

LICENSING COMMITTEE

15 January 2020

Present: Councillor S Bolton (Chair)
Councillor A Dychton (Vice-Chair)
Councillors A Grimston, I Hamid, K Hastrick, P Jeffree, A Khan,
R Martins, B Mauthoor, M Mills, J Pattinson, G Saffery, R Smith,
D Walford and R Wenham

Officers: Head of Community Protection
Environmental Health Manager (Business)
Democratic Services Officer (AG)

9 **Apologies for absence**

There were no apologies for absence.

10 **Disclosure of interests**

There were no disclosures of interest.

11 **Minutes**

The minutes of the meeting held on the 21 October 2019 were submitted and signed.

12 **Licensing Fees and Charges 2020-2021**

The committee received the report of the Head of Community Protection. The Environmental Health Manager (Business) introduced the report. He explained that the report related to the fees and charges that were proposed to be set for the financial year 2020-21 for the various licensing regimes administered by the council. He outlined the recommendations to be considered by the committee as shown in paragraphs 3.1 and 3.2 of the report.

The Environmental Health Manager (Business) summarised the fees that were set by the committee and council. He outlined the general principles that

applied to the setting of fees and, in response to a question, he explained how the setting of fees could not be used as an economic deterrent.

The Environmental Health Manager (Business) went on to explain that where fees were calculated on a cost recovery basis, the proposed fees had been raised by 3% to reflect the increased cost in providing the service. The exceptions to this were taxi driver and vehicle licences and private hire operator's licences which had not been increased as the council had been able to offset costs with efficiencies. In response to a question, he explained how the council's finance department provided guidance on the overhead costs to be charged.

The Environmental Health Manager (Business) continued by explaining how the previous year's increase in animal welfare licensing fees had not been challenged and there had not been a significant change in the number of licenses issued.

He concluded by discussing recommendation 3.2 in the report, explaining that the flexibility to amend charges was requested so that officers could, where necessary, respond to changes in pricing and pass on any increased costs or savings to licence holders without requiring further committee approval.

RESOLVED –

1. That the fees and charges set out in appendix 1 of the report, pages 1 and 2, for the financial year 2020/21 be approved and that the fees and charges in appendix 1, pages 3 and 4 be recommended to Council for approval.
2. To delegate to the Head of Community Protection, in consultation with the Chair of Licensing, the authority to increase or decrease charges in respect of the provision of:
 - compulsory door signage for hackney carriages
 - Disclosure and Barring Service and Driver and vehicle licensing Agency checks
 - licence badges and plates.

for the reasons outlined in sections 4.9 and 4.10 of the report.

13

Food Law Enforcement Service Plan 20-21 and 21-22

The committee received the report of the Head of Community Protection. The Environmental Health Manager (Business) introduced the report. He explained

that the Food Law Enforcement Service Plan was required by the Food Standards Agency (FSA) and had to receive formal approval by the committee; as discussed in recommendation 3.1 of the report.

He outlined the broad areas of work covered in the plan and of the importance of having a skilled and efficient implementation team within the council. In response to a question from members, the Environmental Health Manager (Business) clarified that the council had no jurisdiction in respect of online delivery operators, but did have jurisdiction in respect of food businesses in Watford that were hosted on the platforms.

The Environmental Health Manager (Business) went on to summarise some of the challenges in the year ahead. These included changes to the FSA Code of Practice, possible amendments to the European food hygiene legislative framework, FSA regulation, charging for the Food Hygiene Rating Scheme (FHRS) and issues in relation to dark kitchens.

In response to questions from members, the Head of Community Protection and Environmental Health Manager (Business):

- Advised that the position in respect of allergens had not directly changed. Allergen control formed part of food management safety systems. There were some grey areas, as discussed in the report, and there was a need for guidance by the FSA; with the code of practice likely to change in this regard. Further clarification was anticipated for businesses and there would be enforcement work in the future.
- Clarified, in respect of dark kitchens that such businesses fell under the council's enforcement regime and explained how the council would be investigating this new concept of food provision over the coming year. Advice was also provided on how these businesses should register with the council.

The Environmental Health Manager (Business) highlighted the Risk Based Inspection Programme, as documented in section 3.1.1 of the plan. In response to questions, he advised that the figures in the section related to primary inspections; although further inspections could be carried out with regards to complaints of food poisoning for example. In terms of measuring the success of enforcement, the Environmental Health Manager (Business) outlined the requirements of the FSA Codes of Practice and the need to continue work with premises not operating satisfactorily.

The Environmental Health Manager (Business), went on to talk about the Food Hygiene Rating Scheme discussed in section 3.1.2 of the plan. He advised that the ratings for Watford were improving and were broadly comparable with the

eastern region and the country as a whole. He informed the committee about the charging for food hygiene reassessments in the future, and advised that the cost of a reassessment would be £170; pending approval by council as part of the overall fee-setting process.

Members discussed the impact of food hygiene ratings on small operations, such as delicatessens in shops, as compared to larger type operations; with Watford General Hospital provided as an example. The officers advised about the ratings achieved in the differing food preparation and supply areas and of the inspection regimes. For example, the hospital would be visited more frequently by the council due to the high volume of meals served. Members concluded by discussing the notification of ratings, by hospitals, to the Care Quality Commission.

The Environmental Health Manager (Business) noted that numbers of food complaints had remained fairly even in recent years despite the increase in food businesses. He went on to highlight the role of Primary Authority Partnerships and of the benefits they provided to businesses and to local authorities.

The Environmental Health Manager (Business) concluded by raising the issues relating to food sampling, infectious disease control and outbreaks, food safety alerts and food export certificates. He advised members that in section 3.6 of the plan; the figures in the table for the year 2019/20 should read '121' and not '25'.

In response to further questions from the committee, the Head of Community Protection and Environmental Health Manager (Business):

- Advised on the role of the council in respect of food exports and the potential impact of Brexit on food importation controls. Work was being conducted by a Hertfordshire group in this regard; and much was dependent on the outcome of the UK's negotiations with the EU in the coming year.
- Clarified that premises, such as caterers using 'granny annexes', would need to register as a food business.
- Explained that legislation required businesses to be trained in food safety matters.
- Confirmed that fees were set on a cost recovery basis.
- Advised how the work of food safety officers was monitored; such as through the testing of paperwork and participation in food safety exercises and examinations.

The Chair thanked the officers for the reports and for their contribution to the meeting.

RESOLVED –

That the committee approves the Food Safety Law Enforcement Plan, subject to any amendments suggested by the committee.

Chair
Licensing Committee

The meeting started at 7.00 p.m.
and finished at 8.10 p.m.