

PUBLIC PROTECTION COMMITTEE

Monday, 8th October, 2012

Present:- Councillor Mark Olszewski – in the Chair

Councillors Allport, Bailey, Mrs Heesom, Kearon, Matthews, Miss Olszewski, Robinson, Miss Walklate, Welsh and Mrs Williams

6. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Mrs Hailstones and Cllr Hailstones.

7. DECLARATIONS OF INTEREST

There were no declarations of interests.

8. MINUTES OF PREVIOUS MEETING

Officers confirmed that there was no further news regarding the de-limitation of Hackney Carriages and that Members would be kept up to date should there be any developments.

Resolved: That the minutes of the meeting held on 4th September 2012 be agreed as a correct record.

9. PRIVATE HIRE DRIVER - MR H

A report was submitted to inform the Committee of an application for the grant of a Private Hire Driver's Licence by Mr H.

Resolved: That the licence be granted for a 12 month period and if no further issues arise in that time that the licence continues for the full 3 years.

10. PRIVATE HIRE DRIVER MR O

A report was submitted to inform the Committee of an application for the grant of a Private Hire Driver's Licence by Mr O.

Mr O had submitted an application for a Private Hire Driver's Licence. A requirement of the application process was to provide a disclosure from the Criminal Records Bureau at an enhanced level. The disclosure provided by Mr O revealed a conviction and cautions, which fell within the Council's guidelines.

Resolved: That the licence be granted for a probationary period of 12 months and if no further issues arise in that time that the licence continues for the full 3 years.

11. CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - FIXED PENALTY NOTICES - MARCH TO APRIL

The Committee received a report to advise it of action taken in respect of Littering offences within the Borough.

Officers confirmed that the variations in fine amounts were due to different magistrates and different courts.

Resolved: That the report be received.

12. CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - FIXED PENALTY NOTICES

A report was submitted to advise the Committee of action taken in respect of Littering offences within the Borough and to seek authorisation to institute legal proceedings against the Fixed Penalty Notice holders listed in the appendix.

Officers of the Council were continually conducting litter patrols through the town centre and Borough of Newcastle-under-Lyme. The aim of the patrols was to identify any person who was throwing, dropping or depositing litter in the street or public area. It was an offence under the Environmental Protection Act 1990 to discard litter (including smoking materials or chewing gum) in this manner, however to avoid a conviction in the courts offenders were given the opportunity to discharge their liability by payment of a fixed penalty.

Resolved: That legal proceedings be instituted in relation to the cases detailed in the Appendix.

13. ENVIRONMENTAL PROTECTION ACT 1990, SECTION 33, 34, 34(2A) - MS RB

A report was submitted to advise the Committee of action taken in respect of Flytipping offences within the Borough and to seek authorisation to institute legal proceedings.

Resolved: That legal proceedings be instituted in relation to this case. .

14. ENVIRONMENTAL PROTECTION ACT 1990, SECTION 33, 34, 34(2A) - MR MR

The Committee received a report to advise it of action taken in respect of Flytipping offences within the Borough and to seek authorisation to institute legal proceedings.

Resolved: That legal proceedings be instituted in relation to this case.

15. ENVIRONMENTAL PROTECTION ACT 1990, SECTION 33, 34, 34(2A) - MR & MRS LL

A report was submitted to advise the Committee of action taken in respect of Flytipping offences within the Borough and to seek authorisation to institute legal proceedings.

Resolved: That legal proceedings be instituted in relation to this case.

16. CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT - MR SV

A report was submitted to advise the Committee of the action taken in respect of a Fly Tipping offence within the Borough.

Resolved: That the report be received.

17. MEMORANDUM OF UNDERSTANDING FOR ENVIRONMENTAL HEALTH SERVICES

The Committee received a report to advise it of a joint memorandum of understanding for Environmental Health services for Staffordshire and Shropshire Authorities.

The Staffordshire and Shropshire Chief Environmental Health Officers Group had developed a memorandum of understanding to assist in providing resilience and resources for service delivery across the region

Members raised concerns regarding any detrimental affect that might be had on Newcastle Borough should staff be required to work elsewhere. Officers confirmed that any work carried out by Newcastle Borough Council Officers for other authorities would be above and beyond any normal contractual hours or that officers would be required to take annual leave and that any work carried out would be done on a reciprocal basis.

Members also requested clarification as to whether staff would be contractually required to work elsewhere when required or whether this would be done on a voluntary basis. Officers stated that clarification would need to be sought on this matter.

Members agreed that once clarification was received that it be shared with the Chair of the Committee to make the final decisions.

Resolved: (i) That clarification be sought regarding whether officers would be required to provide cover for other Local Authorities or as to whether this would be on a voluntary basis.

(ii) That once clarification was received from officers, authority be given to the Chair of the Committee regarding whether or not to endorse the memorandum of understanding and give authority to the Head of Environmental Health Services to sign and enter into the agreement.

18. URGENT BUSINESS

There was no urgent business.

COUNCILLOR MARK OLSZEWSKI
Chair