

# REGULATORY AND LICENSING COMMITTEE

**28 SEPTEMBER 2020**

## **PRESENT:**

Councillors B Yeates (Chairman), Anketell, Binney, Eagland, D Ennis, L Ennis, Evans, Leytham, Salter, Spruce and Warfield

## **4 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Parton-Hughes

## **5 DECLARATIONS OF INTEREST**

There were no declarations of interest received.

## **6 MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous Special meeting held Thursday 30<sup>th</sup> July 2020 were approved.

## **7 WORK PROGRAMME**

The work programme was considered and it was agreed to add:-

- Report on the use of Park Rangers for enforcement duties - 25 February 2021
- Verbal updates on the impact of Covid on the performance of the Food and Health and safety service delivery plan should be added - End of year report to be provided.
- Verbal update on the pavement policy – 25 February 2021

## **8 ENVIRONMENTAL HEALTH ENFORCEMENT POLICY UPDATE**

The Committee received a report on the Environmental Health Enforcement Policy, which dates back to 2015 and reviewed in October 2017, when the Housing Civil Penalties Annexe was added. The report follows a review of the Enforcement Policy. The Housing Civil Penalties Annexe has been changed to show a move to the Nottingham model which has been shown to be robust in Tribunals.

Members were informed that the Enforcement Policy guides officers businesses and the public on the Councils enforcement practices. There were two strands of the report and within the first strand the update on the regulatory services policy minimal changes were made including an update on the service name.

The second part is the update on the annexe on the Housing Civil Penalties, which is more of a change, to follow the Nottingham City model instead of the Staffordshire model for use in tribunals. Permission has been gained to use their policy.

Members were asked to recommend the policy to be adopted at Council for Council to give delegated authority for this Committee to allow any future amendments and updates.

After the Discussion a vote was undertaken and the Committee were all in agreement that:-

## **RESOLVED**

- (1) That the Committee agreed the updated Regulatory Services, Housing and Wellbeing Enforcement Policy including the Annexe on Housing Civil Penalties is adopted at Council.
- (2) The Committee agreed that Council gives delegated authority to the Regulatory and Licensing Committee to make any required amendments to this policy in the future.

## **9 LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY**

The Committee received a verbal report updating on the Licensing Act 2003.

The Licensing Act 2003 provides a unified system for regulating the sale and supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment. These activities are referred in the Act as licensable activities. Section 5 of the Licensing Act 2003 requires that the District Council as the Licensing Authority prepare and publish a Statement of Licensing Policy at least every five years. During the five year period the policy must be kept under review and the licensing authority may make any appropriate revisions to it.

Section 5 of the Licensing Act 2003 requires that the District Council as the Licensing Authority prepare and publish a Statement of Licensing Policy at least every five years. During the five year period the policy must be kept under review and the licensing authority may make any appropriate revisions to it. This year the licensing Authority was due to prepare and consult on a revised statement of licensing policy for 2021 – 2026. Due to the current emergency position this authority was concerned about its ability to carry out an effective review due to not being able to fully engage with the local trade and residents. The Saturation Policy, which forms part of the Licensing policy, needs to be reviewed. The Saturation Policy addresses the impact of premises licensed and covers Bird Street (up to the junction with Swan Road, Lichfield and Market Street (from its junction with Bird Street to its junction with the Market place, Lichfield.

This policy provides a decision making framework for applications in the area covered by the policy and requires the authority to consider the impact a new licensed premises would have within the special saturation area. At this current time it is difficult to determine whether this policy needs to be retained going forward. In the event of any closures of premises in the saturation area then the policy may no longer be justified and currently it is impossible to forecast this position.

The Committee were asked to authorise the retention of the existing policy with a view to conduct a detailed review within the next 5 year cycle.

Resolved: To submit a report to full council to re adopt the existing policy for a further 5 years.

## **10 IMPACT OF COVID ON THE IMPLEMENTATION OF THE FOOD AND HEALTH & SAFETY SERVICE DELIVERY PLANS**

The new service delivery plan was agreed earlier this year for 2020-2022. This included the aim to complete 418 programmed food safety inspections and inspect approximately 100 new food businesses. During Mid-March to August there has been a suspension of routine food safety inspections, resulting in a back log of approximately 270 overdue inspections. During this period the team have been undertaking remote assessments and providing advice and guidance for new businesses that registered with the Authority, previously known poorly compliant premises and businesses that changed the nature of their activities such as providing takeaways.

Additionally the service undertook the emergency shopping service and support for vulnerable/shielding residents, the enforcement of Covid restrictions on businesses, support to businesses to reopen with adequate Covid controls and assisted with the planning and implementation of the Staffordshire outbreak plan. Progress has been slow in reinstating the food inspection.

In summary the food and health and safety programme for this financial year is unlikely to be completed.

THANKS

The thanks of the Committee to the Commercial Team Environmental Health for their work during the last 7 months is recorded.

(The Meeting closed at 7.38 pm)

CHAIRMAN