

REGULATORY AND LICENSING COMMITTEE

18 February 2014

PRESENT:

Councillors Yeates (Vice Chairman), Mrs Barnett, Mrs Bacon, Mrs Constable, Constable, Powell, Salter, Smedley, Mrs Stanhope MBE, Taylor and Warfield.

(APOLOGIES FOR ABSENCE were received from Councillors Derrick (Chairman), Drinkwater and Heath).

226 DECLARATIONS OF INTEREST

There were no declarations of interest.

227 MINUTES

The minutes of the meeting held on 28 November 2013, as printed and previously circulated were taken as read, approved as a correct record and signed by the Vice Chairman.

228 BOUNDARY COMMISSION REVIEW

The Committee received a report on the results of the Working Group appointed to formulate the view on the revised warding arrangements. It was requested that the Committee determine the submission that was to be sent to the Local Government Boundary Commission for England. Members asked for some minor corrections and amendments to be made to the details of the submission and also considered revised proposals for the Burntwood Wards which were submitted at the meeting. It was agreed that those revised proposals should be submitted to Council for a decision.

RECOMMENDED: That Full Council consider the proposals by the Conservative Group and the Labour Group in order to determine the submission to the Local Government Boundary Commission for England in response to their consultation exercise.

229 PROPOSED DIVERSION OF PUBLIC FOOTPATH IR/2852 IN THE PARISH OF BURNTWOOD

Consideration was given to an application to divert Public Footpath IR/2852 on the Southern Boundary of Burntwood Leisure Centre. It was noted that the diversion was necessary to implement planning permission 11/01157/OUT. It was also noted that the diversion had been agreed after a meeting on site with CT Planning and local Councillors.

RESOLVED: (1) That a Public Footpath Diversion Order be made under the Town and Country Planning Act 1990 to be known as the Lichfield District Council (Footpath IR/2852 in the Parish of Burntwood) Public Footpath Diversion Order 2014.

(2) That the Strategic Director – Democratic, Development and Legal Services be authorised to take all necessary action.

230 CONTROL OF DOGS IN OPEN SPACES

Members considered further the issues associated with introducing measures to control dogs which are being exercised within the Council's public parks. It was reported that the item had been considered by The Operational Services, Leisure Tourism and Communications (Overview and Scrutiny) Committee at their meeting on 9th January 2014, and the decision of that Committee was noted. Members commented on the problems highlighted and agreed that the relevant Cabinet Member should be asked to attend the meeting of the Committee to report the outcome of the consultation exercise.

RESOLVED: (1) That the recommendations of the Operational Services, Leisure Tourism and Communications (Overview and Scrutiny) Committee be noted.

(2) That the Cabinet Member for Leisure and Parks be asked to attend the Committee to present the outcome of the consultation exercise.

231 CONTAMINATED LAND STRATEGY UPDATE

Members were asked to consider the Contaminated Land Strategy's progress to date, future actions, issues and risks. It was reported that the Strategy ensured that the Council meets its statutory duty to inspect land within the District for the purpose of identifying contaminated land, to determine whether any particular site is contaminated and act as the enforcing authority for all contaminated land which is not a "Special Site".

RESOLVED: (1) That the progress to date in implementing the Contaminated Land Strategy, future actions, issues and risks faced be noted.

(2) That the results of work on sites already completed be circulated to Members of the Committee.

232 HS2 UPDATE – PHASE 1 ENVIRONMENTAL STATEMENT CONSULTATION

A report was submitted advising Members of Environmental Health's input into the consultation process, and highlighting the key issues raised.

RESOLVED: (1) That the role Environmental Health had in compiling the joint Staffordshire County Council / Lichfield District Council HS2 Phase 1 Environmental Statement consultation response be noted

(2) That the ongoing role of Environmental Health to represent Lichfield District residents throughout the HS2 proposal be noted.

(3) That the thanks of the Committee to Officers involved for the work done be recorded.

233 MOBILE HOMES ACT 2013

The Committee received a report on the changes in legislation governing mobile home sites following the passing of The Mobile Homes Act 2013 and which requested delegated authority for officers to be authorised under the Act to use the full range of powers.

RECOMMENDED: (1) That the Director of Community, Housing and Health and Environmental Health Manager be granted delegated authority to authorise officers under the Mobile Homes Act 2013 namely: The Environmental Health Manager, Principal Environmental Health Officer, Senior Environmental Protection Officer, Private Sector Housing Officer, Environmental Protection Officer, Technical Officers and trainee Technical Assistants, to be authorised for the purpose of execution and enforcing all of the District Council's powers and duties in the provisions of the Act.

(2) That the changes in the regulation of Mobile Home Sites being introduced by the Mobile Homes Act 2013 be noted.

234 THE ANIMAL WELFARE ACT 2006

The Committee received a report on The Animal Welfare Act 2006 advising that it be adopted and which requested delegated authority for officers appointed under section 51 of the Act to use the full range of powers.

RECOMMENDED: (1) That the Animal Welfare Act 2006 be adopted:
and

(2) That the Director of Community, Housing and Health and Environmental Health Manager are granted delegated authority to appoint officers under section 51 of the Animal Welfare Act 2006 namely: the Environmental Health Manager, Principal Environmental Health Officer, Senior Environmental Protection Officer, Environmental Protection Officer, Technical Officers and Trainee Technical Assistants, Dog Wardens to be appointed for the purpose of execution and enforcing of such of the District Council's powers and duties in the provisions of the Act as appropriate including:-

Animals in distress

Section 18 Powers in relation to animals in distress

Section 19 Power of entry for section 18 purposes

Section 20 Orders in relation to animals taken under section 18(5)

Section 21 Orders under section 20: appeals

Enforcement powers

Section 23 Entry and search under warrant in connection with offences

Section 25 Inspection of records required to be kept by holder of licence

Section 26 Inspection in connection with licences

Section 27 Inspection in connection with registration

Section 29 Inspection relating to Community obligations

Prosecutions

Section 30 Power of local authority to prosecute offences

General

Section 10 Improvement Notices

Section 53 Powers of entry, inspection and search: and supplementary powers in Schedule 2

Section 54 Power to stop and detain vehicles

Section 55 Power to detain vessels, aircraft and hovercraft

235 ANNUAL REVIEW OF LICENCE AND OTHER FEES AND CHARGES 2014/15 FOR ENVIRONMENTAL HEALTH SERVICE FUNCTIONS

Members were advised of the proposed annual fees and charges for the Environmental Health Service functions for the forthcoming financial year 2014/15. It was noted that fees and charges were currently the subject of a review.

RESOLVED: That from the 1 April 2014, the proposed fees and charges for various types of services undertaken by the Environmental Health Service as detailed in the report be approved subject to a further review of local fees during the year.

236 WORK PROGRAMME

Members considered and agreed the Work Programme submitted.

RESOLVED: That the Work Programme as submitted be agreed.

237 VOTE OF THANKS

That the sincere thanks of the Committee be recorded to Councillors Derrick and Yeates for their work as Chairman and Vice-Chairman respectively during the previous year.

(The meeting closed at 7.28 pm)

CHAIRMAN