, these areas have now been included. Full support has also been received from the Ward District Councillors.

7.4. Comments in support were also received from the Police and Crime Commissioner, the Chief Constable, Huntingdonshire Business Against Crime and the St Ives Pub Watch Scheme.

7.4.1 A response from Economy, Transport and Environment at Cambridgeshire County Council stated that they had 'no points to raise'.

8. RESOURCE IMPLICATIONS

8.1 It should be noted that if the PSPO is approved, the prohibitions will only be enforced where it has been demonstrated or evidence suggests that a breach has taken place. The Order will be utilised alongside the other tools and powers that are available to the authorised Officers and the Order will not be relied upon as the only enforcement option available.

8.2 Public Space Protection Orders can be enforced by Officers of the Constabulary as well as delegated Officers of the District Council. In submitting their comments as part of the consultation, the Constabulary have considered the resource implications relevant to them. In terms of

the District Council, the Community Team has the resource of four Community Protection and Enforcement Officers and the Senior Community Protection and Enforcement Officer. This is believed to be a satisfactory level of resource to respond to issues of this kind and these Officers will have delegated authority to enforce the Order.

- 8.2 It has also been agreed that the District Council owned CCTV cameras located in the areas that will be covered by the Order, will also be used to enforce the prohibitions. This may result in Fixed Penalty Notices being served retrospectively should a delegated Officer on viewing the footage, believe that the Order has been breached.
- 8.3 Considering the pattern of events following the implementation of the two St Neots PSPOs in April 2017, it is believed that the Order may be resource intensive initially but through effective enforcement of the prohibitions in the first few months, it is likely that the demand will subside.

9. OTHER IMPLICATIONS

- 9.1 This is the first Public Space Protection Order proposed in Cambridgeshire that relates to multiple issues. By implementing the Order in St Ives, we may raise expectations that PSPOs will also be implemented elsewhere within the District. It is therefore important to reiterate that the District Council is keen to use the tools and powers available to them where evidence suggests that there is the need and that there may be alternative interventions that can be tried to avoid the need for a PSPO.

10 REASONS FOR THE RECOMMENDED DECISIONS

- 10.1 Public Space Protection Orders are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safely from anti-social behaviour. The number of reports received by the Police as well as the positive support received through the consultation process suggests that the activities carried out by certain individuals are significantly affecting those in the surrounding community. The behaviour is causing alarm, harassment and distress and is affecting multiple people in residential areas. A number of initiatives have been tried but unfortunately have not prevented the continued occurrence of this behaviour. Following a thorough consultation process, approval is therefore sought from the Licencing and Protection Committee for the implementation of a Public

Space Protection Order for the identified areas of St Ives commencing on 1st January 2020 for a period of 3 years and made up of the following prohibitions:

Anti-Social Behaviour

1. At all times, persons will not act in a manner that is causing or is likely to cause, harassment, alarm or distress in the designated area.

Alcohol related

2. Persons must immediately leave the designated area marked in red for a period of 24 hrs if ordered to do so by a designated officer;
3. Alcohol must be disposed of or surrendered if requested by a designated officer;

Vehicle related nuisance

4. Persons not to use a vehicle in a manner likely to cause alarm, harassment or distress;
5. Persons not to gather in their vehicles or park their vehicles in groups of two or more for the purposes of congregating and may result in causing alarm, harassment or distress;
6. No person shall use their vehicle to cause unreasonable levels of noise including the noise from engines and exhausts and the playing of music from car stereos; and
7. Persons not to drive their vehicles in an anti-social manner.

11. LIST OF APPENDICES INCLUDED

Appendix A – Map detailing the first area to be covered by the proposed Public Space Protection Order, this being The Quay to the Bus Station.

Appendix B – Map detailing the second area to be covered by the proposed Public Space Protection Order, this being Warner's Park.

Appendix C – A copy of the proposed Public Space Protection Order.

BACKGROUND PAPERS

- Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers – Statutory guidance for frontline professionals – July 2014 updated December 2017 and August 2019.

CONTACT OFFICER

Claudia Deeth, Community Resilience Manager

claudia.deeth@huntingdonshire.gov.uk

01480 388233

Appendix A – Map detailing the first area to be covered by the proposed Public Space Protection Order, this being The Quay to the Bus Station.



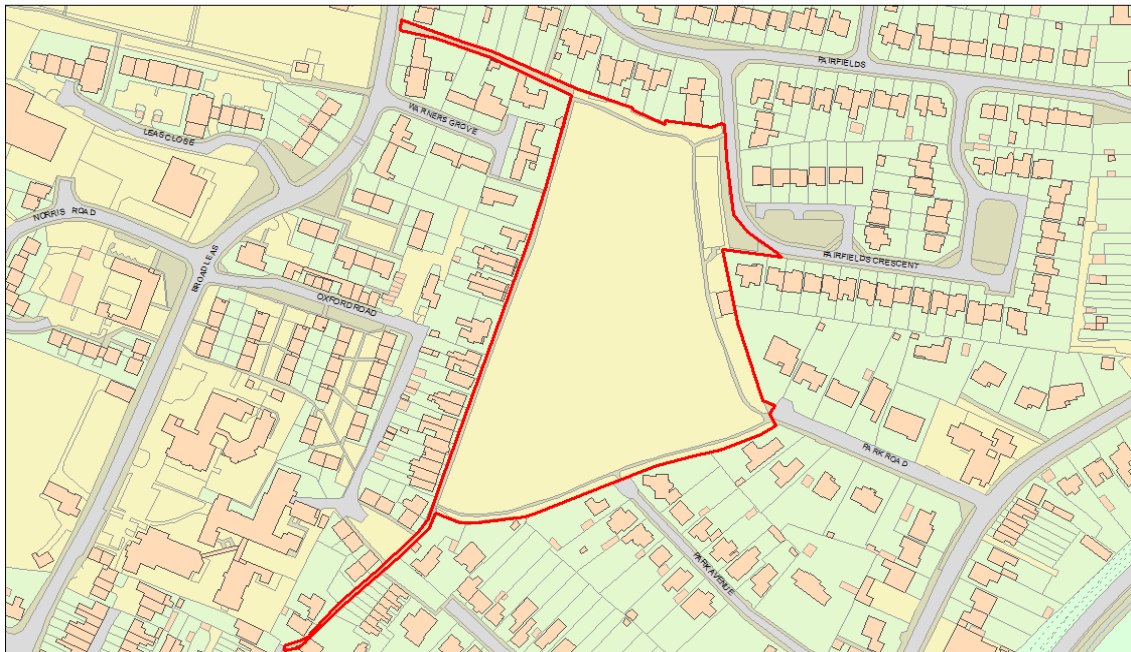
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Date Created: 19/11/2019

Huntingdonshire
DISTRICT COUNCIL

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Appendix B – Map detailing the second area to be covered by the proposed Public Space Protection Order, this being Warner’s Park.



Appendix C – A copy of the proposed Public Space Protection Order.

Huntingdonshire District Council
Anti-Social Behaviour, Crime and Policing Act 2014
The Huntingdonshire District Council (The Quay to the Bus Station and
Warner’s Park, St Ives) Public Spaces Protection Order 2020

Huntingdonshire District Council (“the Council”) makes the following Order under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014. The Order takes effect on 1st January 2020 for a period of 3 years.

This Order applies to the public space, known as the The Quay, the Bus Station and adjacent areas and Warner’s Park, St Ives (“The Designated Area”) and is shown edged in red on the plan attached at Schedule 1 to the Order.

The following prohibitions are imposed:

Anti-Social Behaviour

1. At all times, persons will not act in a manner that is causing or is likely to cause, harassment, alarm or distress in the designated area.

Alcohol related

2. Persons must immediately leave the designated area marked in red for a period of 24 hrs if ordered to do so by a designated officer;
3. Alcohol must be disposed of or surrendered if requested by a designated officer;

Vehicle related nuisance

4. Persons not to use a vehicle in a manner likely to cause alarm, harassment or distress;
5. Persons not to gather in their vehicles or park their vehicles in groups of two or more for the purposes of congregating and may result in causing alarm, harassment or distress;
6. No person shall use their vehicle to cause unreasonable levels of noise including the noise from engines and exhausts and the playing of music from car stereos; and
7. Persons not to drive their vehicles in an anti-social manner.

The Council is satisfied that activities have been carried out in this Designated Area that have had a detrimental effect on the quality of life of those in the locality. Furthermore, it is satisfied that the effect of these activities is likely to

be of a persistent or continuing nature, and is of such as to make the activities unreasonable and the effect justifies the restrictions imposed.

The Council makes this Order because people have been acting in as well as using their vehicles in an anti-social manner in the Designated Area causing alarm, harrassment and distress to the local community.

These activities have given rise to nuisance and complaint to both the Council and the Police from local residents .

Offence:

Failure without reasonable excuse to comply with the prohibitions or requirements imposed by this Order is a summary offence under Section 67 of the 2014 Act.

Penalty:

A person guilty of an offence shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

A constable or an authorised person may under Section 68 of the 2014 Act issue a fixed penalty notice of £100 to anyone he has reason to believe has committed an offence under Section 67 in relation to this Order.

Dated.....

The Common Seal of
Huntingdonshire District Council
was affixed in the presence of

.....
Authorised Signatory

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Monitoring Report on the Delivery of the Food Law Enforcement and Health and Safety Service Plans .

Meeting/Date: Licensing and Protection Committee – 4 December 2019.

Executive Portfolio: Executive Councillor for Operations and Regulation – Councillor M Beuttell

Report by: Acting Operational Manager (Business).

Ward(s) affected: All.

Executive Summary:

The Food Law Enforcement Service Plan and Health and Safety Service Plan 2019-20 were approved by committee on 13 March 2019.

This monitoring report covers the period from 1 June 2019 to 30 September 2019. In general terms the monitoring report accounts for work undertaken by the Business Team within the defined period and compares this to the service plan to ensure that the service is on target to deliver the programmed work.

Programmed work is delivered alongside reactive work, the volume of which by definition is impossible to predict. This work is carried out according to risk. Complaints and accident investigations are prioritised using risk-based selection criteria, and the volume of work is reported here to attempt to identify any emerging risks in terms of resource provision.

Appendices 1 and 2 contain detailed information about the delivery of the Food Law Enforcement Service Plan. Appendix 3 contains detailed information about the delivery of the Health and Safety Service Plan.

Recommendation(s):

Members are requested to:-

1. Note progress and provide any comments considered appropriate, on the delivery of the two Service Plans for the period 1 June to 30 September 2019.

1. PURPOSE OF THE REPORT

- 1.1. The report provides information about the delivery of the two Service Plans for the period between 1 June 2019 and 30 September 2019.

2. WHY IS THIS REPORT NECESSARY?

- 2.1 Members have asked to be kept informed about the delivery of the work in the approved plans.

3. A DESCRIPTION OF SERVICES COVERED BY THE REPORT

- 3.1 Food Law Enforcement consists of the following 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. All activities bar two are rated as green. Alternative enforcement strategy has been delayed but a plan is now in place to bring this back to green status. Due to staffing related issues no sampling was completed in Q2 which whilst not an issue at this time needs to be kept under review.

- 4.3 The current focus of the team is to continue to reduce the number of outstanding category C and D premises requiring an intervention as well as those which remain unrated, temporary recruitment has taken place to pursue this. An outstanding prosecution against a food business was

resolved during this period with the food business operator pleading guilty to preparing food in an area which lacked adequate natural or artificial lighting.

- 4.4 Appendix 2 refers to the unplanned (reactive) work undertaken by the service. The number of customer complaints and service requests is driven by demand, so they are closely monitored and prioritised according to risk using publicly available selection criteria. Any intelligence emerging around trends can be used to inform proactive work through education or enforcement action. There continues to be a number of reports concerning suspected food poisoning where the affected individual has not consulted the GP for a diagnosis. Such reports are generally used for intelligence gathering.
- 4.5 Due to the tragic passing of Sue Walford, work is currently on hold with the Primary Authority pilot with signpost-2-grow and neighbouring authorities to link business with a regulator who is able to delivery primary authority services but will be picked back up again in the near future.
- 4.6 The Better Business for All partnership continues and a set of video animations across a range of regulatory areas is almost complete and will be launched in the New Year. This is aimed to promote the programme, part of the Government's national agenda to use positive regulation and business support services to boost business growth. Partners include the District Council regulators, the Growth Hub, trading standards and fire services from the County Council. Together we are looking to develop and deliver against 3 work streams
- Listening to businesses and adapting our regulatory approach accordingly
 - Making our advice services more accessible and easier to navigate for businesses
 - Offering a more holistic business support service through signposting to other business support partners
- The launch in May looked to bring everyone up to speed with the services each deliver so that whenever and wherever we speak to business, officers are confident to refer them on for complimentary support and compliance advice. The animated production delivers the message to business on how they can engage and what we can deliver.
- 4.7 The Food Standards Agency Register a Food Business service is ready to roll out to local authorities. In addition to being a legal requirement, registration is the foundation of data that is used by everyone delivering official food controls. Information needs to be captured in an accurate and consistent way and the online process captures enhanced data from food business operators, improving the consistency, efficiency and effectiveness of registration. Over the next few months we will be making a decision about when and how we will adopt this system and integrate it into our current process.

- 4.8 The Food Standards Agency is also progressing work on National Inspection Strategies and has produced draft standards to inform the development with primary authorities and partner food businesses. This will mean greater consistency for businesses such as multi-site retailers as all local authorities will need to consider the inspection strategy when undertaking official controls. Further work in the Regulating our Futures programme includes the ongoing review into a new delivery model for food standards for which consultation events were held earlier in the year. Feedback was positive and the FSA are now considering the options to be carried forward.
- 4.9 The Health and Safety Service Plan also contains a mixture of programmed work, reactive work and the provision of compliance information and advice. In line with the national agenda the number of proactive inspections carried out is down. The focus is on working with business to simplify the approach to Health & Safety whilst maintaining control of the risks. We have submitted a bid to the Health & Safety Executive to hold an event for business, explaining what they need to do to be compliant and how this can be achieved by an in-house safety culture.
- 4.10 Accidents reported and investigated within the area over Q2 show an increase that whilst high, shows no particular pattern and will be kept under review.

5. RISKS

- 5.1 Text. 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
- Create, protect and enhance our safe built environment
 - Support people to improve their health and well-being
 - Accelerate business growth and remove barriers to growth.

7. LEGAL IMPLICATIONS

- 7.1 None.

8. RESOURCE IMPLICATIONS

- 8.1 The failure to report the delivery of the approved Service Plans may prejudice the Council's ability to provide the necessary resources.

9. OTHER IMPLICATIONS

9.1 None.

10. REASONS FOR THE RECOMMENDED DECISIONS

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

11. LIST OF APPENDICES INCLUDED

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

Appendix 2 – Food Safety Service Plan: Reactive Activity

Appendix 3 – Health and Safety Activity

CONTACT OFFICER

Name/Job Title: Mr Myles Bebbington, Acting Operational Manager (Business)
Email: Myles.Bebbington@huntingdonshire.gov.uk

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

Proactive Tasks	Level of Activity		Progress
	Predicted activity 2019-20	Recorded activity 1 July 2019 – 30 Sept 2019	RAG Status
Programmed food hygiene inspections (risk group A-D, in addition to those below)	373	64	G
Alternative Enforcement Strategy (AES) (e.g. cake makers and childminders)	106	3	A
Revisits	50	4	G
Inspections of or visits to new food businesses ¹	130	40	G
Visits to Approved Establishments	10	0	G
Primary Authority Partnership Activity – includes requests for advice, attendance at meetings and provision of training ²	20	0	G
Other proactive visits (food, water and environmental samples/advisory)	150	0	A
Prosecutions and cautions	2	1	G
Formal action (service of notices, closures)	10	0	G
Food safety and public health promotion			

Notes

1. *New businesses continue to be unpredictable – the definition includes both brand new start-up businesses as well as those that are changes of ownership or food business operator within an existing business. All have to be added to the premises database and visited as soon as possible. New businesses are triaged to ensure that the brand new higher risk start-ups receive support and visits to clarify any queries they have around the requirements for compliance.*
2. *Whilst we currently do not have a Primary Authority Agreement activity is recorded with the Primary Authority Pilot in collaboration with local regulatory partners and the Growth Hub. Where time is spent with a business under PA this is recharged to the business in line with the agreed cost recovery arrangements.*

Appendix 2 – Food Safety Service Plan: Reactive Activity

Reactive Tasks	Level of activity		Risk Monitoring
	Predicted Activity 2019-20	Recorded activity 1 July 2019 – 30 Sept 2019	RAG Status
Complaints and service requests about food and about/from food businesses	550	148 (315 – cumulative)	G
Food, water and environmental samples taken	25	6	G
Infectious disease control - notifications of food-borne/food poisoning illnesses	80	22	G
FSA food alerts for action	2	1	G

Notes

The FSA Food alert was in regard to Clandestines in a cargo of onions. The onions had to be removed from the food chain.

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Appendix 3 – Health and Safety Activity

Type of Activity	Level of Activity		Progress Status (Green, Amber, Red)
	Predicted Activity 2019/20	Recorded Activity 1 July – 30 Sept 2019	
Premises inspections and interventions (including revisits)	10	0	G
Health and safety complaints and requests for service received ¹	75	18	G
Accident and dangerous occurrence investigations commenced ²	30	24	A
Matters of Evident Concern (MEC) Identified ⁴	30	4	G
Health and safety promotion and advice to business/enquiries			G
Liaison with other organisations	Liaison with the Chamber of Commerce and the C&P Business and IP Centre. Discussion with and bid made to HSE about H&S simplification event for business.		G

Notes

1. This figure includes statutory notifications about working with asbestos, Adverse Insurance Reports (AIR) about unsafe work equipment and 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. The selection of accidents for investigation is founded upon the risk-based criteria in Local Authority Circular (LAC) 22/13.
3. This figure is driven by the number of relevant complaints received by the service.
4. Matters of Evident Concern are significant health and safety problems that officers have noted during non-health and safety activities.

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**Public
Key Decision - No***

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Licensing and Protection Sub-Committees

Meeting/Date: Licensing and Protection Committee -
4 December 2019

Executive Portfolio: Executive Councillor for Operations and
Regulation – Councillor L M Beuttell

Report by: Elections and Democratic Services Manager

1. INTRODUCTION

1.1 The Licensing and Protection 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
3 July 2019	J Clarke	Review of a Hackney Carriage and Private Hire Licence	Suspension for 1 Month
		New Application for a Hackney Carriage and Private Hire Licence	Granted
		New Application for a Hackney Carriage and Private Hire Licence	Granted
	R West	Review of a Hackney Carriage and Private Hire Licence / Review of a Private Hire Operator Licence	No further Action
24 July 2019	S Criswell	New Application for a Hackney Carriage and Private Hire Licence	Refused
		New Application for a Hackney Carriage and Private Hire Licence	Deferred

Meeting Date	Chairman	Application	Determination
		New Application for a Hackney Carriage and Private Hire Licence	Granted
		New Application for a Hackney Carriage and Private Hire Licence	Deferred.
25 September 2019	J Clarke	Renewal Application for Private Hire Operator Licence.	Granted for a period of 12 months.
		New Application for a Hackney Carriage and Private Hire Licence.	Granted.

- 1.2 At their meeting on 13 March 2019, it was agreed that the details / outcome of any appeals against the decisions of the Sub-Committee / Head of Service should be included within future reports. These can be provided by the Acting Operational Manager (Business) if required.

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.