

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Licensing and Regulatory Committee held in the Council Chamber at the Guildhall, Gainsborough on Thursday 9 June 2016 commencing at 6.35 pm.

Present: Councillor Jessie Milne (Chairman - In the Chair)
Councillor Owen Bierley (Vice-Chairman)

Councillor Gill Bardsley
Councillor Sheila Bibb
Councillor David Cotton
Councillor Paul Howitt-Cowan
Councillor Angela Lawrence
Councillor Pat Mewis
Councillor Di Rodgers
Councillor Lewis Strange

In Attendance:

Phil Hinch Licensing Team Manager
Lesley Beevers Regulatory Team Manager
Dinah Lilley Governance and Civic Officer

Also Present: Four members of the public

Apologies : Councillor Mrs Judy Rainsforth

Membership : No substitutes were appointed for the meeting

7 PUBLIC PARTICIPATION PERIOD

Four members of the public attended to ask questions of the Committee.

Sharon Allen asked why there was one rule for one pub and another for others. She made reference to a premise in Gainsborough claiming that it had lock-ins until the early hours, played loud music, the staff were rude, and bouncers took patrons down a side alley. There were frequently police outside, but nothing was ever done.

The Committee Chairman informed Ms Allen that further details needed to be submitted to the Licensing team, but that work was underway to address reported issues. Answers to all questions would be provided in writing by the Licensing Team Manager.

David Priestfield then questioned what experience the Licensing and Regulatory Committee had, and whether it was necessary for a licensed premise to hold a valid licence. Mr Priestfield stated that an incident had

recently taken place which was public knowledge on Facebook but that no action had been taken. The said premise was trading without a valid licence.

The Chairman verified that the Committee underwent training on a regular basis, and that the reported incident was being investigated through the appropriate channels.

Steve Dyke then questioned whether the Council made regular checks to verify that regulations were being complied with, and asked whether there was a time limit for names on licences to be changed. Mr Dyke also asked if weights and measures came under the remit of Licensing legislation.

The Chairman informed Mr Dyke that any evidence or information should be passed to the Licensing Team Manager, but that weights and measures were not within Licensing jurisdiction.

Sharon Hopkinson then stated that she had reported the premise in question regarding operating without a valid licence, and being the landlord of the White Hart, she felt she was being victimised. She was a member of the Town Council and had invested a lot of time, effort and money in Gainsborough. Ms Hopkinson expressed dismay that the minutes of the private hearing of which she had been part were now public and that the local press now knew of the matter. Ms Hopkinson stated that she had telephoned a Councillor and that she had not known what a DPS was, and if this was the case then the council needed a new Committee. Ms Hopkinson stated that she was going to fight the outcome of her hearing decision.

8 MINUTES FOR APPROVAL

- a) Meeting of the Licensing and Regulatory Committee held on 15 March 2016 (LR.02 16/17)
- b) Meeting of the Licensing and Regulatory Committee held on 9 May 2016 (LR.03 16/17)

RESOLVED that the minutes of the Meetings of the Licensing and Regulatory Committee held on 15 March and 9 May 2016 be confirmed and signed as a correct record.

9 MINUTES FOR NOTING

- c) Meeting of the Licensing Sub-Committee held on 12 May 2016 (LR.04 16/17)
- d) Meeting of the Taxi & General Licensing Sub-Committee held on 9 May 2016

RESOLVED that the minutes of the Meeting of the Licensing Sub-Committee held on 12 May 2016 and the Taxi and General Licensing Sub-Committee held on 9 May be received and noted.

10 MEMBERS' DECLARATIONS OF INTEREST.

Councillor Pat Mewis declared a personal interest in the Food and Health and Safety Plan 2016/17 as being the proprietor of a Bed and Breakfast establishment.

Councillor Howitt-Cowan declared a personal interest in the Food and Health and Safety Plan 2016/17 as being the Chairman of Gainsborough House which included Zena's Top Nosh.

11 MATTERS ARISING SCHEDULE (LR.05 16/17)

It was noted that there were no Matters Arising from previous meetings.

RESOLVED that progress on the Matters Arising Schedule as set out in report LR.05 16/17, be received and noted.

12 FOOD AND HEALTH AND SAFETY PLAN 2016/17 (LR.06 16/17)

The Regulatory Team Leader presented the 2016/2017 Food, Health and Safety Service Plan, which had been produced in line with the Food Standards Agency Framework Agreement and the Health and Safety Commission's approved guidance, for consideration and approval by the Committee.

The aims and objectives of the Service were set out as being:

- To protect and improve the health, wellbeing and safety of our residents, visitors to and workers in the district, ensure the economic prosperity of businesses and provide for the sustainable improvement of our local environment.
- To strive for continuous improvement in the delivery of efficient and effective customer focused services.
- To protect public health and ensure businesses comply with the relevant legislation, through advice, education and enforcement.

The intention was to create a level playing field for establishments by providing advice and education and then enforcement where necessary. As well as 430 premises requiring inspections other work needed to be undertaken. Sampling was carried out where it was considered necessary and complaints were investigated.

Those premises which gained four stars or fewer could request re-inspections to improve their ratings. Rating was assessed on cleanliness, record keeping and food preparation.

Some investigations took longer than others, a major problem such as a mouse infestation could require a great deal of officer time to resolve. Accident investigations were dependent upon circumstances and severity. An establishment with repeated incidents would require inspection. The performance achieved by the team was much improved to the position of three years ago.

Members of the Committee posed a number of questions to the Regulatory Team Leader, such as which parts of establishments were checked. Inspectors usually requested the facility to wash their hands on arrival at a premise which gave a good indication of cleanliness.

Committee Members commended the work of the team and felt that it did a good job. A number of questions were asked about the statistics in the tables set out in the report. The Regulatory Team Leader clarified the rating inspection categories and explained the Food Standards Agency's inspection requirements. Approved Premises fell outside of the scheme due to the nature of the businesses and their higher risk due to the food preparation methods.

Verification was sought that the team had capacity to deal with the incidents and inspections required. It was noted that performance monitoring was reported quarterly through the regular Performance and Delivery reports to the Council's other Committees. Any major incident such as an infestation or an outbreak of food poisoning would have an impact on the routine work of the service.

The recommendation in the report was moved and seconded, and on being voted upon it was:

RESOLVED that the Food and Health and Safety Service Plan be received, noted and approved.

13 COMMITTEE WORK PLAN

The Governance and Civic Officer introduced the Committee Workplan noting that a report was to be submitted to the September meeting on a Public Space Protection Order.

RESOLVED that the Committee Workplan be noted.

14 TRAINING

The Chairman took the opportunity to remind Members that two training sessions had been arranged for 27 June and 12 July and that it was hoped as many Members as possible would be able to attend.

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The meeting concluded at 7.15 pm

Chairman