

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION COMMITTEE held in the THE GROUND FLOOR MEETING ROOMS (CONINGSBY/ BOURN ROOMS), PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN on Wednesday, 16 October 2024.

PRESENT: Councillor N Wells – Chair.

Councillors B S Banks, J Clarke, S J Criswell,
S W Ferguson, I D Gardener, S A Howell, P A Jordan,
P Kadewere and D Terry.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors M L Beuttell and A E Costello.

6 MINUTES

The Minutes of the meetings held on 15th and 22nd May 2024 and the Extraordinary Meeting held on 27th June 2024 were approved as a correct record and signed by the Chair.

7 MEMBERS INTERESTS

No declarations were received.

8 PUBLIC SPACE PROTECTION ORDER (RAMSEY)

With the assistance of a report by the Community Safety Partnership Delivery Officer (a copy of which is appended in the Minute Book) the Committee considered a proposal for the implementation of a Public Space Protection Order (PSPO) in response to increasing incidents of anti-social behaviour in Ramsey Great Whyte and some surrounding areas.

The Committee were advised of the background to the proposal, together with the types of behaviours which residents and visitors to the area were experiencing. Information on the efforts which had already been undertaken to address the issues arising within the locality was also provided.

Members were informed that a public consultation on the proposal had been carried out between 9th and 23rd September and had generated 328 responses. Three hundred and seventeen of which had been in support of the proposed PSPO and its suggested conditions. There had been three individuals who disagreed or strongly disagreed. A full list of consultees was set out in Appendix C to the report.

Attention was then drawn to the proposed prohibitions which would form part of the Order and were set out in detail in Appendix B to the report, together with the proposed location which was set out in Appendix A. Members were advised that the location had been informed by Police and local authority data on the

whereabouts of reported issues, together with pre-emptive thoughts on where some of the behaviours may be displaced.

The Committee were informed that enforcement of the proposed PSPO would utilise joint resources from Cambridgeshire Constabulary and the District Council's Community Protection and Enforcement Team. The Constabulary had already committed to this within the first month of the Order through regular patrolling of the area. The District Council's Community Action team would respond to reports of anti-social behaviour retrospectively. It was also reported that regular review meetings would be held between the Constabulary and the District Council to review the enforcement of the order, together with the efficacy of its conditions in reducing anti-social behaviour in the area.

Members attention was then drawn to the enforcement options which were available to the District Council to address this anti-social behaviour under the Crime and Policing Act 2014, and which had been considered in determining the preferred option for addressing the issues in the area. Attention was also drawn to the risks associated with the PSPO should it be approved, which were outlined in detail in Section 4 of the report, together with the proposed timetable for its implementation.

The Community Safety Partnership Delivery Officer was then invited to provide a more detailed summary on the results of the consultation exercise, the responses received, and the comments made in response to each question. The Committee were advised that overall, residents and business owners were highly supportive of the proposed Public Space Protection Order.

In discussing the proposals and specifically the consultation responses, Councillor Jordan queried the absence of Mill House and Mill Lane from the proposed PSPO area. In response it was reported that the Police did not have the statistics to support the Order in the Mill Park area, but this could be reconsidered and extended if there was any displacement from the surrounding areas. Comments were also made regarding the walkway which connected the secondary school and the new housing estate which was regularly used by school aged children. It was acknowledged that the consultation had provided good supporting evidence for its inclusion within the area covered by the Order

In response to the comments made by a member regarding the problems which were being experienced outside the library and the B&M store relating to dog control, the Committee were advised that a Public Space Protection Order was already in place for this location to address dog related issues. Residents were encouraged to report any ongoing issues to the Community Action Team.

In more general terms, members commented on the value of Public Space Protection Orders in tackling issues relating to anti-social behaviour issues and welcomed the commitment by Cambridgeshire Constabulary to actively patrol the area particularly during the first month. The Committee were also advised that the implementation of the Order would be publicised through the use of social media and signage within the area providing details of the conditions and exact locations.

In response to a specific question regarding the public houses within the town centre, the Committee were advised that any open vessels over the boundaries of the Public House would be in breach of the PSPO.

Having agreed to amend the recommendations to reflect the fact that a Public Space Protection Order could not be put in place for more than three years duration, it was

RESOLVED

- a) that the proposed Public Space Protection Order for Ramsey be approved for a three-year period;
- b) that the proposed Public Space Protection Order boundaries (as outlined in Appendix A to the report now submitted) be approved;
- c) that the proposed Public Space Protection Order conditions (as outlined in Appendix B to the report now submitted) be approved;
- d) that authority be delegated to the Community Services Manager to make minor amendments or variations to the conditions and scope of the Order.

9 REVIEW OF THE PUBLIC SPACES PROTECTION ORDER EYNESBURY

Further to Minute No. 24/5, consideration was given to a report by the Community Action Team Leader (a copy of which is appended in the Minute Book) updating the Committee on the impact of the Public Space Protection Order (PSPO) which had been implemented in Eynesbury to tackle anti-social behaviour.

Having noted that the Order had been in effect since 17th July 2024, Members were informed that the PSPO has been enforced effectively with excellent results. It was reported that the removal of an individual camping in the Churchyard who had been in breach of the Order had resulted in a reduction in the number of incidents occurring and there had been no reports of camping at the location since.

Members were informed that following the implementation of the Order, an overt CCTV camera had been erected on the corner of Berkley Street to identify offenders breaching conditions and to act as a deterrent for offending behaviour. The District Council had committed to fund this camera for the first six months, after which time the need for its further use would be reviewed

The Committee were also advised that the targeted response from the Constabulary had been very proactive. Two separate teams had been out to the location – the St Neots Neighbourhood Policing Team and the Anti-Social Behaviour Policing Team to patrol and respond to reports of incidents which had been reducing in nature.

Having been provided with the details of a list of incidents reported to the Police within the vicinity between July and September, Members were advised that there had been five since the Order had been put in place only one of which had been related to Street drinking.

Members attention was also drawn to the general public engagement between the Constabulary, District Council and local residents. It was reported that in August representatives from all organisations including local councillors had engaged with local residents to receive feedback and to provide updates on the implementation of the Order and the use of the Nags Head. Local residents had reported that they were reassured on actions taken so far.

With regard to the longer-term retainment of the Order, the Committee were advised that it would remain in place until July 2028, at which time the Community Action Team would undertake further consultation to determine whether there was a need to extend its duration.

In commenting on the Order, Members suggested that the implementation of the Order demonstrated that the District Council takes clear action to address the impact of anti-social behaviour within its communities. Whilst Councillor Terry made reference to his recent discussions with residents in the area who were grateful for what has been put in place to address the ongoing incidents and had had an immediate effect. The Executive Councillor, Councillor S W Ferguson also referred to his meetings with residents in the area, which he would continue to ensure that there was no reoccurrence of any issues.

10 DELEGATION OF PUBLIC SPACE PROTECTION ORDERS (PSPOS) TO OFFICERS

With the assistance of a report by the Community Services Manager (a copy of which is appended in the Minute Book), the Committee considered a proposal to delegate authority to the Community Services Manager to approve or reject the implementation of a Public Space Protection Order (PSPO) following public consultation.

By way of background, the Committee were reminded that a decision on whether to support a PSPO was currently a matter for determination by the Licensing and Protection Committee. However, in the interests of being able to implement prohibitions in a timelier manner and to minimise the impact that incidents of anti-social behaviour were having on the District, it was proposed to amend the current process to enable the Community Services Manager to determine whether the threshold for a PSPO had been met.

The Committee were advised that in line with the statutory guidance consultation would be undertaken with residents or businesses who may be affected by the order in addition to relevant Town or Parish Councils, Ward Members, Executive Councillors, County Councillors, partner agencies, the Chief of Police, the Police and Crime Commissioner and members of the Licensing and Protection Committee.

Having noted the Licensing and Protection Committee would be consulted as part of this process, the Committee were advised that the usual practice for a delegation would be that it would be given to a senior officer for the Council after consultation with an Executive councillor and/or Committee Chair. With this in mind and on the advice of the Deputy Monitoring Officer, it was proposed that the wording of the delegation set out in paragraph 5.2 of the report be amended to:

The Community Services Manager be authorised to create, implement and maintain policies, procedures and orders arising from the Public Space Orders under the 2014 Act after Consultation with the relevant Executive Councillor and the Chair of the Licensing and Protection Committee.

Having noted that the Executive Councillor was supportive of the proposal and the intention to submit regular reports to meetings of the Licensing and Protection Committee, it was also acknowledged the Committee members would be able to provide any comments to the Chair during the consultation process.

Whereupon it was

RESOLVED

- a) that authority be delegated to the Community Services Manager, following consultation to support or reject applications for Public Space Protection Orders; and
- b) that further authority be delegated to the Community Services Manager, following consultation to vary the prohibitions contained within an Order.

In concluding the discussion on this item, the Executive Councillor took the opportunity to inform the Committee that Mr Ashley Dolling, the Council's Community Action Team Leader would be leaving the Council's employment at the end of the week. The Committee agreed to record their thanks to Mr Dolling for his hard work over the past four years.

11 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 and noted an update on progress made against the delivery of work on the Council's Food Law and Health and Safety Service Plans during the first and second quarters of 2024/25.

With regards to the Food Law Enforcement Plan, the Committee were advised that the main focus of the service plan continued to be the planned routine inspections of food businesses. With this in mind, Members were advised that a total of 393 food hygiene inspections had been undertaken for the first half of the year and exceeded the level predicted. Members also noted that there had been 141 new food business registrations received which reflected the continuing flux in this area.

Work had also been continuing to review the list of Category E (low risk) businesses that remained overdue for inspection. The process for sending out questionnaires to these premises under the Alternative Enforcement Strategy had also been reviewed and digitised, the first 23 of these had been issued in Quarter 2.

The Committee were informed that there had been sixteen compliance checks undertaken across the two periods, which was in line with expected activity.

Attention was also drawn to a successful prosecution for food hygiene offences during the period, the details of which were provided to Members.

Members also noted that requests for rescoring continued to be higher than anticipated which demonstrated that businesses were striving to obtain the highest hygiene ratings.

The Committee were also informed that the Authority had continued to take part in the sampling activities offered by the UK Health Security Agency. The topics had been 'Unpasteurised and Pasteurised milk cheeses'.

With regards to Health and Safety activity within the periods, it was noted that the majority of the work undertaken was reactive. There were 21 accidents reported, of which 9 were investigated and Members were reminded that the selection of accidents for investigation was based on the risk-based criteria set out by the Health and Safety Executive. There were 72 other service requests responded to, the majority of which were licensing consultations, and 18 skin piercing registrations issued for premises and practitioners. Details of the implementation of a new licensing regime for non-surgical cosmetic practitioners were still awaited.

The Committee were also informed that Officers from the Environmental Health team had undertaken visits to 14 funeral directors within the District during June and July 2024, following the incident at Legacy Independent Funeral Directors in Hull. This had not been reflected in the Service Plan.

In considering the contents of the report, Members welcomed the clear message that the prosecution of businesses who failed to maintain appropriate standards of hygiene and cleanliness conveyed to other business within the district. An explanation of the warning regime was also provided, together with the ways in which residents could check the food hygiene ratings awarded to an individual business online

Finally, the Executive Councillor for Resident Services and Corporate Performance conveyed his congratulations to the Environmental Health Team for the successful completion of their Covid Recovery Plan and a return to business as normal.

12 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 had been taken under delegated authority during the period 1st May to 30th September 2024.

The Committee were advised that the report now included details of Penalty Points which had been issued, a sanction which had been introduced under the revised Hackney Carriage and Private Hire Licensing Policy and enabled the Team to build up a picture of driver behaviour.

13 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 details of a meeting of the Licensing and Protection Sub Committee which had taken place since their last meeting.

Chair