
Licensing and Protection Panel

Report of the meeting held on 20th June 2012

Matter for Decision

1. FOOD SAFETY SERVICE PLAN 2012/13

The Panel has considered an executive summary of the proposed Service Plan for Food Safety 2012/13. 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. 7 on the Agenda for the meeting.

Matters for Information

2. PAVEMENT CAFES

The Panel has agreed to return the function for the licensing of pavement cafés to Cambridgeshire County Council. This function has been successfully undertaken by the Licensing and Protection Panel since 2003. At its meeting on 25th October 2011, the County Council's Cabinet agreed changes to the procedures and charges in an effort to provide a consistent approach throughout the County. The Panel has been advised that these changes would result in a reduction in income for the District Council if they chose to continue to administer the licensing of pavement cafes themselves.

Members have been advised that businesses will still be able to apply for and operate pavement cafes in the same way as at present and that the District Council would remain a consultee. However, the process will now be administered and enforced by the County Council.

3. TAXI REFORM

The Panel has been made aware of consultation currently being undertaken by the Law Commission with the purpose of reforming the laws affecting taxis and private hire vehicles. The Commission has highlighted a number of problems with the current system which includes legislation dating from 1831.

The Commission considers that the overall effect of the proposals, which provide for national minimum safety standards for both taxis and private hire and an ability for private hire services to operate on a national basis, would be a moderate reform of the current arrangements, with much of the existing structure of Regulation retained albeit in an improved and simplified way. The consultation continues until 10th August 2012.

4. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 – HEARINGS PROCEDURE

The Panel has approved a standardised procedure to be followed by the Applications Sub-Group for hearings relating to individual applications for the grant, renewal or transfer of sex establishments. The standardised procedure replaces the individual procedure that previously required formal adoption at each hearing and follows the pattern of standardised procedures previously approved for hearings of the Licensing Sub-Committees and the Applications Sub-Group with regard to taxi matters.

5. SEX SHOPS – STANDARD CONDITIONS

Amendments to the prescribed standard conditions applicable to all sex shop licences have been approved by the Panel. Regulations made under the Local Government (Miscellaneous Provisions) Act 1982 permit local authorities to prescribe standard conditions setting out the way in which licensed premises are to be conducted. In addition special conditions can also be attached to licences to address particular issues. The need for amendment of the current standard conditions was highlighted during a recent renewal application process when the impracticalities of being able to comply with a standard condition were identified.

6. HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2012/13

The Panel has endorsed the content of the Service Plan for Health and Safety Enforcement for 2012/13. The Plan has been developed in accordance with guidance issued by the Health and Safety Executive, covers the aims and objectives of the service, the resources available and reviews the work undertaken during the previous year.

Despite a 25% reduction in staff resources since the 2010/11 service plan, the Panel has been informed that a number of premises inspections have been carried out over the year with high customer satisfaction ratings. The Panel wish to place on record their concern at the lack of resources available to undertake inspections in the current year, given that priority is given to undertaking inspections at those premises which are regarded as high risk. The Panel has requested the Executive Councillor for Healthy and Active Communities to investigate the matter and to report back thereon to a future Panel meeting.

7. HEALTH AND SAFETY ENFORCEMENT PLAN 2012/13.

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Because of a 20% reduction in staff and the allocation of significant resources to a work related fatal accident involving a young child, there has been a reduction in the total number of inspection visits and revisits carried out by the service. Available resources were directed toward high risk premises and some projects identified in the Plan were scaled down or postponed. However, despite these problems the service still delivered many of the targets and outcomes identified in the 2011/12 Plan.

It is anticipated that the reduced budget for 2012/13 will be sufficient to meet the demands of the service although in the event of a complex legal case, additional funds might be required.

8. REPRESENTATION ON ORGANISATIONS

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

J W Davies
Chairman