

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION PANEL held in the Civic Suite, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Thursday, 9 June 2011.

- PRESENT: Councillor K J Churchill – Chairman.
- Councillors I J Curtis, J W Davies, J J Dutton, G J Harlock, A R Jennings, A J Mackender-Lawrence and T D Sanderson.
- APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors K M Baker, R S Farrer, Mrs P A Jordan and S M Van De Kerkhove.

4. MINUTES

The Minutes of the meetings of the Panel held on 26th January and 18th May 2011 were approved as a correct record and signed by the Chairman.

5. MEMBERS' INTERESTS

Councillor K J Churchill declared a personal interest in Minute No. 11/06 by virtue of his position as a Cambridgeshire Magistrate.

6. HACKNEY CARRIAGE AND PRIVATE HIRE ENFORCEMENT - PENALTY POINTS SYSTEM

Pursuant to Minute No. 09/10, the Panel gave consideration to a report prepared by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) proposing the adoption of a Penalty Points System for hackney carriage and private hire operators, proprietors and drivers within the District. Having been acquainted with the background to the scheme, together with the steps undertaken by the Licensing Authority to consult with licensees on the proposals, Members noted concerns raised by Councillor J J Dutton in respect of private hire vehicles occupying the marked disabled bays opposite the Saxongate Community Learning Centre on the High Street, Huntingdon. Having concurred that no further consultation with licensees would be required, the Panel

RESOLVED

- (a) that, subject to minor textual amendments, the Penalty Points System for private hire operators, proprietors and drivers be approved with effect from 1st July 2011; and
- (b) that the Licensing Manager be authorised, to amend as appropriate, the existing list of offences in light of any changes to legislation.

7. ADVERTISING BY WAY OF DIGITAL DISPLAY SCREENS

With the aid of a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) the Panel gave consideration to a report providing details of an enquiry which had been received for the installation of digital display screens to be fitted on the rear of the front headrests of hackney carriages and private hire vehicles. The Panel were informed that any advertising would comply with the British Code of Advertising Practice and subject to inspection checks by the enquirer. Having concurred with the view that any advertising should also be verified by the District Council and in agreeing that a limit on the size of the screens to be installed should be set, the Panel

RESOLVED

- (a) that the enquiry relating to the installation of digital display screens to be fitted on the rear of the front headrests of hackney carriages and private hire vehicles be approved subject to the screen size being no greater than 7 inches;
- (b) that any advertising displayed on the screens be verified by the District Council;
- (c) that the cost of undertaking inspection checks be borne by the advertisers;
- (d) that the scale of fees for advertising on the display screens be determined by the Licensing Manager, after consultation with the Chairman and Vice-Chairman of the Panel; and
- (e) that amendments to the hackney carriage and private hire vehicle and drivers schedule of conditions of licence be approved as outlined in paragraph 2.3 of the report now submitted.

8. FARES INCREASE

Owing to a miscalculation with the revised fares proposed within the report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) the Panel were informed that consideration of an increase in hackney carriage fares would be deferred for deliberation by the Panel at a future meeting. In so doing, Members requested for updated Retail Price Index and Consumer Price Index figures to be incorporated within the revised report and noted that a full consultation with hackney carriage proprietors would be required as part of the process.

9. GUIDELINES RELATING TO THE RELEVANCE AND TREATMENT OF CONVICTIONS - HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

By means of a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) the Panel were acquainted with proposed policy guidelines relating to the relevance

and treatment of convictions in respect of initial applicants for hackney carriage and private hire drivers licences and existing licence holders. By way of background, the Panel were advised that the existing guidelines issued in a joint Circular by the Department for Transport and the Home Office were now regarded as dated which had prompted the development of such a Convictions Policy. Having concurred that the Policy would introduce clear guidelines and enable consistency in future decision making in relation to the consideration of convictions, cautions, offences and information supplied by the Criminal Records Bureau, Police and other agencies, the Panel

RESOLVED

that, subject to minor textual amendments, the Guidelines Relating to the Relevance and Treatment of Convictions be approved.

10. LICENSING OF STRETCH LIMOUSINES

The Panel considered a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) seeking approval of the introduction of special conditions for the licensing of stretched limousines. In so doing, the Panel were informed that guidance issued by the Department of Transport encouraged local authorities to licence such vehicles as private hire vehicles taking into account local circumstances. In receiving details of the proposed scale of fees to be levied to cover the costs of the licence and vehicle testing, Members received clarification from the Licensing Officer on the methodology employed to calculate these figures. Having agreed that the relevant section should be amended to more accurately reflect what was being proposed, it was

RESOLVED

that, subject to clarification and amendment as necessary of condition 5.1, the special conditions for the licensing of stretched limousines be approved by the Panel.

11. FOOD SAFETY SERVICE PLAN 2011/12

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 2011/12. 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 new Council Plan 2011-2015 and to the community priority to “encourage new jobs, homes and facilities to meet our needs.” Attention was also drawn to the underlying links to the emerging County Health and Wellbeing Strategy, the Sustainable Community Strategy for Huntingdonshire, the Council’s Environment Strategy and the National Health Improvement Agenda.

Members were advised that the food service had experienced a 20% reduction in staff resources during the previous year attributable to long term absences within the team which had led to a re-prioritisation of work in order to enable 95.6% of high risk and 78% of low risk premises requiring inspection to be inspected.

Members noted that the Scores on the Doors Food Hygiene Rating Scheme, introduced in October 2008, had proved extremely popular, with over 100,000 hits on the Council's website to access the results. The scheme also had encouraged food businesses to improve standards and had led to an increase in the number of 3 to 5 star rated premises and a reduction in poor performers. The Health Protection Manager drew the Panel's attention to a similar scheme launched by the Food Standards Agency (FSA) and Members were informed of the possibility that the Council might be required to sign up to this scheme. In acknowledging the level of resources that had already been invested by the Council on the existing scheme, the Panel placed on record their congratulations on the successes achieved to date.

Members were informed of the work undertaken by the Food Service during the Secret Garden Party licensed annual music and arts festival event, which had resulted in a significant level of resource being deployed before and during the event. The Panel were informed that the resources employed had been met and absorbed within existing budgets.

Members noted that over 200 complaints from local residents regarding unfit or unhygienic food premises and 94 food alerts from the FSA had been responded to by the service over the year.

In noting that the number of training sessions provided by the Council had decreased over the years, the Panel were informed that this was attributable to a lack of resource. It was however noted that this was not an area of concern given that there were a number of other training providers who were able to deliver food hygiene training courses across the District. Having been informed that the delivery of the Service Plan for 2011/12 would include further development of the alternative enforcement strategy, maintenance and promotion of the Scores on the Doors Scheme and joint working with partners, Members

RESOLVED

that the Council be recommended to approve the Service Plan for Food Safety 2011/12.

12. HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2011/12

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 2011/12. 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 the Council was responsible for enforcing health and safety legislation at over 2000 businesses within the District. Despite resources for the service being 25% less than originally anticipated, the Panel were encouraged to note that a very high customer satisfaction rating of 95% had been achieved.

The Panel were informed of the implementation of the Cambridgeshire Health and Safety Enforcement Flexible Warrant Scheme which had been established under the Health and Executive. The Warrant Scheme enhanced the enforcement powers of Officers, enabling them to be able to deliver a higher standard of protection for workers and visitors to premises of a hazardous nature and working outside of the District as necessary.

Given the reduction in staff resources available in 2010/11, the Panel were informed that priority was only accorded by the service to undertake inspections of those premises which were regarded as high risk. Members placed on record their concerns at the lack of resources available to undertake inspections in the ensuing year and have therefore requested the Executive Councillor for Healthy and Active Communities to investigate the matter and to report back thereon at a future Panel meeting.

RESOLVED

- (a) that the Service Plan for Health and Safety Enforcement 2011/12 be approved; and
- (b) that a report on the resources available to undertake inspections as outlined within the Service Plan for Health and Safety Enforcement 2011/12 be submitted to a future meeting of the Panel..

13. THE SUNBEDS (REGULATIONS) ACT 2010

With the aid of a report by the Head of Environmental and Community Health Services (a copy of which is appended in the Minute Book) Members were informed of the introduction of The Sunbeds (Regulations) Act 2010.

In noting that the Act sought to prevent persons aged under 18 from using sunbeds, Members were advised that businesses would be prohibited from offering or allowing persons aged under 18 to use or have access to such facilities.

RESOLVED

- (a) that the report and the new duties under The Sunbeds (Regulations) Act 2010 be noted;
- (b) that the Interim Managing Director for Communities, Partnerships and Projects be authorised to appoint Environmental Health Officers and Environmental Health Protection Officers as “authorised persons” to enforce the provisions of The Sunbeds (Regulations)

Act 2010; and

- (c) that, following consultation with the Chairman of the Panel, the Head of Environmental and Community Health Services be authorised to initiate prosecutions under The Sunbeds (Regulations) Act 2010.

14. REPRESENTATIONS ON OUTSIDE ORGANISATIONS

Having considered a report by the Head of Legal and Democratic 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 the following organisations indicated as follows:

Organisation	Representative(s) For 2011/12
Cambridgeshire Consultative Group for the Fletton Brickworks Industry	E R Butler
Little Barford Power Station Liaison Committee	A Hansard
Needingworth Quarry Local Liaison Committee	T V Rogers and P M D Godfrey
Warboys Landfill Local Liaison Committee	P L E Bucknell

Chairman