LICENSING AND GENERAL PURPOSES COMMITTEE

Meeting held on Monday, 16th April, 2007 at the Council Offices, Farnborough at 7.00 p.m.

Voting Members

Cr. S.J. Masterson (Chairman)
Cr. J.J. Wall (Vice-Chairman)

Cr. D. Cappleman Cr. K.H. Muschamp Cr. M.D. Smith
Cr. B. Jupp Cr. Mrs. L.J. Neal Cr. M.J. Tennant
a Cr. J.P. Matthews Cr. D.M. Welch

Apologies for absence were submitted on behalf of Crs. J.P. Matthews, K.H. Muschamp and Mrs. L.J. Neal.

23. MINUTES –

The Minutes of the Meeting held on 26th February, 2007 were confirmed and signed by the Chairman.

24. BYELAWS TO NEW OPEN SPACES –

The Committee received the Solicitor to the Council’s Report No. LEG0706 which detailed amendments to the schedule of byelaws for open spaces, play areas and informal leisure areas within the Borough.

The Solicitor to the Council informed the Committee that the Council’s current set of byelaws had last been updated in 2001. Since then the Council had identified a number of other sites which were not currently covered under the existing byelaws. The Committee was also informed that the Local Government and Public Involvement in Health Bill, which was currently before Parliament, would introduce new byelaw-making powers for local authorities. However, specific details were not yet available and it was considered preferable that a consistent set of byelaws should be established covering the entire Borough.

It was also proposed that a joint exercise should be carried out by the Council and the Police to identify other areas within the Borough which might, because of the occurrence of anti-social behaviour, be investigated for inclusion in the list. This could include areas not currently owned by the Council.

During the discussion, the Solicitor to the Council advised that any suggestions for other community groups to be included in the consultation would be welcome. The Committee also stressed the importance of making the public aware that the byelaws would be enforced.
RESOLVED: That

(i) the Council be recommended that the Schedule to the existing set of Borough Byelaws be amended to extend their coverage to those new areas of land listed in the amended Annex to the Report; and

(ii) that a joint exercise to identify other areas within the Borough which might, because of the occurrence of anti-social behaviour, be carried out between the Council, the Police and other local community groups.

25. CHAIRS AND TABLES ON THE HIGHWAY –

The Committee received the Head of Environmental Health Services’ Report No. ENH07017 which outlined the Council’s draft policy on tables and chairs in pedestrian areas.

The Head of Environmental Health Services gave a presentation to outline the policy. The Committee was advised that the Highways Act 1980 allowed district councils to grant permission for traders to put tables and chairs on the highway. This role had been passed to Rushmoor by Hampshire County Council. Whilst the Council was committed to helping create vibrant and attractive town centres, issues such as litter, pest control, public nuisance, health and safety and crime and disorder would need to be controlled using a permit regime for traders. The Head of Environmental Health Services’ presentation also detailed the application process, including the criteria for consideration, and the process for review.

It was thought that the number of traders wishing to introduce tables and chairs would be small but that the imminent smoking ban in public places may encourage traders to look at ways of retaining trade whilst complying with the ban.

It was reported that the policy approach had been endorsed by the Environment Panel on 13th March, 2007 and approved for consultation by Cabinet on 20th March, 2007. It was proposed that local business, town centre organisations, the Police and other emergency services should be consulted. Any comments received would be reported back to the Cabinet, together with any recommended changes. A final draft would be presented to Cabinet on 29th May, 2007 for implementation before Summer.

In discussing the draft policy, Members sought assurance on the Council’s policy for the demarcation of space. The Head of Environmental Health Services informed the Committee that the policy stipulated a minimum 1.8 metre clear zone for pedestrians. If this could not be achieved, Environmental Health Services would look at reducing the number of tables. Seating areas would be marked out for the visually impaired.
Further questions were asked on the mechanisms for the review of permits, the control of cleanliness, health and safety issues and alcohol fuelled crime and disorder in the streets.

Finally, Members sought assurance that the policy would be self-funding. The Head of Environmental Health Services informed the Committee that initially a charge of £150 would be made for each permit. However, this would be kept under review.

RESOLVED: That the Committee’s comments be taken into account in drafting the finalised policy.

26. **DRAFT FOOD SAFETY SERVICE PLAN – 2007/08 –**

The Committee considered the Head of Environmental Health Services’ Report No. ENH07012, which sought approval of the Council’s draft Food Safety Service Plan for 2007/08, subject to a period of consultation. It was reported that the Council was required to produce an annual Health and Safety Service Plan in accordance with guidance issued by the Food Standards Agency (FSA).

The Head of Environmental Health Services gave a presentation on the draft policy and explained that the draft acknowledged the findings of two national reviews of regulatory services. Firstly, the Hampton Review, which had recommended a reduction in the administrative burden on regulators through an increase in risk based interventions; and the Rogers Review which had prioritised five areas for local authority regulation, including ‘hygiene for food businesses’.

In accordance with the Council’s corporate objectives and as required by the FSA, the draft Plan contained:

- the aims and objectives of the service and the contribution it made to the Council’s corporate objectives;
- the scope of the service, the demands placed upon it and the Council’s enforcement policy;
- the plan for delivering the service including food premises inspection, support and advice for businesses, control of infectious disease and requests for service; and
- the resources allocated, quality assessments and review.

The Report also detailed the performance review for 2006/07 and outlined the key issues arising from the Service Plan for 2007/08.

The Committee endorsed the Service Plan and congratulated Environmental Health Services on the high quality of work carried out.
RESOLVED: That the Cabinet be recommended to approve the draft Food Safety Service Plan for 2007/08 for consultation.

27. DRAFT HEALTH AND SAFETY SERVICE PLAN - 2007/08 –

The Committee considered the Head of Environmental Health Services’ Report No. ENH07018, which sought approval of the Council’s draft Health and Safety Service Plan for 2007/08, subject to a period of consultation. It was reported that the Council was required to produce an annual Health and Safety Service Plan in accordance with guidance issued by the Health and Safety Commission (HSC).

The Head of Environmental Health Services gave a presentation outlining the draft policy and explained that the draft had acknowledged the findings of two national reviews of regulatory services. Firstly, the Hampton review, which recommended a reduction in the administrative burden of regulators through an increase in risk based interventions, and, secondly, the Rogers Review which had prioritised six areas for local authority regulation, including ‘improving health in the workplace’.

In accordance with the Council’s corporate objectives and as required by the HSC, the draft Plan contained the following elements:

- service aims and objectives with linkages to the Council’s Strategic Objectives, enforcement policy and procedures;

- demands on the Service during 2006/07 and a review of performance;

- service planning for 2007/08;

The Committee congratulated Environmental Health Services and endorsed the draft Plan.

RESOLVED: That the Cabinet be recommended to approve the draft Health and Safety Service Plan for 2007/08 for consultation.

28. TAXI FARE REVIEW SUB-GROUP – UPDATE –

The Committee was reminded that at a previous meeting Members had agreed to set up a Sub-Group to revise the taxi fare review process.

The Head of Environmental Health advised the Committee that the Sub-Group would meet once the model used to calculate the annual uplift percentage had been revised by Financial Services. This was unlikely to be before the Borough Council elections on 3rd May, 2007.

RESOLVED: That the report be noted.
29. **ADVERTISING LICENSING ACT APPLICATIONS – UPDATE –**

Following questions from Members at a previous meeting, the Head of Environmental Health Services provided an update on costs for advertising licensing applications in the local press.

The Committee was advised that Planning Services operated a similar system of advertising applications in the press, for which a provision of £9,000 per annum was made. It was estimated that the cost would be similar for licensing. The Head of Environmental Health Services informed the Committee that applications were already advertised in the local press and on site by the applicant. Information was also published in the Rushmoor bulletin.

Members endorsed the Head of Environmental Health Services’ view that further advertising would not be a good use of corporate resources.

**RESOLVED:** That the update be noted.

30. **EXCLUSION OF THE PUBLIC –**

**RESOLVED:** That, taking into account the public interest test, the public be excluded from the meeting during the discussion of the undermentioned item to avoid the disclosure of exempt information within the paragraph of schedule 12A to the Local Government Act, 1972 indicated against such item:-

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**THE FOLLOWING ITEM WAS CONSIDERED IN THE ABSENCE OF THE PUBLIC**

31. **COMMUNITY AWARD NOMINATIONS –**

The Committee considered the Head of Democratic Services’ Report No. DEM0702, which provided details of nominations received for Rushmoor’s Community Award. The Report detailed how the scheme had been publicised and gave details of the criteria against which nominations should be assessed and compared.

The Chief Executive explained that the purpose of the Scheme was to recognise outstanding achievements of residents in the Borough and that the award had been intended to mark long-term achievement.

Members discussed the merits of the nominations and, after careful consideration, agreed that Mrs. Joan King and Miss Mary Rose Murphy should be chosen for the Community Award, 2007. Members noted the high standard of
the nominations and suggested that a number of the nominees could be resubmitted for consideration in future years. It was felt that an organisational award for group nominations should be considered at a future meeting.

RESOLVED: That Mrs. Joan King and Miss Mary Rose Murphy be selected for the Community Award, 2007.

NOTE: Crs. S.J. Masterson, D.M. Welch, J.J. Wall and M.D. Smith declared personal interests in this item, as acquaintances of one of the nominees through the Aldershot and North Hampshire Conservative Association and, took no part in the discussions thereon.

32. RETIRING MEMBERS –

The Chairman thanked those Members of the Licensing and General Purposes Committee who would be retiring from the Council at the end of the Municipal Year for the contribution they had made to the Committee and its Sub-Committees.

The Meeting closed at 8.30 p.m.

S.J. MASTERTON
CHAIRMAN

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