

NEIGHBOURHOOD SERVICES COMMITTEE MINUTES AND DECISION RECORD

19 July 2019

The meeting commenced at 1.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: John Tennant (In the Chair)

Councillors: Lee Cartwright, Dave Hunter, Marjorie James and Sue Little

Also Present:

In accordance with Council Procedure Rule 4.2 Councillor Young was in attendance as substitute for Councillor S Akers-Belcher and Councillor Lindridge was in attendance as substitute for Councillor Prince

Councillor Tony Richardson

Officers: Denise McGuckin, Director of Regeneration and Neighbourhoods
Tony Hanson, Assistant Director, Environment and Neighbourhood Services
Phil Hepburn, Environmental Enforcement Team Leader
Sylvia Pinkney, Head of Public Protection
Steve Hilton, Senior Public Relations Officer
Denise Wimpenny, Principal Democratic Services Officer

9. Apologies for Absence

Apologies for absence were submitted on behalf of Councillor S Akers-Belcher and Prince.

10. Declarations of Interest

None.

11. Minutes of the meeting held on 28 June 2019

Received

In relation to Min 6 – Household Waste Duty of Care – Fixed Penalty Notices, the Director of Regeneration and Neighbourhoods advised that following advice taken in this regard it was not possible to implement the suggestion by Members at the last meeting that discounted charges be

removed as well as increasing incremental penalty charge rates for repeat offenders. A publicity campaign would be introduced over the summer and the charges would be implemented from September.

In response to a Member's suggestion that publicity material should include communications in Hartbeat, bin lorries and refuse bins, the Director of Regeneration and Neighbourhoods agreed to explore these issues.

With regard to Minute 8, the Committee noted the following:-

Stranton Allotments – Councillor Cartwright highlighted that the concerns which he had raised at the last meeting had related to asbestos control measures on the allotment site.

Kingsley Avenue – Councillor Cartwright highlighted that the concerns which he had raised at the last meeting had related to the Brierton Lane legal by-way and not to the Brierton Lane link as referred to in the minutes.

Decision

- (i) That the Director of Regeneration and Neighbourhoods explore the suggestions in relation to the household waste publicity campaign.
- (ii) That the information given be noted.

12. Public Space Protection Order – Fixed Penalty Notice Discounted Payment Charge *(Assistant Director, Environment and Neighbourhood Services)*

Type of decision

Non-key

Purpose of report

To consider the inclusion of a discounted early payment charge for offence committed under the newly approved Public Space Protection Orders.

Issue(s) for consideration

Members were referred to the background to the changes in legislation regarding Public Space Protection Orders. In January 2019, Members had considered a report which had resulted in the approval of a limited number of proposed offences/locations and a default charge of £100. Whilst the legislation did allow for a discounted early payment rate to be included this

was not considered in previous reports to Committee. Members' views were sought in relation to a proposed early discount rate of £75 (payable within 14 days of the date of serving the notice) and thereafter payment would revert to the original £100 fee.

A query was raised in relation to the number of prosecutions that had taken place since the legislation was introduced. The Assistant Director indicated that the information would be provided following the meeting.

A Member highlighted concerns that despite the high number of dog waste bins available in the town, there were examples of some individuals picking up dog waste and not disposing of the bag in the dog waste bins provided, examples of which were outlined. The need to address behaviour of this type was emphasised. The Assistant Director advised that whilst this could be dealt with under dog fouling legislation there was a reliance on residents to provide the relevant intelligence information to enable civil enforcement officers to take enforcement action.

Clarification was provided in response to queries raised arising from the report.

Decision

- (i) In relation to Fixed Penalty Notices for offences within the Public Space Protection Order, a discounted early payment charge of £75 be approved, where payment was made within 14 days of the Fixed Penalty Notice having been served. Thereafter the original charge of £100 will apply.
- (iii) That clarification be provided following the meeting in relation to the number of prosecutions that had taken place since the legislation was introduced.

13. Food Law Enforcement Service Plan 2019/20 (*Assistant Director, Environment and Neighbourhood Services*)

Type of decision

Non-key

Purpose of report

To consider the Food Law Enforcement Service Plan for 2019/20

Issue(s) for consideration

The Assistant Director reported that the Food Law Enforcement Service Plan for 2019/2020, submitted as an appendix to the report, detailed the Service priorities for 2019/20 and highlighted how these priorities would be addressed.

Comparators from the previous year were provided, as set out in the report. In addition to the planned interventions 97 new food businesses were registered and inspected during the year. As at 1 April 2019, 99.2% of businesses in the borough were “Broadly Compliant” with food safety requirements (99.2% in 2018). For food standards 97.3% of businesses achieved broad compliance (97.3% in 2018).

In relation to food hygiene ratings, 99.2% of the premises inspected during 2018/19 received a hygiene rating of ‘3’ and above. The results of the food sampled as part of the year’s microbiological sampling programme were set out in the report.

In the discussion that followed presentation of the report, a Member questioned what work was being done with businesses to accommodate special dietary requirements. Members were advised that any issues encountered in this regard should be reported to the Public Protection Team to enable investigation.

The Head of Public Protection responded to queries and issues raised in relation to observations made in relation to inappropriate stacking of crockery in cafes resulting in a potential safety risk, microbiology sampling, the potential reasons for adverse food sample results, measures in place to support businesses to improve food safety standards, the potential reasons for poor results as well as the re-inspection and re-sampling arrangements. Emphasis was placed upon the importance of re-inspection and re-sampling arrangements.

Decision

That the Food Law Enforcement Service Plan for 2019/20 be approved.

14. Health and Safety Service Plan 2019/20 (*Assistant Director, Environment and Neighbourhood Services*)

Type of decision

Non-key

Purpose of report

To consider the Health and Safety Service Plan for 2019/20 which is a requirement under Section 18 of the Health and Safety at Work Act 1974.

Issue(s) for consideration

The Assistant Director reported that the Health and Safety Service Plan 2019/20, submitted as an appendix to the report, had been updated to reflect last year's performance. The Plan detailed the service priorities for 2019/20 and highlighted how these priorities would be addressed.

During 2018/19 the service completed health and safety interventions in a total of 171 premises. In addition officers had undertaken a range of interventions which involved 9 revisits to monitor compliance, working with 25 new businesses during the year, 336 enforcement visits to assess compliance with smoke free legislation. Promotional/ campaign work had been undertaken in relation to the Tattoo Hygiene Rating Scheme and work would continue on the Save our Skins Campaign, details of which were included in the report.

Further detailed information was provided in relation to the performance of the service in terms of response times to complaints, visits to premises and accident notifications. It was noted that during 2018/19 no legal proceedings had been undertaken. However, one improvement notice had been served, details of which were provided. A number of local priorities had been identified for the coming year which would be addressed during contact with businesses, food inspections and licensing visits.

Decision

That the Health and Safety Service Plan for 2019/20 be approved.

15. Any Other Items which the Chairman Considers are Urgent

The Chairman ruled that the following item of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

16. Any Other Business – Items of Any Other Business

Following a Member's request for an update on a ward issue, the Director of Regeneration and Neighbourhoods reminded Members of the provisions around any other business items being raised at meetings which were for urgent matters only and the requirement to agree such matters with the Chair in advance. To enable ward issues to be dealt with in a timely manner the importance of ward issues being raised direct with officers was highlighted.

Decision

That the information given be noted.

17. Date of Next Meeting

The Chair reported that the next meeting would be held on Friday 20 September 2019 at 11.00 am.

The meeting concluded at 1.25 pm.

H MARTIN

CHIEF SOLICITOR

PUBLICATION DATE: 31 JULY 2019