

# 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, 27 September 2023

PRESENT: Councillor B S Banks – Chair.

Councillors S Bywater, A E Costello, S J Criswell, S A Howell, P Kadewere and C H Tevlin.

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

## 11 MINUTES

The Minutes of the meeting held on 28th June 2023 were approved as a correct record and signed by the Chair.

## 12 MEMBERS INTERESTS

No declarations were received.

## 13 PUBLIC SPACES PROTECTION ORDER - DOG CONTROL

The Committee considered a report by the Community Resilience Manager (a copy of which is appended in the Minute Book) regarding the options for the renewal of a Public Space Protection Order (PSPO) for the control of dogs for Huntingdonshire.

Members were reminded that in 2017 all pre-existing Dog Control Orders had been converted into a single PSPO for Huntingdonshire. This had been extended in 2020 until October 2023. The maximum period that a PSPO could be in operation for is 3 years and consideration now needed to be given to renewal of this Order.

A public consultation had been held during the summer period with statutory consultees and individuals who may be affected. The responses had indicated strong support for retaining the existing controls, details of which were outlined in Appendix 2 to the report.

Attention was then drawn to the option's which were available to the Committee as set out in Section 3.1 of the report and Members were advised that it was recommended that the PSPO should be reinstated with additional conditions to ensure that a dog is not out of control or damaging or destroying another animal, causing alarm or distress or being allowed to repeatedly stray. It was also suggested that the requirement for the lead length to be kept at 1.5 meters be

removed. Enforcement of the Order would continue to be carried out by officers from the Community Protection and Enforcement Team.

The Committee were advised that it would be possible for the Council to adopt a “do nothing” position and allow the PSPO to lapse. However, this was not recommended because of the potentially serious impact that a small number of irresponsible and inconsiderate dog owners could have on the wider community. The number of complaints related to dog control had increased since the previous year, although it was difficult to definitively evidence the cause and effect of this.

Having sought clarification with regards to the minor amendments that the Community Services Officer might be permitted to make to the conditions and scope of the Order should the recommendations within the report be approved, the Committee were advised that these related to the minor amendments which had already been referred to.

Whereupon it was

RESOLVED

- a) that the making of a new Public Spaces Protection Order covering the control of dogs as detailed in Appendix 1 to this report; and
- b) that authority be delegated to the Community Service Manager, after consultation with the Executive Councillor for Customer Services to make minor amendments to the conditions and scope of the PSPO.

#### **14 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 first quarter of the year. The Committee were reminded that the Service Plans had been approved by Committee at their meeting on 28th June 2023.

With regards to the Food Law Enforcement Plan, the Committee were advised that the main focus of the Plan is the planned routine inspections of food businesses. During quarter 1, 185 food hygiene inspections had been conducted, the majority of these being overdue category D premises which had not formed part of the Food Standard Agency’s recovery plan. It was explained that a number of these premises had not been inspected since 2018 and the aftereffects of the pandemic, the energy crisis and staffing shortages had in some cases resulted in a drop in standards. Officers were working to support these businesses to ensure the food they are producing was safe for consumers. In response to a question from a Councillor P Kadewere, officers reported that the Authority were on target to complete all Category D inspections this year.

Inspections of those premises categorised under the Alternative Enforcement Strategy remained at Red and Members were reminded that such Category E businesses were the Authorities lowest risk premises. Work had now started to

review the status of these premises to determine which were still operating and needed inspecting.

The Committee were also informed that the Authority had continued to participate in the UK Health Security Agency's sampling study during the quarter. The topics had been 'Ready to Eat Salad and salad components from Retail and Catering' and 'Hygiene in Catering Premises'.

Members were informed that 55 new food business registrations had been received in Quarter 1, which was in line with expectations. There had also been a higher than anticipated number of rescore requests within the quarter, which officers considered might reflect the results of a number of the Category D inspections being undertaken.

With regards to Health and Safety activity during the quarter, it was noted that five accidents out of seven reported had been investigated during the quarter and 39 other service requests responded to. The majority of these were licence consultations. A range of health and safety advice has also been given to event organisers through the Safety Advisory Group.

It was also reported that Environmental Health had now taken over the administration of skin piercing registrations within the District. Thirteen applications for registration had been received within this quarter.

Having noted that the number of premises inspections and interventions was less than anticipated and in response to a question by a Member of a Committee, it was explained that these are driven by service requests and whether an inspection or intervention would be considered proportionate in line with the Health and Safety Executive's Guidance. The number of inspections predicted for 2023/4 was based upon the numbers undertaken in previous years.

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

Pursuant to Minute No. 22/17 and with the assistance of a report by the Interim Licensing Manager (a copy of which is appended in the Minute Book) the Committee received a further update on the extension of the Business and Planning Act and the implications for the issue of Pavement Licences.

The Committee were advised that since the last update, Parliament had made a further extension to the current Business and Planning Act 2020 to allow the current streamlined provisions for businesses to secure a licence to place furniture on the highway to be in place until 30th September 2024.

The report sought approval for the original delegation (Appendix A) concerning the determination of applications to be extended until 30th September 2024 and for the introduction of a £100 fee for all applications for the same period. The Committee were advised that the cost of these applications had been absorbed by the Local Authority since 2020, however this was no longer sustainable, and the proposed fee was comparable with the charges levied by neighbouring authorities.

Members were also advised that Parliament were currently considering new legislation through the 'Levelling Up process' to permanently introduce pavement licences which will fall to the local authority to administer and enforce.

In response to a question as to whether the Authority received many complaints regarding the way the issue of licences was currently operating, the Interim Licencing Manager explained that the number relating to licences issued by the Authority was minimal. However, complaints were often received regarding businesses who had not applied for a licence, but the enforcement provisions currently still sat with the County Council's Highways Team.

Arising from a question as to the revenue this was expected to generate, the Committee were informed there were currently 20 licences across the District and work would be undertaken to encourage applications.

With reference to Huntingdon Town Centre, Councillor C H Tevlin enquired whether it was possible to keep track of anti-social behaviour and community safety issues and it was agreed that future updates would be helpful for Members of the Committee.

Whereupon it was

RESOLVED

- (a) that the fee for applications be charged at the set amount of £100 for all licences issued with an expiry date of 30th September 2024.
- (b) the original delegation / decision notice agreed on 24th July 2020 (Appendix A) be further extended until 30th September 2024.

## **16 SUSPENSION AND REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES**

With the assistance of a report by the Licensing Team (a copy of which is appended in the Minute Book) the Committee received and noted the details of actions which have been taken under delegated authority during the period 9th June to 11th September 2023.

Arising from the report and having clarified that the number of cases listed was no larger than usual, clarification was also sought and provided that it was the vehicle and not the driver that was suspended following an accident for safety reasons.

In response to a comment which was made about a member's recent experience with overcharging and whether it would be useful to publish the tariff of fares, the Licencing Managing explained that a copy of the Taxi Fares was published on the District Council's website but that this was only applicable to Hackney Carriage Vehicles and not Private Hire Vehicles.

