

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION COMMITTEE held in Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 7 March 2018.

PRESENT: Councillor S J Criswell – Chairman.  
Councillors J E Corley, J W Davies,  
Mrs A Dickinson, Mrs J Tavener and  
R J West.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors Mrs B E Boddington, Mrs S Conboy, Mrs S A Giles, J M Palmer and P D Reeve.

### **30. MINUTES**

The Minutes of the meeting of the Licensing and Protection Committee held on 7 February 2018 were approved as a correct record and signed by the Chairman.

### **31. MEMBERS INTERESTS**

No declarations were received.

### **32. DRAFT SERVICE PLAN FOR FOOD LAW ENFORCEMENT 2018-19**

With the assistance of a report by the Head of Community (a copy of which is appended in the Minute Book) the Committee considered the contents of the 2018-19 Draft Service Plan for Food Law Enforcement

Members were reminded that the Food Standards Agency (FSA) requires every local authority to outline how it will fulfil its duty to deliver official food controls within the District. The arrangements detailing how and at what level the official controls will be delivered must be laid down in the form of a Service Plan for Food Law Enforcement.

Members were advised that the Draft Plan for 2018-19 sets out how the food safety and hygiene function within the Council will be delivered over the coming year and details the resources required to deliver the service, together with a review of the previous year's performance. Members were advised that the resources available to deliver the Plan were unchanged from the previous year, however at present there continued to be two vacancies (1.7FTEs) within the Business Team which had had an impact on the work undertaken in the current year.

The Committee's attention was also drawn to the Service's Key Priorities for the coming year, these included:

- ❖ 'Better Business for All' to provide transparent, consistent and accessible regulatory advice;
- ❖ Adopting clear messages to communicate effectively to local business how to comply with legislation;
- ❖ Targeting low performing businesses with additional coaching and advice; and
- ❖ The introduction of new regulations to reduce acrylamide in foods.

Arising from which, Members also emphasised the need for the Authority to continue to promote positive messages to the public regarding to the work which was being undertaken by the Team in the public interest.

In terms of the resources which were available to deliver the food law enforcement function in 2018/19, the Head of Community explained that overheads and direct costs were still unconfirmed as there had been no agreement as yet on a pay award for District Council employees for the forthcoming year. He undertook to provide an update on these costs to the Committee's next meeting should this be required. The achievement of income targets would be depended on the degree of primary authority activity, requests for export certificates and the number of Food Hygiene rescore visits requested by businesses.

In response to Members questions regarding the ongoing vacancies within the Business Team, the Committee were advised that this was a problem for a number of authorities and the positions had recently been re-advertised for a further time. Members were assured that the Business Team currently had sufficient resources to undertake their statutory requirements, however should a major incident occur then there may be an impact on the programme of inspections.

In reviewing the predicted programme of proactive activity, Members commented on the predicted increase in the number of formal actions in 2018/19 compared to the current year. It was reported that this was based upon national averages and the levels with the Council's Business Team felt able to cope with.

Having noted that major outdoor events during the course of a year can have an impact on the delivery of the Service Plan, reference was made to the forthcoming St Neots Water Festival and the requirements that this may generate for the team. The Committee were advised that the Council would engage with the event organisers through the Safety Advisory Group to ensure the necessary precautions were in place/ establish whether it was necessary to make visits to the Festival itself.

In terms of other issues which could impact on the implementation of the plan, Members noted that these could include changes to the operating model for food law enforcement and legislative changes once the UK has negotiated its exit from the EU.

The Committee then went on to discuss the Food Hygiene Rating System – 'Scores on the Doors' and were informed that the Government were yet to legislate on the mandatory display of scores

at food premises.

In response to a suggestion from the Chairman, the Committee went on to discuss whether the Council should adopt a more proactive approach to encourage all local businesses to aspire to 4 star rating. The Head of Community explained that the 3 star rating meant that a business was broadly compliant and currently over 90% of food businesses with Huntingdonshire had secured this level. It would be preferable in his opinion to target / take a more robust approach with those businesses who had only secured a low rating (through initiatives such as Coaching for Compliance). Once these issues had been dealt with the Council could consider a change in its approach.

Whereupon, it was

RESOLVED

that the Draft Service Plan for Food Law Enforcement 2018-19 be approved in accordance with the Council's Constitution.

**33. PROVISIONAL SERVICE PLAN FOR HEALTH AND SAFETY REGULATION 2018-19**

With the assistance of a report by the Head of Community (a copy of which is appended in the Minute Book) the Committee considered the contents of the 2018-19 Provisional Service Plan for Health and Safety Regulation.

Members were reminded that the Health and Safety Executive (HSE) requires every local authority to outline how it will fulfil its duty to make adequate arrangements for the enforcement of the relevant statutory provisions within its area. The Provisional Service Plan for 2018-19 sets out how the health and safety function within the Council will be delivered over the coming year and details the resources required to deliver it, together with a review of the previous year's performance.

In terms of the Plan of work for 2018/19, the Committee were advised that the programmed work which has not progressed as envisaged in 2017/18 would be carried over to 2018/19 as resources allow. It was also proposed to review the complaints procedure to focus resources on those incidents which pose the greatest risk.

In reviewing the provisional plan, Members commented on the variations in the levels of enforcement activity between 2015/16, 2016/17 and 2017/18 in the areas of 'letters' and 'accident notifications'. The Committee were advised that there had been no change in reporting mechanisms and this simply reflected the issues being experienced / matters of concern raised within this particular years. Clarification was also sought on the checks which were made on CO beverage gases as part of the Health and Safety inspection.

The Committee then discussed the programmed work which had not progressed as envisaged in 2017/18. This was a direct result of the fatal accident at Hamerton Zoo, together with a further workplace accident involving a horse drawn hearse which had generated a requirement for significant resources from the Business Team.

Subject to successful recruitment to vacant posts, the Head of Community remained confident that the 2018/19 Plan remained achievable within the aspirations of the Council and the approved resources.

Members were reminded that the Council continues to adopt a positive and proactive approach to the management of health and safety and this would be resourced accordingly.

Whereupon and having note that the Plan would be reviewed and a final version presented later in the year, it was

RESOLVED

that the Provisional Service Plan for Health and Safety Regulation 2018-19 be approved.

**34. UPDATE ON CONSULTATION OF THE DRAFT HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY**

Further to Minute No.20 and with the assistance of a report by the Head of Community (a copy of which is appended in the Minute Book), the Committee received an update on the responses received from the public consultation exercise undertaken on a Draft Hackney Carriage and Private Hire Licensing Policy.

Having noted that the consultation had been undertaken over a 12 week period between October and December 2017, members were advised that seven written submissions had been received alongside forty valid online survey responses. The majority of which were in favour of the Council establishing an overarching policy document that reflects current legislation and guidance, that is relevant and kept up to date.

In reviewing the consultation responses, Members discussed the need to enable easier differentiation between Hackney Carriages and Private Hire Vehicles as this was often confusing for members of the public. The Head of Community explained that door stickers were being considered for this purpose as part of the proposed new policy.

Members went on to discuss whether there should be a uniform appearance for Hackney Carriage vehicles. Whilst this had not been supported within the consultation and that this would need to be undertaken as a staged approach, Members were of the opinion that there should be further exploration of this option. It was recognised that this would require additional public consultation.

With regard to the proposed training requirements within the new policy, a member suggested that consideration should be given to the inclusion of alzheimer's disease as part of the training on safeguarding and disability awareness.

Having noted that work on developing the new policy was continuing, Members were also advised that work was also being undertaken to develop the business case for the implementation of the training and testing elements proposed within the new policy. This would include a cost impact assessment to the trade and a timeframe for the

introduction of the new elements for new and existing licence holders.

It was anticipated that the final policy would be brought back to the Licensing and Protection Committee for approval at their meeting in June 2018.

**35. LICENSING AND PROTECTION SUB COMMITTEE**

With the aid 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 the details of one meeting of the Licensing and Protection Sub Committee which had taken place between the 30th January and 7th March 2018.

Members were advised that following the introduction of the new Hackney Carriage and Private Hire Licensing Policy, a separate exercise would be undertaken to review the existing scheme of delegation to officers to enable decisions on driver applications to be undertaken in a more timely and efficient manner.

Having noted that two of the cases at the last meeting of the Sub-Committee had been deferred as the drivers had not been in attendance, the Head of Community announced his intention to make changes to the accompanying letter to reflect the fact that cases would be considered in an applicant / drivers absence if they did not attend.

**36. QUARTERLY REPORT ON THE SUSPENSION / REVOCATION OF VEHICLE LICENCES FOR SAFETY PURPOSES**

With the aid of a report by the Head of Community (a copy of which is appended in the Minute Book) the Committee noted the details of actions which had been taken since the last meeting under the Head of Community's delegated authority.

Chairman