

ENFORCEMENT CO-ORDINATION PANEL

24 October 2018

Commenced: 10.00 am

Terminated: 11.40 am

Present: Councillors Bowerman, J Fitzpatrick, Gwynne and Robinson

In Attendance:

Aileen Johnson	Head of Legal Services
Sharon Smith	Head of Public Protection
Khush Ahmed	Environmental Services Manager
Tracy Gallimore	Environmental Services Manager
Kevin Garside	Integrated Neighbourhood Services Manager
Stephen Penning	Senior Planning Enforcement Officer
Mike Pavasovic	Marketing and Communications Officer

Apologies for Absence: Councillors Quinn (Chair) and D Lane

Election of Chair

RESOLVED:

That in the absence of the Chair, Councillor Gwynne be appointed Chair for the duration of the meeting.

Councillor Gwynne in the Chair.

10. MINUTES

The Minutes of the previous meeting of the Enforcement Co-ordination Panel held on 18 July 2018 were approved as a correct record.

11. ENFORCEMENT ACTIVITY UPDATE - STATISTICAL SUMMARY

The Assistant Director of Operations and Neighbourhoods submitted a report, which gave an update on the Single Regulatory Service and information on enforcement activities undertaken by the service during the period 1 July to 30 September 2018.

The Environmental Services Manager reported that during the period the service had received 1087 requests, the majority of which related to accumulation of refuse and noise. The team had visited 521 fly-tipping complaints and 56 Fixed Penalty Notices had been issued for littering offences, which had a potential income of £4,480.

It was reported that there had been 118 reports of abandoned vehicles, 55 scaffolding permits had been issued and 363 skip permits. Information was provided on the monthly income that was generated from issuing scaffolding and skip permits, which remained consistent. Statistical information was given with regard to Penalty Charge Notices issued in Pay and Display Car Parks, On-Street Car Parking and bus lane enforcement.

With regard to new roads and street works activities, it was reported that the number of utility openings had increased to 1248 and there had been 119 defects. There had been an increase in the number of banner permits issued and 5 illegal banners had been removed.

In relation to Days of Action, the Panel were informed that Recycle Week had taken place from 24 September until 30 September, during which Dukinfield Town Hall was lit green every evening in support. An event was held at Ashton Market Hall on 25 September where caddy liners and leaflets were distributed to local residents

With regard to bus lane enforcement, Members enquired about the cumulative total of income that was received from the Penalty Charge Notices that had been issued, it was confirmed that a steady income was received per month and the quarterly totals were detailed in the graph within the report. In response to a question on skips, it was confirmed that permits had a 28 day duration.

RESOLVED:

That the content of the report be noted.

12. ENFORCEMENT ACTIVITY UPDATE - ENVIRONMENTAL ENFORCEMENT

The Assistant Director of Operations and Neighbourhoods submitted a report summarising the key enforcement activities undertaken by the Environmental Enforcement Team during the period 1 July to 30 September 2018.

The Regulatory Services Manager reported that nine Hygiene Improvement Notices had been served during the quarter relating to poor structure at a food business, a requirement for an adequate Documented Food Safety System, a requirement for food handlers to be adequately trained in Food Safety Level 2 and a requirement for adequate information on allergens in food.

It was reported that following a planned inspection at a Stalybridge takeaway a live mouse infestation was found and the business voluntarily closed down while the infestation was dealt with. The business was re-visited and following an inspection allowed to reopen. It achieved a 1 rating under the Food Hygiene Rating Scheme and was issued with 2 Hygiene Improvement Notices for a Food Safety Management System and further structural repairs.

The Panel were informed that The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force on 1 October 2018, which resulted in a number of changes including the introduction of new guidance. The main changes were highlighted and it was confirmed that work was ongoing with AGMA to ensure a consistent approach across the Greater Manchester Local Authorities. Businesses had been contacted to explain how the new regulations would affect them and a series of successful workshops had been held with more sessions planned for the coming months.

It was explained that under the Food Information Regulations 2014 all food business operators needed to declare whether any of the 14 identified allergenic ingredients were used in their non-prepacked or loose foods sold or provided on their premises. A matrix showing all allergens was required as part of the Food Safety Management System alongside businesses displaying that information on allergens was available to consumers. Business Compliance officers had carried out joint visits to identify compliance with allergen requirements and discovered that some businesses were not compliant and 5 Improvement Notices were served under the Food Information Regulations.

Officers had worked with Greater Manchester Police on Operation Challenger to inspect off licences, residential flats and car wash businesses for issues around immigration and modern day slavery. Arrests were made at a Newsagent in Denton for suspected illegal immigrants and a large quantity of alcohol and a number of illegal fidget spinners were seized with the alcohol licence temporarily suspended. Serious licensing issues were discovered at a Newsagent in Ashton with non-compliance against a variety of the licence conditions. The alcohol licence was suspended and the business remained closed. Two flats were inspected and action was taken to ensure the properties complied with Houses in Multiple Occupation standards.

The Panel were told that Business Compliance officers had been alerted by the Port of Felixstowe that a company in Droylsden had attempted to import 800 bicycles from China that had no manufacturer's details or serial numbers and insufficient assembly instructions. This was an offence under consumer safety legislation and did not comply with British or European safety standards. Test reports were carried out, the correct paperwork was obtained and a traceability system was devised and fitted to each bicycle. Following this work the bicycles were deemed fit for sale and were released.

Officers had visited five licensed premises following a series of complaints and intelligence around underage sales of restricted products and the sale of illicit goods. All premises were advised on licensing matters and illicit alcohol and tobacco was discovered at some of the premises. Enquires were progressing and it was believed that one of the traders would face prosecution.

With regard to the Food Hygiene Rating Scheme Members enquired if businesses had to display their rating. It was confirmed that this was not compulsory but the details were available on the Food Standards Agency website.

RESOLVED:

That the content of the report be noted.

13. ENFORCEMENT ACTIVITY UPDATE - ENVIRONMENTAL PROTECTION, HOUSING & PLANNING ENFORCEMENT

The Assistant Director of Operations and Neighbourhoods submitted a report summarising the key enforcement activities undertaken by the Environmental Enforcement Team during the period 1 July to 30 September 2018.

The Head of Public Protection provided an update on the illegal landfill site that had been discovered following a number of complaints regarding noxious odours. The Environment Agency, as the primary enforcement body, and the Council, had both served legal notices on the land owner and occupier of the site. It was reported that additional waste had been deposited at the site and the local MP had held a residents meeting with the agencies to discuss the situation. The Environment Agency was continuing with its investigation and leading on the illegal waste and the Council were dealing with the odour issues. Environment Agency officers had been present at the site to prevent any further waste crime activity and the landowner had engaged a contractor to remove the waste.

In relation to Local Air Quality Management, an initial Strategic Outline Case had been submitted to the government for approval, which outlined a list of potential measures that would be considered to improve air quality across Greater Manchester. Work had been ongoing to further refine the list and develop an Outline Business Case that would be submitted to the government by 31 December 2018. A public consultation would then commence and a Full Business Case submitted to DEFRA.

The Panel were informed that following a complaint from a tenant with regards to dampness in their rented property, Housing Standards officers visited the property and discovered extensive damp problems. An emergency prohibition order was served and the landlord requested this be changed to an improvement notice. This request was refused as officers felt the property was uninhabitable and would remain so until the necessary works had been completed. The owners of the property appealed the notice, however, work on the property was satisfactorily completed prior to the hearing meaning officers could revoke the prohibition notice.

It was reported that there had been legislative changes to the licensing of Houses in Multiple Occupation, which came into effect on 1 October 2018. It was the onus of the landlord to ensure compliance with any relevant legislation however the Council had taken steps to alert landlords to the changes by using social media and the website. It was anticipated that the changes would

mean more properties would need a licence from the Council and to date over 30 new licence applications had been received.

In relation to Planning Enforcement, there had been 118 requests for service during the period 1 July until 30 September 2018 and two formal notices were issued. Information on all outstanding formal notices was appended to the report and an update was given on each enforcement case. The new Senior Planning Enforcement Officer was in post and had begun to work with the Regulatory Compliance Officers on new cases and had also made good progress on the backlog of outstanding complaints. A triage system would be put in place whereby officers would assess all new cases reported to the Council, deal with lower level complaints and refer more technical cases to the Senior Planning Enforcement Officer.

RESOLVED:

That the content of the report be noted.

14. ENFORCEMENT ACTIVITY UPDATE - LICENSING

The Assistant Director of Operations and Neighbourhoods submitted a report, which provided an update on the key enforcement activities undertaken by Licensing during the period 1 July to 30 September 2018.

The Head of Public Protection notified the Panel that Licensing officers had visited a Public House in Denton following an increase in the number of incidents that had been reported to the Police. Officers discovered a number of licensing condition breaches and, due to the level of non-compliance, served a closure notice under Section 19 of the Criminal Justice and Police Act 2001. The Premises Licence Holder submitted an application to change the Designated Premises Supervisor and officers conducted a follow up visit and found the premises to be compliant with the conditions of the licence therefore the closure notice was lifted.

The Panel were informed that Licensing officers had conducted a joint visit with Greater Manchester Police at a premises in Denton following an allegation of afterhours drinking and drug taking at the premises. During the visit a number of licensing condition breaches were discovered. Following discussions with the licensee, the Designated Premises Supervisor was removed and the premises were closed and would remain closed until an application to change the Designated Premises Supervisor was submitted.

It was reported that a multi-agency visit, as part of Operation Ferret, was conducted at a supermarket in Ashton. A number of breaches were discovered and the sale of alcohol was suspended. The premises demonstrated that it was compliant to the conditions of its licence during follow up visits therefore the suspension was lifted. A multi-agency operation took place on 13 July 2018 where 66 licensed premises were visited to check for compliance and identify any public safety issues. The majority of premises were well managed and broadly compliant and a small number required a revisit for a full compliance check.

The Speakers Panel (Liquor Licensing) met on 17 July 2018 to consider a new premises licence application for Acre Street Mini Market, Denton. The premises were previously licensed however following a history of non-compliance the licence had been revoked by the Panel on 27 September 2017. Representations were submitted against the application from Tameside MBC Licensing, Tameside MBC Trading Standards and Greater Manchester Police in their role as a responsible authority. After hearing all the evidence the Panel determined to refuse the application.

In relation to Licensing matters, the Panel were informed that Speakers Panel (Licensing) met on 31 July 2018 to review a hackney carriage and private hire driver's licence. After hearing all of the evidence the Panel determined that the licence be revoked. Following the revocation, the driver appealed the decision and the case was scheduled to be heard at the Magistrates Court.

It was reported that on 7 September 2018 Manchester Crown Court upheld the decision taken by the Council on 28 February 2018 to revoke a hackney carriage driver's licence and dismissed the appeal.

The Panel were told that licensing officers had carried out a taxi spot check operation in partnership with Greater Manchester Police's Safer Roads Targeting Team. Roadside checks were carried out on private hire and hackney carriage vehicles to check their roadworthiness. 12 vehicles were referred for a further detailed inspection at the Council Workshop and 2 plates were suspended.

RESOLVED:

That the content of the report be noted.

15. ENFORCEMENT ACTIVITY UPDATE - NEIGHBOURHOOD SERVICES

The Assistant Director of Operations and Neighbourhoods submitted a report, which provided an overview of the activities of Neighbourhood Services throughout the period 1 July to 30 September 2018.

The Integrated Neighbourhood Services Manager told the Panel that the Council had recently employed two anti-social behaviour officers following a rise in anti-social behaviour in town centres across Tameside. It was a priority of the Council to reduce the number of incidents across the borough and work was ongoing in all town centres with a particular emphasis on Hyde, Denton, Stalybridge and Ashton. Officers had carried out reassurance visits with business owners who were actively assisting and cooperating with investigations by reporting incidents of crime and anti-social behaviour to the Police. The Panel was provided with an update on activity in Denton, Dukinfield, Droylsden, Audenshaw and St Peters.

With regard to Integrated Neighbourhood Working, it was explained that there were two hubs at both Ashton and Hyde police stations where ten Neighbourhood Services officers were based. The hubs identified families and individuals who were not coping with daily life and who were putting pressure onto front-line services. They directed residents to services and organisations that could improve their quality of life and help to prevent the deterioration of their personal situations. Officers also assessed cases where residents were suffering from mental health issues and substance misuse. Following an investigative process partners in the hubs agreed a package of care and involved any relevant organisations to provide an appropriate level of support.

The Panel were informed that the CCTV team dealt with a wide range of issues and supported the work of a number of agencies. During September CCTV operators assisted the Police with the detention of three perpetrators who had committed a robbery in Ashton. They also assisted Police after a member of the public was seen sitting on a bridge insisting they were going to jump. In order to operate effectively and lawfully, staff in the CCTV control room were kept updated with legislation changes through the Tameside CCTV Code of Practice, a copy of which was appended to the report. A copy was also available on the Council website.

RESOLVED:

That the content of the report be noted.

16. DATES OF FUTURE MEETINGS

RESOLVED:

That the dates of future meetings of the Enforcement Co-ordination Panel be held as follows, commencing at 10.30am:-

23 January 2019

17 April 2019

17. URGENT ITEMS

There were no urgent items.