

**PUBLIC PROTECTION FORUM**

13th January, 2005

**PRESENT -**

Representing the Council – Councillor Harker (in the Chair); Councillors Hartley, Holmes, Mrs. Jones, Lawton, Thistlethwaite and Vasey.

**Representing Outside Organisations –**

**Darlington Association of Parish Councils –**  
Councillor B. Jones.

**Darlington Association on Disability –**  
Mr. G. Pybus.

**Darlington Independent Taxi Traders Organisation –**  
Mr. N. Nevison.

**Middleton St. George Parish Council –**  
Councillor S. York, M.B.E.

**Patients Council –**  
Mr. M. Smith.

**Red Hall Partnership –**  
Mr. B. Bell.

**Officers Attending** – The Assistant Director – Public Protection and the Licensing and Parking Manager, within the Development and Environment Department.

**Apologies** – Councillor Foster, Councillor N. Welch, Archdeacon Newton Parish, Chief Inspector Graham Hall, Mr. A. Newman, University of the Third Age and Mr. L. Bedocs, Heighington Village Hall.

**12. CHAIR** – Councillor Harker advised the Forum that due to a Cabinet re-shuffle within the Authority he was now the Chair of Public Protection Forum as the relevant portfolio holder.

**13. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**14. MINUTES** – Submitted – The Minutes (previously circulated) of the meeting of the Public Protection Forum held on 7th October, 2004..

**IT WAS AGREED** – That the Minutes be approved as a correct record.

**15. LICENSING POLICY** – Pursuant to Minute 4/Oct/04, the Director of Development and Environment submitted a report (previously circulated) on the Council’s Licensing Policy, which, following consultation, had been amended and altered and approved by Council on 6th January, 2005. A copy of the Final Licensing Policy document was circulated at the meeting.

In presenting the report The Assistant Director – Public Protection introduced Ms. Pam Ross, Licensing and Parking Officer, to the Forum who advised Members that there had been 16 formal responses received to the draft Policy Document and therefore some minor changes had been made which included the regulation of circuses, re-formatting of the document to ensure ease of reading and clarification of points where requested. It was also stated that the document was a ‘living’ document and therefore must be renewed every three years (or sooner if preferred). Each review would be subject to full consultation and republishing of the document.

Discussion ensued upon whether The Prevention of Public Nuisance applied to residential areas and noise as customers left public houses and the need to negotiate with applicants to reduce noise levels and the effect of Licensing Activities specified in the Licensing Act 2003 on Agricultural Shows or any outdoor event where there was an attendance of 5,000 people.

The Licensing and Parking Officer also stated that, as yet, the Regulations had not been received from Central Government and therefore the Licensing Fees were unknown.

**IT WAS AGREED** – (a) That the report be received.

(b) That the Licensing Policy be noted.

**16. NUISANCE CALLS AND BOGUS E-MAILS** – The Director of Development and Environment submitted a report (previously circulated) which informed Members how Trading Standards could deal with telephone nuisance calls and bogus e-mails.

The submitted report advised that the Telephone Preference Service (TPS) was a central opt out register which would ensure that individuals would not receive unsolicited sales and marketing telephone calls and that the Independent Committee for the Supervision of Telephone Information Services(ICSTIS) had a Code of Practice governing premium rate lines and any breaches of the code were investigated by them.

It was also stated that, as major marketing companies use computers to dial up random numbers and hang up if an operator is unavailable, members of the public could register their number on the Silent Call Guard Service. However the Silent Call Guard Service and the TPS only covered calls originating from within the United Kingdom. Calls outside the United Kingdom could be reported to the Office of Fair Trading who would liaise with their equivalent body in the country of origin of the calls.

The advice from Trading Standards in relation to bogus e-mails is to delete without reading as these scams are designed to obtain bank details and empty accounts.

A leaflet entitled ‘How to Reduce Unwanted Mail, Faxes and Phone Calls’ was circulated at the meeting.

Discussion ensued on the most vulnerable people being victims of scams and the need for vigilance, the possibility of producing the number of the Telephone Preference Service within the Town Crier, however it was advised that this was a yearly registration service, and the possible production of a pictorial leaflet to ensure people with learning difficulties understood the message.

The Chair advised that it with the advance of technology it was often difficult to keep up with scams and that the public needed to be vigilant.

Several Members gave suggestions as to where the leaflets could be distributed which included Doctors' Surgeries, Age Concern and Post Offices.

**IT WAS AGREED** – That the information on telephone nuisance calls and bogus e-mails be noted.

**17. ALCOHOL MISUSE ENFORCEMENT CAMPAIGN** – The Director of Development and Environment submitted a report (previously circulated) detailing the outcome of the Joint Alcohol Misuse Enforcement Campaign between Trading Standards Officers and the Police undertaken during the Summer months.

The Campaign had been undertaken in partnership with the Police Standards Unit at the Home Office and the Association of Chief Police Officers in response to increased public concern regarding anti-social behaviour associated with drinking alcohol and binge drinking.

A second Campaign was to be carried out in Darlington over the Christmas period and would consist of a joint letter being sent to all On and Off Licences requesting them to review their policies, visits by Police and Trading Standards to check on evidence of underage sales, sales to persons already drunk, display of price lists, systems for the prevention of underage sales and compliance with all relevant legislation.

Discussion ensued on a Local Alcohol Strategy which it was hoped to re-introduce in Summer 2005 focusing on three target campaigns to try to deal with the problems, the culture of drink as much as you can for £10.00 and the possibility of negotiating with the traders to reduce the practice, and the launch of a Code of Practice to which traders were to be encouraged to sign up to in order to cease promotions and encourage proof of age schemes that would contribute to reducing anti-social behaviour.

Reference was also made for the need of supermarkets to be accountable, although the Assistant Director stated that only the areas with known problems were targeted. It was also advised that although cheap drink was an issue that needed tackling there was no evidence that correlated to binge drinking and therefore could not be linked to supermarket trade. Supermarkets also had to ensure that a Premises Supervisor, trained to National Standards, was on the premises whilst trading prior to the issue of a Personal Licence. The Assistant Director also advised the Forum that the public now had the power to do something about trouble spots in that if evidence could be provided the Licensing Committee could then add further conditions or revoke a licence.

A Member stated that Managers of Public Houses had 'their hands tied' as they were only following instructions by the owners of the Chain however the Police did have the power to close premises if drunks were being served or if there were public nuisance problems.

Further references were made to the use of the Licensing Act as a means of enforcement, training sessions for licensees and potential licensees to ensure that responsibility was balanced with profit, the options available to the Council if premises were contravening their Personal and Premises Licences and the relevant offences that were specified in the legislation for which a Licence holder could be asked to attend Licensing Committee for a review of the Licence.

**IT WAS AGREED** – That the report be received.

**18. CIVIL CONTINGENCIES ACT 2004** – The Director of Development and Environment submitted a report (previously circulated) providing information relating to the Civil Contingences Act 2004 (also previously circulated) together with the new requirements as to Emergency Planning.

The submitted report stated that the current Emergency Planning arrangements were out of date and inadequate to deal with terrorism and flooding necessitating the need for the Act, the provisions of the Act would come into effect on 1st October giving the Council six months to prepare with additional funding being made available from the Government to assist the requirement to give business continuity advice from 1st April, 2006.

Discussion ensued on the need to ensure full risk assessments are made and off-site emergency plans are in place but at the same time ensuring commercial confidentiality so that terrorists were not given vital information. The Assistant Director also stated that there were generic evacuations plans in place in the event of a bomb scare and that warning systems were required to be in place.

It was also reported that Darlington's emergency team was second only to London and that Public Protection and Community Partnerships Scrutiny Committee were currently undertaking a review.

**IT WAS AGREED** - That the report be received.

**19. ANY OTHER BUSINESS** – A Member asked if the organisations listed on the Agenda Sheet received a full set of papers as the same Members regularly attended the meetings. He was advised that organisations were contacted on a regular basis asking for nominees to attend the meeting and this was currently being undertaken.