

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION PANEL held in the Corporate Training Suite, Eastfield House, 6 Latham Road, Huntingdon, Cambs. on Wednesday, 17 June 2009.

PRESENT: Councillor J M Sadler – Chairman.  
Councillors J T Bell, P L E Bucknell, J J Dutton, R W J Eaton, R S Farrer and J S Watt.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors K M Baker, A Hansard, T D Sanderson and R G Tuplin.

### 6. MINUTES

The Minutes of the meeting of the Panel held on 13 May 2009 were approved as a correct record and signed by the Chairman.

Members reflected in silence for a few moments as a mark of respect to Councillor R Powell a member of the Licensing and Protection Panel, who had passed away recently.

### 7. FOOD SAFETY SERVICE PLAN 2009/10

The Panel considered a report by the Head of Environmental and Community Health Services (a copy of which is appended in the Minute Book) to which was attached an executive summary of the proposed Service Plan for Food Safety 2009/10. The Plan had been developed in accordance with the requirements of the Food Standards Agency and incorporated the aims and objectives of the service within the resources available, together with a review of the work undertaken during the previous year.

Members were informed that the work of the Environmental and Community Health Services Division was linked to the council's Corporate Plan, 'Growing Success' and to the community aim of healthy living in the Sustainable Community Strategy which in turn contribute to the Local Area Agreement and National Indicators.

Members were advised that although the food service had not been fully staffed during the previous year 98% of high risk and 98.5% of low risk premises had been inspected.

Members were pleased to be advised that the Scores on the Doors food hygiene rating scheme, introduced in October 2008 which assessed food hygiene scores during routine inspections, had proved extremely popular, with over 30,000 hits on the Council's website to

access the results. The scheme had also encouraged food businesses to improve standards.

It was reported that the number of food poisoning cases in the District had reduced by 7% compared to the previous year and investigations had shown that the majority had been contracted outside the District or in a domestic setting.

Members noted that the format of the Plan had remained unchanged from the previous year. However Members were informed that the implementation of recent legislation required officers to spend longer in food premises during each visit in order to audit and evaluate the documented management systems now required. It was also reported that the implementation of the Regulatory Enforcement Sanctions Act 2008, which aimed to establish a primary authority scheme in order to improve consistency of advice and enforcement to businesses operating in more than one local authority, could prove resource intensive if the Council's food safety service was nominated by businesses. Members were informed that a report identifying the full resource and legal implications would be presented to Members in this event.

RESOLVED

that the Council be recommended to approve the Service Plan for Food Safety 2009/10.

#### **8. SERVICE PLAN FOR HEALTH AND SAFETY ENFORCEMENT 2009/10**

The Panel considered a report by the Head of Environmental and Community Health Services (a copy of which is appended in the Minute Book) to which was appended an executive summary of the Health and Safety Enforcement Plan 2009/10. The Plan had been developed in accordance with guidance issued by the Health and Safety Executive and contained sections on the aims and objectives of the service and the resources available, together with a review of the work undertaken in the previous year.

Members were informed that in spite of staff shortages, a full programme of inspections of premises had been carried out in 2008/09 and a high customer satisfaction rate had been achieved. To supplement routine inspections, a programme of targeted projects to examine higher risk work activities had been carried out.

Members were advised that the alternative enforcement strategy for low risk premises had continued and had resulted in officers having more time to spend on higher risk premises. Members were also informed that the withdrawal of funding from the Department of Health for a Smoke Free Implementation Officer had resulted in this service now being integrated within the main team.

In acknowledging the success and hard work of the Lifestyles Manager and his team, the Panel

RESOLVED

that the Service Plan for Health and Safety Enforcement for 2009/10 be approved.

**9. PRIVATE HIRE AND VEHICLE LICENSING - THE PETERBOROUGH EFFECT**

Members were acquainted by way of a report by the Head of Democratic and Central Services on the potential implications for the Council's Licensing Section of the recent introduction of changes to licensing conditions for private hire vehicles in Peterborough and resultant enquiries by companies currently licensed by the City Courts to transfer to Huntingdonshire.

Members were advised that the Local Government (Miscellaneous Provisions) Act 1976 permitted cross border bookings which would permit a company licensed by one authority to accept bookings and carry out journeys within another authority's area as long as that business was based in the area that licensed it.

Although only one operator's licence had been applied for to date involving 30 vehicles and 50 drivers, Members were advised that it was expected that further companies would follow suit resulting in additional administrative, monitoring and enforcement work.

It was reported that the Chairman and Vice-Chairman of the Licensing and Protection Panel would be kept apprised of developments and a further report submitted to the Panel in the event of suitable working practices being developed to promote more effective monitoring and enforcement.

**10. LICENCE ENFORCEMENT: PENALTY POINTS SYSTEM**

With the aid of a report by the Head of Democratic and Central Services (a copy of which is appended in the Minute Book) the Panel was acquainted with a proposed system of penalty points to aid hackney carriage and private hire licensing enforcement.

Members were advised that the current system used to deal with breaches of licensing legislation conditions, which could involve advice, an official caution, court proceedings or reference to the Council's Licensing and Protection Applications Sub-Group was inappropriate to deal with minor offences. An alternative penalty points system for such offences was suggested, whereby points would be issued. When the maximum number of points had been accrued a licensee would be dealt with by the Applications Sub-Group or referred for prosecution. Serious offences in respect of breaches of conditions or enactments would remain liable to prosecution.

Members' attention was drawn to the recommended criteria for the scheme and a draft schedule of proposed categories was appended to the report.

RESOLVED

that following further refinement of the draft, licensees be

consulted on the introduction of a penalty points system for hackney carriage and private hire vehicles and the outcome of the consultation considered by the Panel in due course.

## 11. REPRESENTATIONS ON OUTSIDE ORGANISATIONS

Having considered a report by the Head of Democratic and Central Services (a copy of which is appended in the Minute Book) in relation to the appointment and nomination of representatives to serve on a variety of organisations, it was

RESOLVED

that nominations be made to organisations indicated as follows:

<b>Organisation</b>	<b>Representative(s) For 2009/10</b>
Cambridgeshire Consultative Group for the Fletton Brickworks	<b>E R Butler</b>
Little Barford Power Station Liaison Committee	<b>A Hansard</b>
Needingworth Quarry Local Liaison Committee	<b>T V Rogers and P Godfrey</b>
Warboys Landfill Forum	<b>P L E Bucknell</b>

Chairman