

MINUTES of the meeting of Regulatory Committee held at Committee Room 1, The Shire Hall St Peters Square Hereford HR1 2HX on Thursday 19 February 2015 at 10.00 am

Present: Councillor A Seldon (Chairman)
Councillor PJ Edwards (Vice Chairman)

Councillors: JM Bartlett, CM Bartrum, PL Bettington, JW Hope MBE,
SM Michael, NP Nenadich and GA Vaughan-Powell

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor's P Sinclair-Knipe and Cllr Brig P Jones

2. NAMED SUBSTITUTES (IF ANY)

Councillor Nenadich as nominated substitute for Councillor P Sinclair-Knipe

3. DECLARATIONS OF INTEREST

There were no declarations of interest received

4. MINUTES

Resolved: that the minutes of the meeting held on the 12 September 2014 be confirmed as a correct record and signed by the Chairman.

5. REVIEW THE IMPLEMENTATION OF THE LICENSING POLICY AND CUMULATIVE IMPACT POLICY FOLLOWING PUBLIC CONSULTATION - LICENSING ACT 2003

The Committee was asked to consider the adoption of the Licensing Policy to be used by Herefordshire Council in respect of carrying out its functions under the Licensing Act 2003 and to consider the adoption of a special licensing policy for the cumulative impact of premises in the vicinity of Hereford City.

It was outlined by the legal advisor why the report had come back to committee who explained that it was important that the members are fully aware of the consultations and exactly what would be going forward to full council.

The Licensing Officer presented the report as per the agenda.

The Chairman requested that all references to Hereford journal to be removed and confirmed if the members were in agreement with the cumulative impact zone (CIZ) as stated in the report.

Members were in agreement that the CIZ as stated is correct

A member raised the point of reference to Hereford football club in the report. It was agreed that reference should be made to the site rather than tenant names.

A point was raised regarding the provision of hot food after the closing time of pubs and clubs with the Chairman confirming that applications are welcome and would be viewed on merit.

It was confirmed that all statistics included in the report are the most up to date available.

Members raised the point regarding Designated Premises Supervisor (DPS) being contactable during Licensable hours with the legal adviser confirming that the Licensing Act does not clearly address this issue clearly. DPS must communicate with the Police to ensure rapid response. The DPS should be contactable by text or pager. The Chairman noted that some premises have a DPS living some distance from their designated premises and enquired as what guidance should we give in future deliberations.

The Legal advisor clarified that if premises have been identified as a problem premises then the personal licence holder should be on the premises.

Resolved: to recommend to Council that the Licensing Policy and cumulative impact policy be adopted in respect of carrying out its functions under the Licensing Act 2003

6. A REVISED 'STATEMENT OF PRINCIPLES' UNDER THE GAMBLING ACT 2005

The Committee was asked to consider approving the draft Gambling Act policy statement of principles for recommendation to Council

The Licensing Officer presented the report as per the agenda papers

Members expressed their surprise that no responses were received regarding consultations.

The Licensing Officer confirmed that there are no Cumulative Impact Zones in place in respect of gambling licences.

Resolved: to recommend to Council that the Gambling Act policy statement of principles be adopted in respect of carrying out its functions under the Gambling Act 2005

7. TO CONSIDER ADOPTION OF SCHEDULE 3 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED BY SECTION 27 OF THE POLICING AND CRIME ACT 2009 - REGULATIONS AFFECTING SEX ESTABLISHMENTS AND APPROVE THE SEX ESTABLISHMENT POLICY

The Committee was asked to recommend to Council the adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Licensing and Crime Act 2009, and the draft sex establishment Licensing policy.

The Licensing Officer presented the report as per agenda papers

Members expressed their surprise that only three consultation responses were received.

Although no applications were received under this legislation, all applications received would continue to be viewed on their merits.

A member stated that it is important to respect other people's views and therefore it is important that the authority should continue to accept applications under this legislation.

RESOLVED: to recommend to Council that Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 – regulations affecting sex establishments be adopted.

It was brought to the attention of the Chairman that Licensing Officer Adrienne Poole is due to retire.

The Chairman congratulated Adrienne Poole on her impending retirement and thanked her on behalf of the committee for her contributions.

8. THE JOINT CONTRIBUTION OF PUBLIC HEALTH AND ENVIRONMENTAL HEALTH & TRADING STANDARDS TOWARDS THE IMPROVEMENT OF PUBLIC HEALTH OUTCOMES

Dr Arif Mahmood outlined the report to the Committee and explained how the public health, environmental health & trading standards collectively contribute towards positive public health outcomes.

The Head of Consumer and Business Protection then presented a retrospective contribution of Environmental Health and Trading standards over the last 12 months towards public health in Herefordshire.

A snapshot of key areas was covered with a more detailed report to be included in the next Regulatory Committee meeting.

Points covered included:

Illicit tobacco – a number of high profile actions have been taken within the county. to reduce the sale of illicit tobacco. It is recognised that illicit tobacco reduces the price and can therefore encourage young smokers. There is also the issue of a substandard product being provided e.g. poor filters.

Alcohol - close working relationships with the Police are maintained and it is encouraging to hear that the Police view Hereford City as a model area in the West Midlands.

Members commented that it is evident that officers are doing a good job and recognised that the matter of managing resources and risk is an ongoing one.

A member asked if there was any evidence of an increase in infectious disease with the response from Dr Mahmood that there has been an increase nationally in infectious disease. Studies show that it is harder to contain infectious disease in urban communities however; it is easier to educate the community. In rural communities the evidence is that the opposite is true.

It is recognised that more education is needed to avoid infectious disease and to encourage people to come forward and report incidences.

Members pointed out the recent change in refuse and recycling arrangements in the county and whether there was any correlation in requests for pest control.

There was no evidence that there has been any increase in pest control activity although the situation is being monitored.

It was accepted that Environmental Health and Public Health are not as connected as they could be and that there was no one government department responsible in this area.

The Chairman confirmed that he will raise the issue at the next Centre for Public Scrutiny board meeting in London.

Resolved: that the report be noted

The meeting ended at Time Not Specified

CHAIRMAN