

## 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, 13 March 2019.

PRESENT: Councillor S J Criswell – Chairman.

Councillors B S Banks, Mrs M L Beuttell, J R Clarke, S J Corney, Mrs A Dickinson, Mrs S A Giles, L W McGuire, D J Mead and Mrs P E Shrapnel.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors Ms A Diaz and Mrs P A Jordan.

### **22. MINUTES**

Subject to the inclusion of Councillor J Clarke in the list of attendees, the Minutes of the meeting held on 17th October 2018 were approved as a correct record and signed by the Chairman.

### **23. MEMBERS INTERESTS**

No declarations were received.

### **24. MONITORING REPORT ON THE DELIVERY OF THE FOOD LAW ENFORCEMENT AND HEALTH AND SAFETY SERVICE PLANS**

With the assistance of a report by the Operational Manager (Business) (a copy of which is appended in the Minute Book) the Committee received an update on progress against the delivery of work in the Council's Food Law Enforcement and Health and Safety Service Plans during the period 1st April 2018 to 31st January 2019.

With regards to the Food Law Enforcement Service Plan, the Committee's attention was drawn to the detailed information set out in Appendices 1 and 2 of the report – the programmed and reactive activity.

In terms of programmed activity (Appendix 1), the Committee noted that inspections of premises within the risk based programme were behind schedule as a consequence of vacancies within the business team during the course of the year. However a plan to address this before the end of March 2019 had now been put in place. The Committee were also informed that inspections of new food businesses had also been higher than expected owing to an increase in the number of new business registrations – an area which continued to be unpredictable.

The Committee were advised that the number of proactive visits had been higher than expected during the course of the year and

Members were advised that this was a consequence of an increase in complaints and service requests over the summer period which had now reduced. An update on completed and pending prosecutions was also provided.

With regards to food safety and public health promotion, Members were pleased to note that food hygiene training courses continued to be delivered with a very high success rate. A newsletter on acrylamide had been published and circulated and the Business Support Team is continuing to the enhanced registration of businesses work stream run by the Food Standards Agency.

In terms of unplanned reactive work undertaken by the Service (Appendix 2), Members noted that progress against predicted activity was on target in all areas. There had been one food alert for action from the Food Safety Agency during by period regarding the sale of sprouting seeds for human consumption.

The Committee were advised that the Food Standards Agency were continuing to refine their Regulation our Futures programme to modernise the way in which food businesses are regulated and were developing a training programme on imported food controls in preparation for the UK leaving the EU. Members were also pleased to note that the Better Business for All programme had developed with local authorities in the area and work had commenced to develop and draw up a web-based regulatory advice brochure.

The Committee went on to discuss the Food Hygiene Rating Scheme and it was reported that the Government had not yet passed the necessary legislation to require it to be mandatory for local food businesses to display their ratings. Members were also informed of the action which could be taken by the Authority in the event of a local business receiving a low score.

Turning to progress which had been made against the delivery of the Health and Plan, the Committee noted the significant rise in the number of Accident and dangerous occurrence investigations compared to the numbers of those predicted. Having discussed the possible causes of this, it was agreed that further information should be included within the next monitoring report.

The Committee were informed that the Coroner's Inquest into the death at Hammerton Zoo had been scheduled for July 2019 which required ongoing commitment from officers. The details of recent issues which had been identified as "Matters of Evident Concern" were also provided to Committee Members.

Whereupon and having concluded their discussion on this item, it was

**RESOLVED**

that progress on the delivery of the Service Plans for the period 1st April 2018 to 31st January 2019 be noted.

## **25. SERVICE PLAN FOR FOOD LAW ENFORCEMENT 2019-20**

Consideration was given to a report by the Head of Community (a

copy of which is appended in the Minute Book) to which was attached a proposed Service Plan for Food Law Enforcement in 2019-20.

The Committee were reminded that the Food Standards Agency (FSA) requires every local authority to outline how it will fulfil its duty to deliver food controls within the District. The resulting Service Plan sets out how the food safety and hygiene enforcement function within the Authority will be delivered over the coming year.

Attention was then drawn to the aims and objectives of the Plan, the resourcing requirement, the targets for programmed and unplanned activity, together with the proposed development plan for 2019-20.

With regards to the resources required for the delivery of the Plan, Members were advised that there had been a change in the redistribution of posts to provide a greater degree of flexibility. Income was expected to be obtained through the issue of health and export certificates and the delivery of training courses. Members were informed that targets for programmed activity had been set at a level greater than those which had been achieved in the current year.

The Committee discussed the resourcing requirements within the Plan, particularly in light of the increases in new food businesses with the District and the other increasing commitments being placed upon the Council's Commercial Team. In response to which, the Head of Community reiterated that he was confident that the Service would be able to deliver the proposed programme with current staffing resources. Members were advised that the back office software was currently being replaced to enable officers to work more productively in the field. A focus was also being placed on income generation which if successful may provide for further resources.

Whereupon, it was

RESOLVED

- (a) that the Service Plan for Food Law Enforcement 2019-20 be approved in accordance with the Council's Constitution; and
- (b) that the Health of Community be authorised to update the 2018/19 performance data within the Service Plan prior to publication.

**26. SERVICE PLAN FOR HEALTH AND SAFETY REGULATION 2019-20**

Consideration was given to a report by the Head of Community (a copy of which is appended in the Minute Book) to which was attached the proposed Service Plan for Health and Safety Regulation 2019-2020.

The Committee were advised 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 resultant Service Plan for 2019-20 had been drawn up in accordance with the National Local Authority Enforcement Code and Local Authority Circular LAC 67/2

(revision 8).

Attention was then drawn to the aims and objectives of the Plan, service delivery proposals, resourcing requirements, the targets for health and safety activity and the proposed development plan for 2019-20. Members noted that the District Council currently had 2,271 premises on its premises database for which it was responsible. For the purposes of the Plan, these had been broken down into their HSE classification and a Member suggested that it would be useful to see the figures for previous years to provide a better understanding of the changing nature of the District.

In reviewing the proposed Plan, Members commented on the estimated reduction in the number of accident and dangerous occurrence investigations in the forthcoming year and were advised as to how this was proposed to be achieved. Clarification was also sought on the roles of the Health and Safety Executive and the Local Authority and the Committee were advised that the responsibilities were set out in detail in the Health and Safety (Enforcing Authorities) Regulations 1998.

The Committee went on to discuss the proactive role of the District Council's Safety Advisory Group in ensuring that health and safety advice is disseminated to event organisers and inspecting large scale public gatherings. However, the Committee noted that this was not a mechanism adopted and utilised by all local authorities. In response to a specific enquiry regarding an event organised the Royal British Legion and the potential to access the expertise of the Safety Advisory Group, the Head of Community intimated that he would be happy to take their details outside of the meeting.

The Committee then discussed the number of cases in which formal enforcement action had been undertaken, specifically the use of Improvement and Prohibition notices.

In terms of the selection of future incidents and complaints for investigation, the Committee were advised that the HSE's risk based approach to complaint handling and incident selection would be adopted. Having noted that it was a mandatory requirement to report all work based accidents, Officers confirmed that this approach would have been kept under review. However to address the reservations of a member, it was suggested that some examples of those incidents not investigated and not investigated could be provided in future monitoring reports.

Whereupon, it was

**RESOLVED**

- (a) that the Service Plan for Health and Safety Regulation 2019-20 be approved in accordance with the Council's Constitution.
- (b) that the Head of Community be authorised to update the 2018/19 performance data within the Service Plan prior to publication.

**27. LICENSING AND PROTECTION SUB COMMITTEES**

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 4 meetings of the Licensing and Protection Sub-Committee which had taken place between 9th November 2018 and 6th March 2019.

Following a request by a Member of a Committee it was agreed that details of the outcome of any appeals against the decisions of the Sub-Committee should be included within future reports.

**28. SUSPENSION AND REVOCATION OF PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE AND DRIVERS LICENCES UNDER DELEGATED POWERES**

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.

In response to a question by a Member, further information as to the circumstances surrounding the suspension of five vehicle licences on the same day was provided to the Committee. Having noted that all cases had now been resolved, the Head of Community reiterated that the District Council would not accept a poor quality taxi trade and this message would be communicated to drivers and Operators within the District.

**29. ANNUAL LICENSING TRAINING**

Members noted that the annual training for Committee Members would be held on Wednesday 5th June 2019 at 9.30am in the Civic Suite, Pathfinder House. All Members were required to attend.

Chairman