

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION COMMITTEE held in the CIVIC SUITE (LANCASTER / STIRLING ROOMS), PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN on Wednesday, 28 June 2023

PRESENT: Councillor B S Banks – Chair.

Councillors M L Beuttell, S Bywater, A E Costello,
S W Ferguson, S A Howell, P A Jordan, P Kadewere,
D Terry and C H Tevlin.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors J Clarke and S J Criswell.

4 MINUTES

The Minutes of the meetings held on 7th December 2022 and 17th May 2023 were approved as a correct record and signed by the Chair.

5 MEMBERS INTERESTS

No declarations were received.

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

With the assistance of a report by the Environmental Health Service Manager (a copy of which is appended in the Minute Book), the Committee received an update on progress made against the delivery of work on the Council's Food Law Enforcement and Health and Safety Plans during the period 1st January to 31st March 2023.

With regards to the Food Law Enforcement Plan, the Committee were advised that the programme of food hygiene inspections for the remainder of 2022-23 had continued to be completed in line with the Food Standards Agency Recovery Plan. In this regard, Members were pleased to note that all but 4 Category C premises had been inspected by 31 March 2023. It was also noted that more new business registrations were received in Quarter 4 than Quarter 3.

In terms of the total number of programmed food hygiene inspections for Category A-D premises, the Committee were advised that in total 671 inspections had been completed which was under the target set for the year. In commenting on the number of inspections undertaken, the Executive Councillor for Customer Services commended the excellent performance of the Environmental Health Team and reported that there had been 72% more food safety inspections than in 2021/22. He also reiterated that the reasons for the Amber rating could be attributed largely to the Authority following the Food Standards Agency's Recovery Plan. Although there were still some backlogs in the inspection of category D/E premises, overall he was satisfied with the

performance of the team and he drew attention to a reduction in the target for inspections in 2023/24 to a more realistic figure.

In response to a question concerning the limited progress which had been made against the target for other proactive visits (i.e. food, water and environmental samples / advisory), the Committee were advised that this not currently of concern and the target would be revisited in 2023/2 to reflect the activities which the team were actually undertaking.

Members attention was then drawn to the Alternative Enforcement Strategy which remained as an underperforming area, given that there had been no inspections during the 2022-23 year. In response to which, the Committee were reminded that such Category E businesses were the Authorities lowest risk premises and thus inspections of such had not been included within the FSA's recovery plan. Inspections relating to the Alternative Enforcement Strategy would now be taken forward in the forthcoming year.

The Committee were informed that the Authority had continued to participate in UK Health Security Agency's sampling study during the quarter. Members were advised that the topics had been 'Ready to eat plant based (Vegan) Meat, Fish and Dairy substitutes' and 'Ready to eat hot or cold smoke fish'.

With regards to Health and Safety activity during the quarter, it was noted that 3 accidents were reported and that there had been 42 other service requests. The Committee were also informed that Officers had also been contributing to the Safety Advisory Group to offer advice to organisers to promote public safety at events within the district. Work was also continuing with the Health and Safety Project Work for 2022-23, which would be carried forward into 2023-24.

7 SERVICE PLAN FOOD LAW ENFORCEMENT 2023-24

Consideration was given to a report by the Environmental Health Service Manager (a copy of which is appended in the Minute Book) to which was attached a draft Service Plan for Food Law Enforcement for 2023-24.

The Committee were reminded that the District Council has responsibility for most food safety and hygiene enforcement functions within the District. As such, the Food Standards Agency (FSA) requires every local authority to outline how it will fulfil its duty to deliver food controls in the form of a Service Plan, specifying how and at what level the official controls will be delivered. It also details the resources required to deliver it, together with a review of the previous year's performance.

The Committee were advised that on 1st April 2023 there were 1740 food registered in Huntingdonshire, an increase of 39 businesses compared to the same date in 2022. Members were also reminded that businesses are inspected according to their rating category and throughout the last year the requirements of the Food Safety Recover Plan were followed. Now that this had finished, the aim of the Service was to work through the remaining backlog of Category D rated premises which did not form part of the Plan, some of which may not have been inspected for a period of 4 years due to the Covid 19 Pandemic There were approximately 342 overdue Category D premises which would form that work, together with 53 unrated premises which were due for an intervention in 2023-34.

Quarterly monitoring reports would continue to be provided to the Licensing and Protection Committee in addition the Monthly Monitoring figure provided to Senior Leadership Team.

In terms of the proposed performance indicators which had been included within Appendix 1 of the draft Plan, Members were advised that these had now been broken down to indicate whether they were programmed, or initial inspections and to identify the number of aborted inspections which take place. Members were advised that the Alternative Enforcement Strategy remained as an indicator as it was intended that there would be progress in this area during the year. Several new indicators had also been included to identify where mentoring and business support visits had been undertaken, revisits to check compliance and requests for export certificates made etc.

Arising from the draft Service Plan, Councillor Bywater commented on the potential for there to be misunderstanding by members of the public surrounding some of the dates within the report. He also queried in relation to paragraph 2.4.5 whether the Authority had sufficient trained individuals to undertake some of the complex visits. In response to which it was explained that the Environmental Health Team comprised fully trained competent officers at the current time, who all fulfilled ongoing professional development requirements. However, consideration was currently being given to the best means of dealing with the 0.5FTE vacancy within the Team.

Whereupon, it was

RESOLVED

- (a) that the Service Plan for Food Law Enforcement 2023-24 be approved in accordance with the Council's Constitution; and
- (b) that quarterly reports be requested to monitor progress against the Service Plan.

8 SERVICE PLAN FOR HEALTH AND SAFETY REGULATION 2023-24

Consideration was given to a report by the Environmental Health Services Manager (a copy of which is appended in the Minute Book) to which was attached the 2023-24 Draft Service Plan for Health and Safety Regulation.

The Committee were advised that Health and Safety Executive (HSE) was the National Regulator for Health and Safety and required every Local Authority to outline how it would fulfil its duty to make adequate arrangements for the enforcement of the relevant statutory provisions within its area.

The Committee were advised that the Service Plan priorities for Health and Safety were guided by the Local Authority Circular 67/2 and the National Local Authority Enforcement Code. The HSE approach was risk based and was based upon an incident selection criteria. Members noted that the Authority would use this to select relevant incidents, accidents, diseases dangerous occurrences and complaints for investigation to ensure that resources were targeted effectively. Statutory notifications would also be dealt with accordingly using incident selection criteria.

Members noted that the Authorities main activities would focus on high-risk workplaces alongside a small number of targeted project work which had been taken forward from last year. These related to inflatable amusement devices, electrical safety in hospitality settings and preventing injury to members of the public from accessing large commercial waste and recycling bins, through the provision of information and guidance to relevant businesses.

In terms of requests for Service, it was expected to receive a similar number to the previous year and quarterly updates would continue to be provided to the Committee.

In reviewing the contents of the proposed plan, a member of the committee welcomed the inclusion of the project on inflatable amusement devices and sought further information. In response to which Committee Members were advised that guidance had now been drafted and consideration was now being given to its distribution in a targeted fashion to relevant businesses. It was suggested that appropriate publicity should be given to the availability of this guidance when it became available. Members were also reassured to hear that the use of inflatables was also a matter for discussion at meetings of the Authority's Safety Advisory Group.

Whereupon, it was

RESOLVED

- a) that the Service Plan for Health and Safety Regulation 2023-24 be approved in accordance with the Council's Constitution; and
- b) that quarterly reporting figures on progress against the Service Plan be requested for consideration by the Licensing and Protection Committee.

9 SUSPENSION AND REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES

With the aid of a report by the Licensing Team (a copy of which is appended in the Minute Book) the Committee noted the details of actions which have been taken under delegated authority during the period 20th February to 8th June 2023.

An update was also provided with regard to the three outstanding decisions that were awaiting a court appeal date.

10 LICENSING AND PROTECTION SUB-COMMITTEES

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 received and noted the details of one meeting of the Licensing and Protection Sub-Committee which had taken place since their last meeting.

Chair