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# Licensing and Protection Panel

Report of the meeting held on 16th June 2010

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## **Matter for Decision**

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### **1. SERVICE PLAN FOR FOOD SAFETY 2010/11**

The Panel has considered an executive summary of the proposed Service Plan for Food Safety 2010/11. The Plan has been developed to comply with the requirements of the Food Standards Agency and incorporates the aims and objectives of the service, the resources available and a review of work undertaken during the previous year.

Approval of the Plan is reserved to Council and appears as Item No. 8 on the Agenda for the meeting.

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## **Matters for Information**

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### **2. SERVICE PLAN FOR HEALTH AND SAFETY ENFORCEMENT**

The Panel also has endorsed the content of the service plan for Health and Safety Enforcement for 2010/11. The plan has been developed in accordance with guidance issued by the Health & Safety Executive and covers the aims and objectives of the service, the resources available and a review of the work undertaken in the previous year.

Members have been informed that a full programme of premises inspections was carried out in 2009/10 and a high customer satisfaction rating achieved in this period. In accordance with the Health & Safety Executive's strategic direction, the service delivery element gives priority to focused initiatives which accords with the Council's existing targeted approach to health and safety enforcement.

### **3. HEALTH PROTECTION REGULATIONS**

Arising from recent legislative change implementing a modernisation process for infectious disease notification and control, the Panel has approved a number of delegations to the Director of Environment and Community Services and Head of Environmental and Community Health Services to appoint Officers to enforce the provision of the Regulations and initiate prosecutions for breaches of the legislation.

The Regulations, which came into force on 6th April 2010, have been designed to be more flexible and to give greater safeguards to those affected by them. They introduced new powers and responsibilities for local authorities to allow for an appropriate response to public health threats and as such will have an impact on service delivery.

The proposals are set out in three sets of Regulations which give authorities wide-ranging powers in the case of notifiable diseases including detentions and quarantines of infected persons and decontaminating affected premises. The Council has a duty to have regard to the welfare of anyone whose liberty is restricted by a public health order and may have to provide services for people if they are housebound, with the power to recover costs. There are significant legal and potential human rights implications for the Council as a consequence of the legislation, with the safeguard of a magistrates order when applying restrictions on people's civil liberties.

#### **4. PRIVATE WATER SUPPLY REGULATIONS**

Members have been advised of the implications of the introduction of the Private Water Supply Regulations 2009.

The Regulations impose a duty on local authorities to carry out a risk assessment of the private water supplies in the District. If water is found to be not wholesome, procedures including a full investigation will have to be followed and the associated costs incurred by the authority can be recovered where possible.

There are only 9 such supplies in the area at present all serving a single dwelling and, as such, exempt from the requirement for a risk assessment unless this was requested by the owner.

Of greater concern for the Council is the question of the responsibility for Private Distribution Networks. Depending upon the definition of a PDN this could apply where water is supplied by a licensed supplier and is then further distributed by a person other than a licensed carrier e.g. a caravan park. The Panel has been informed that this could apply to over 1000 premises in the District which could have significant repercussions for the Council in terms of the resources required to ensure compliance with the Regulations. Guidance on this is being reviewed by the Drinking Water Inspectorate and once the position is clarified a further report on the possible impact will be submitted to the Panel.

Members have authorised the Director of Environment and Community Services and Head of Environmental and Community Health Services to appoint authorised persons to enforce the Regulations and initiate prosecutions.

#### **5. REPRESENTATION ON ORGANISATIONS**

The Panel has appointed a number of representatives to outside organisations for the ensuing Municipal Year.

J T Bell  
Chairman