

LICENSING & PUBLIC PROTECTION COMMITTEE

Tuesday, 27th July, 2021
Time of Commencement: 7.00 pm

Present: Councillor Graham Hutton (Chair)

Councillors:	Tony Kearon	John Cooper	Jill Waring
	Gillian Williams	Andrew Parker	June Walklate
	John Williams	Stephen Sweeney	Sue Moffat
	Ruth Wright	Gill Heesom	

Officers:	Geoff Durham	Mayor's Secretary / Member Support Officer
	Nesta Barker	Head of Environmental Health Services
	Daniel Dickinson	Head of Legal & Governance /Monitoring Officer

Also in attendance:

1. **APOLOGIES**

Apologies were received from Councillors Sylvia Dymond, Mark Olszewski and Simon White.

2. **DECLARATIONS OF INTEREST IN RELATION TO LICENSING MATTERS**

There were no declarations of interest stated.

3. **MINUTES OF PREVIOUS MEETING**

Resolved: That the Minutes of the meeting held on 16 March, 2021 be agreed as a correct record.

4. **BUSINESS AND PLANNING ACT 2020 UPDATE**

Consideration was given to a report informing members of updates that were planned for the Business and Planning Act, 2020 relating to the relaxations in respect of pavement licences, alcohol off-sales and the temporary increase in Temporary Event Notice limits for 2022 and 2023.

The Head of Environmental Health Services, Nesta Barker introduced the report drew Members' attention to paragraphs 1 and 2 of the report which outlined the provisions of the Act and issues relating to the relaxations.

Resolved: (i) That the proposed amendments to the Business and Planning Act, 2020 and the contents of the Regulations be noted.

(ii) That it be noted that, if Regulations be passed, then all

Pavement Licences be granted to expire on 30 September, 2022.

5. GAMBLING ACT 2005 - REVIEW OF STATEMENT OF LICENSING PRINCIPLES (GAMBLING POLICY)

Consideration was given to a report seeking Members' agreement on the consultation process for the Council's Gambling Policy.

Nesta Barker introduced the report, drawing Members' attention to some minor amendments to the Gambling Policy which were outlined at paragraph 2.2 of the report. Members' attention was also drawn to the timetable outlined at paragraph 5.2 of the report. A copy of the Act was appended to the report.

The Chair stated that the consultation needed to be carried out as soon as possible to ensure that the Council was within its legal limits for publication in due time.

- Resolved:**
- (i) That the report be received.
 - (ii) That the draft Gambling Policy for Newcastle-under-Lyme be approved.
 - (iii) That the commencement of the 6 week consultation be approved.
 - (iv) That any responses received to the consultation be considered by the Committee at the meeting to be held on 2nd November 2021 and that recommendations of this Committee to be included in the final report to Full Council
 - (v) That the updated Policy be presented for approval to Full Council at its meeting on 17th November 2021.

6. FOOD SAFETY SERVICE PLAN 2021-22

Consideration was given to a report advising Members on work planned by the Council's Food and Safety Team on 2021/22 and a review of last year's performance.

Nesta Barker introduced the report advising that a copy of the Service Plan for 2021/22 was appended, which outlined the work in the current year. Members were advised that, as seen within the report, last years' performance was significantly lower than previous years and that had been due to the Coronavirus pandemic. Many of the premises that the Council inspect were closed and officers that would usually undertake routine food inspections and food safety work were diverted to undertake Covid related work. Therefore this year there was a significant backlog of work to catch up on.

The Chair made reference to the National Food Hygiene Rating Scheme on page 55 of the agenda which showed the number of premises rated from 'Very Good' down to 'Urgent Improvement Necessary'. The Chair asked if a list was published of the 914 premises to allow people to identify the ones needing improvement.

Nesta Barker confirmed that they were all published on a Website at food.gov.uk and either search by the name of the premises or by rating and the Borough Council.

Councillor Parker asked if inspections were done through random spot checks or were they carried out after a number of complaints had been received.

Nesta Barker advised that routine inspections were typically done unannounced although procedures had been modified slightly in light of Covid as the Council needed to undertake its own risk assessment to ensure that officers were operating in a correct way. Members' attention was drawn to paragraph 3.1 on page 54 of the agenda which showed the risk band and the number of inspections. Visits were not announced unless there was a particular reason to do so and went on the basis of what was found during a previous visit. If a lot of complaints were received on a premises then that would be investigated separately.

Councillor Parker enquired whether, for a higher risk premises, visits would be more frequent.

Nesta Barker confirmed this stating that it was a risk based inspection programme

Resolved: That the report be received and the Food Safety Service Plan for 2021/22 be endorsed.

7. DECLARATIONS OF INTEREST IN RELATION TO PUBLIC PROTECTION MATTERS

There were no declarations of interest stated.

8. PUBLIC PROTECTION SUB-COMMITTEE ARRANGEMENTS

Consideration was given to a report seeking approval of the Public Protection Sub-Committee arrangements.

Members' attention was drawn to the table at paragraph 2.4 which set out the rota to 30 March, 2022.

The table had been amended following concerns at the previous meeting from Members who were unable to attend the daytime or evening slots scheduled for them.

- Resolved:**
- (i) That the report be received and the date and time that Members' proposed attendance at subcommittee is necessary, be noted.
 - (ii) That, should Members be unable to attend the sub-committee that they notify Democratic Services of an available substitute.

9. DISCLOSURE OF EXEMPT INFORMATION

Resolved:- That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in paragraphs 1,2 and 7 contained within Part 1 of Schedule 12A of the Local Government Act, 1972

10. **MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS**

Resolved: That the Minutes of the meetings held on 24 March, 2021, 13 April, 2021, 5 May, 2021, 26 May, 2021, 16 June, 2021 and 14 July, 2021 be received.

11. **URGENT BUSINESS**

There was no urgent business.

CLLR GRAHAM HUTTON
Chair

Meeting concluded at 7.14 pm