

# 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 September 2022

PRESENT: Councillor B S Banks – Chairman.

Councillors J Clarke, A E Costello, S J Criswell, S W Ferguson, S A Howell, A R Jennings, P Kadewere and C H Tevlin.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors M L Beuttell, P A Jordan and D Terry.

## 13 MINUTES

The Minutes of the meeting held on 29 June 2022 were approved as a correct record and signed by the Chair.

## 14 MEMBERS INTERESTS

No declarations were received.

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

With the assistance of a report by the Interim Community Services Manager, 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 April to 30th June 2022.

By way of introduction, the Committee were reminded that the Service Plans for 2022/23 had been adopted by the Committee at their last meeting in June 2022.

With regards to the programmed activity within the Food Safety Plan, the Committee were advised that the inspection programme for 2022-23 was being completed in line with the Food Standard Agency's Recovery Plan, Members were pleased to note that following a 'temperature check' in June 2022, all expectations set out in Phase 2 of the Recovery Plan had been met. Attention was now moving to inspections of 'Category C' premises and Members were advised that it was hoped to make progress in working through this backlog. Officers also reported that although progress against the Alternative Enforcement Strategy was currently at 'Red', this was not an immediate concern given the very low risk nature of these premises.

In reviewing this information, Members commented upon the decline in standards which was being seen as a result of the absence of food hygiene inspections during the pandemic which was leading to longer inspection times.

Although it was difficult to quantify the additional time which this was taking officers, further work could be undertaken to review this if required.

Questions were also raised with regards to the levels of predicted activity within the Plan for both Programmed Food Hygiene Inspections and Alternative Enforcement Strategy and the actions which were being taken to improve the RAG status of those tasks currently indicated as Red. Members were advised that the numbers were due to the suspension of the inspection programme during the pandemic and the requirements of the Food Standards Agency Recovery Plan.

Turning to the unplanned / reactive activities which had been undertaken within the quarter, the Committee were informed that the number of customer complaints and service requests had been slightly less than anticipated based on previous years. Officers had also been participating in the UK Health Security Agency's sampling study – 'Hygiene in Takeaway Sandwich and Salad bars', which was commended by a member of the committee. 'In person' food hygiene training courses had also returned, with one scheduled to take place in October 2022 subject to their being sufficient interest.

The Committee were advised that health and safety activity had been concentrated around the provision of advice to event organisers through the Safety Advisory Group. There had been a number of large events within the District during this period, which had taken a considerable amount of time. In addition, 10 health and safety accidents had also been investigated. It was now hoped to commence more targeted activities within the next quarter.

In concluding the discussion on this item, the Executive Councillor for Customer Services took the opportunity to remind members that resources within the service had been badly affected as a result of long-term serious illness and that the performance in a number of areas was a direct result of the implications of the Covid Pandemic. However, he was confident that performance would get back on track.

## **16 SCHEME OF DELEGATION UPDATE - PRIVATE HIRE DRIVER LICENCES**

With the assistance of a report by the Interim Licensing Manager (a copy of which is appended in the Minute Book) the Committee considered a proposal to enable the Authority to issue separate Private Hire Driver's Licences.

By way of background, the Committee were advised that the Authority currently issue Dual Driver Licences which allows a driver to undertake both Hackney Carriage and Private Hire work. However, following the receipt of feedback from the Trade the Authority would like to also issue separate Private Hire Licences. The Committee were advised that applicants would still be required to undertake the same safety and security checks, the main difference being the level of knowledge test that is required. Attention was also drawn to Appendix A, in which it was proposed to amend the scheme of delegation to enable separate licences to be issued.

In considering the contents of the report and in response to questions arising from members, the Committee noted that it was the intention that application costs would be the same for both licences as they involved the same safety and

security checks. Clarification was also provided on the types of licence which had historically been provided. Following a question regarding the restrictions which would be in place on Private Hire Drivers, the Licensing Manager outlined the licensing requirements and the audits which were undertaken by the Licensing Team to ensure compliance.

Whereupon, it was

RESOLVED

that an updated scheme of delegation (Appendix A be approved to include the granting of a separate Private Hire Drivers Licence.

## **17 BUSINESS AND PLANNING ACT 2020 - PAVEMENT LICENCES**

With the assistance of a report by the Interim Licensing Manager (a copy of which is appended in the Minute Book), the Committee received an update on the extension of the Business and Planning Act and the implications for the issue of Pavement Licences.

By way of background, the Committee were advised that the Business and Planning Act originally came into force in July 2020 and was intended to assist with the promotion of economic recovery and growth following the Covid-19 Pandemic. Pavement Licences allow business to place furniture, i.e. tables and chairs adjacent to their premises and the Act introduced a streamlined and cheaper route for businesses to secure a licence to place furniture on the highway.

Having noted that Parliament has made any extension to the current Act to enable the provisions to remain in place until September 2023, Members were also advised that Government were considering the permanent transfer of the administration and enforcement of Pavement Licences to the Local Authority. This had previously been a function of the County Council Highways Division. Although no further detail was available at this time.

Members were advised that the report sought approval for there to continue to be no fee charged for these applications until 30th September 2023 and for the original delegation concerning the determination of applications (Appendix A) to be further extended for the same period.

Arising from the report, Members queried how many pavement licences had been issued and were informed that there were currently eleven licences within the District. The Licensing Manager undertook to provide a breakdown of the location of these licences, which would be circulated to all members of the committee for information.

With reference to the ongoing cost of living and energy crisis's and the implications for local businesses who may be struggling, a member queried to what extent premises were aware of the ease and inexpensive of applying for a Pavement Licence. During the pandemic, such schemes had offered a lifeline to a number of businesses and with this in mind it was suggested that further efforts should be able to promote the application process. This was accepted by the Licensing Manager.

Whereupon and in welcoming the proactive approach which had been adopted, it was

**RESOLVED**

- (a) that the fee for applications remain at zero pounds for all licenses issued with an expiry date of 30 September 2023; and
- (b) the original delegation / decision notice agreed on 24th July 2020 (Appendix A) be further extended until 30th September 2023.

**18 SUSPENSION & 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 had been taken during the period 14th July to 8th September 2022. Members were advised that due to the date of the offences, in some cases an outcome had not yet been achieved. There were currently no outstanding issues awaiting a decision from the Magistrates Court.

In reviewing the information within the report, clarification was sought and provided on the way in which suspensions were determined. Members were advised that the majority were determined on a case-by-case basis, taking into account the history of the driver, the circumstances of the case, the implications with regard to the District Council's Taxi Licensing Policy and relevant legislation. In cases relating to an accident, the suspension of a vehicle also enabled an operator to obtain an insurance vehicle whilst their vehicle was being repaired.

A member also commented that the actions taken within this report provided a clear message to the public and the taxi trade, that the Authority takes offences seriously. Whereupon, it was

**RESOLVED**

that the contents of the report be noted.

Chairman