

# **MINUTES OF THE MEETING OF THE REGULATORY COMMITTEE HELD ON TUESDAY, 20TH NOVEMBER, 2018, 7.00 - 9.30 pm**

## **PRESENT:**

**Councillors: Vincent Carroll (Chair), Reg Rice (Vice-Chair), Dhiren Basu, Luke Cawley-Harrison, Sarah James, Viv Ross, Yvonne Say and Preston Tabois**

### **31. FILMING AT MEETINGS**

The meeting was not filmed or recorded.

### **32. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bevan, Mitchell, Peacock and Williams.

### **33. URGENT BUSINESS**

None.

### **34. DECLARATIONS OF INTEREST**

Councillor Ross informed the Committee that he worked in the leisure industry with a primary interest in gambling, however Legal had advised that he did not have a pecuniary or prejudicial interest to declare.

### **35. MINUTES**

**RESOLVED that the minutes of the meeting held on 18 October 2018 be approved as a correct record, subject to the following amendment:**

Minute item 24, resolution to read:

**“RESOLVED that the report be recommended for consideration at Cabinet, with the request from the Regulatory Committee that Cabinet reconsider the decision to remove school buildings from the Local Heritage List due to concerns over the quality of any future building work.”**

### **36. REGULATORY SERVICES SERVICE PLANS 2018-19**

Gavin Douglas, Regulatory Services Manager, introduced the report as set out. The Council's Commercial Environmental Health and Trading Standards team had responsibility for preparing a number of service delivery plans to demonstrate how the team would meet their statutory obligations: Food Law Enforcement Plan; Health and Safety Service Plan; and Trading Standards Intervention Plan. The Committee were asked to note the report.

Mr Douglas responded to questions from the Committee:

- The service aimed to carry out as many unrated premises inspections as possible, however this was not particularly easy with the turnover of businesses and re-inspections, and having enough qualified officers to carry out the inspections. The service used to prioritise high risk premises, but it now concentrated on unrated premises.
- 5.1 FTE was the number of staff required to meet the statutory minimum set by the FSA in regards to inspections of premises.
- Officers try to inspect new premises before they opened, the FSA set out that a visit should be carried out within 28 days, however this was not always possible with the current staffing levels.
- Any premises selling food must be registered with the Local Authority and would be scheduled for inspection.
- In relation to Health and Safety inspections, there was 0.5FTE staff to carry out inspections. There had to be a legal reason for the Council to investigate on Health and Safety grounds.
- The H&S priorities for 2018/19 (Appendix 2) were set based on the key achievements of the previous year.
- Building construction was regulated by the Health and Safety Executive – if there were any incidents at construction sites in the borough, it would not be dealt with by the Local Authority.
- The Trading Standards service had 2.8FTE – two full time members of staff, and one member of staff working four days per week.

**RESOLVED that the report be noted.**

*Clerks note: Cllr Basu left the meeting at 20.00hrs.*

### **37. CONSULTATION ON DRAFT REVISED STATEMENT OF GAMBLING POLICY**

Daliah Barrett, Licensing Officer, introduced the report as set out. The Committee were requested to consider and comment on the proposed Gambling Policy. The Policy had been approved for consultation by Cabinet in November 2018, with the final findings to be reported back to Cabinet in February 2019, and the final Policy to be approved by full Council in March 2019.

Ms Barrett responded to questions from the Committee:

- The Cabinet Member had made comments in the report, and the new foreword of the Policy.
- When the Gambling Act 2005 came into effect, this provided betting shops with a freer way of operating. There had been an increase in the number of betting shops, however this had now started to reduce, and there were 63 betting shops across the whole borough.

- The Government had announced a reduction in the stakes for Fixed Odds Betting Terminals from £100 to £2. It was thought that this may lead to closure of betting shops, as the incentive of earning from FOBTs would no longer be there.
- Betting shops were permitted to operate until 22:00. If there was a review of the licence then earlier hours could be put forward to the Committee, however, they could not be imposed at the outset.
- The map on page 119 of the report showed crime within betting shops.

Councillor Brabazon noted that although the public would have strong views on gambling, the National policies and legislation were very weak, and there was very little that the Local Authority could do in terms of regulating betting shops. She put on record her formal thanks to the officers in the Regulatory Services.

**RESOLVED that the report be recommended for approval by Cabinet.**

*Clerks note: Cllr Brabazon arrived during the discussion of the item, at 20:45hrs.*

### **38. ANNUAL FEES AND CHARGES FOR LICENSING**

Daliah Barrett, Licensing Officer, introduced the report as set out. Fees had increased by 2.6% across the board.

**RESOLVED that**

- i. The increases to the Council's licensing fees and charges as set out in appendix A be approved, with effect from 1 April 2019; and**
- ii. The street trading fees as shown in appendix 1 be approved for adoption.**

**All fees to be subject to a further public notice for the adoption.**

### **39. ANIMAL WELFARE REGULATIONS AND FEE SETTING REPORT**

Daliah Barrett, Licensing Officer, introduced the report as set out. New regulations – Animal Welfare (Licensing of activities involving animals) (England) Regulations 2018 – were published earlier in 2018. They significantly changed the way animal related businesses were inspected and licenced, and came into effect on 1 October 2018. Page 19 of the report set out the proposed fees.

**RESOLVED that the fee levels required to administer the new arrangements as set out in Appendix 1 be approved.**

### **40. NEW ITEMS OF URGENT BUSINESS**

None.

### **41. DATES OF FUTURE MEETINGS**

21 January 2019

CHAIR: Councillor Vincent Carroll

Signed by Chair .....

Date .....