

PUBLIC PROTECTION FORUM

13th January, 2005

PRESENT -

Representing the Council – Councillor Harker (in the Chair); Councillors Foster and Stenson.

Representing Outside Organisations –

Darlington Association of Parish Councils –

Councillor B. Jones.

Darlington Independent Taxi Traders Organisation –

Mr. N. Nevison and Mr. M. Kennedy.

Durham County Federation of Women’s Institute –

Mrs. A. Eynon.

Darlington Federation of Townswomen’s Guild -

Mrs. A. Turnock.

Darlington Senior Citizens Association –

Mr. A. Christian.

Durham Constabulary –

Sgt. Tim Kelly.

Durham and Darlington Fire Brigade –

Mr. A. Emberson.

Heighington Village Hall Association –

Mr. L. Bedocs.

Independent Member –

Mr. K. Frid.

Middleton St. George Parish Council –

Councillor S. York, M.B.E.

Patients and Carers Council –

Mrs. M. Springett.

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 – Councillors Holmes, D.M. Jones, Lawton, Thistlethwaite and J. Vasey, Chief Inspector Graham Hall and Mr. G. Pybus, DAD.

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

21. MINUTES – Submitted – The Minutes (previously circulated) of the meeting of the Public Protection Forum held on 13th January, 2005.

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

22. RESPONSIBLE DRINKING CODE OF PRACTICE –The Director of Development and Environment submitted a report (previously circulated) on the introduction of a Responsible Drinking Code of Practice for Darlington Licensees (also previously circulated).

The Licensing and Parking Officer stated that in response to the Government’s National Alcohol Harm Reduction Strategy, a consultation paper entitled ‘Drinking Responsibly’ a Code of Practice had been drawn up with the help of the Police and the Licensees themselves, in order for Darlington Licensees to address issues such as irresponsible drinks promotions and also to encourage the promotion of a responsible drinking message by Licensees. The Code of Practice would also assist in addressing the Crime and Disorder Licensing Objective when making applications for premises licences under the Licensing Act 2003.

The Code addressed such issues as proof of age requirement, the display of messages on the responsible consumption of alcohol, a designated driver scheme to include the sale of reasonably priced soft drinks and provision of free drinking water, the reduction of vertical drinking space and supporting Darlington Pubwatch. Six licensees have already signed up and received their Certificate from the Chair of Licensing Committee with another 10 having expressed an interest. A press release on the initiative was also circulated at the meeting.

Discussion ensued on the need to inform Breweries of the initiative to ensure new drinks were not promoted at silly prices, the welcome use of shatterproof glasses and the need to include rural areas within the initiative.

Concerns were also expressed that off-licences were not invited to sign-up however the Licensing and Parking Officer could see no reason why the initiative could not be extended to include them. It was stated that older youths were known to purchase alcohol and give it to younger children, which in turn encouraged anti-social behaviour. The Licensing and Parking Officer stated that there was scope to deal with this behaviour under the new legislation by either the issuing of fixed penalty notices or charging with public order offences to the older offending youths and also reviewing the licence of premises who participated in the activity. A member reported that in order to address the problem a premise on Red Hall had installed CCTV and banned any offenders from purchasing any sort of consumables for life.

The question of supermarket sales was also considered and the Assistant Director – Public Protection again stressed the powers of the public when licensees apply for licences. He urged members to check the press for notices of applications for licences and to speak out and pass their concerns to the Council for consideration at the licence application hearing.

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

(b) That the Responsible Drinking Code of Practice be endorsed.

23. CLEAN NEIGHBOURHOODS AND ENVIRONMENT BILL – The Director of Development and Environment submitted a report (previously circulated) on the Government’s Clean Neighbourhoods and Environment Bill (summary also previously circulated) which proposed to address environmental issues highlighted in the ‘Liveability Agenda’ dealing with cleaner, safer, greener spaces. The Government have taken the opportunity to include these issues in associated new legislation including Anti-Social Behaviour Act 2003, which included Fixed Penalty Notices for graffiti and fly posting

The Assistant Director – Public Protection highlighted some aspects of the Bill which included Parish Councils now having the power to issued fixed penalties for litter, graffiti, fly posting and dog offences; local authorities having power to remove abandoned vehicles from the streets immediately and, if valued below £500, crush them or, if above £500, charging the owner storage prior to releasing the vehicle; enforcement is easier for local authorities as fixed penalty notices of £100 can be issued and the Council now has the power to set its own fixed penalty rate.

References were made to problems the Council would also incur as a result of the Bill in that they too would have to clear litter and graffiti from their premises within 28 days and that litter-clearing rotas would need to be altered. Under the new legislation the property owner would be charged for graffiti and fly-posting removal and not the person responsible.;

Discussion ensued on the need to use judgement when removing abandoned vehicles; the income from Fixed Penalty Notices being kept by the issuing Parish Council; the licensing of organisations, like the Women’s’ Institute, by each Council; the possible use of this Council’s Flyer Code of Conduct under the Litter Initiative; the financial implications of the legislation on the Council, which would received Government monies if responsibilities were increased; and the possible amalgamation of Enforcement Sections in order to deal with legislation and authorise more employees to issue Fixed Penalty Notices.

IT WAS AGREED – That the report be received.

25. BEST VALUE PERFORMANCE INDICATORS 2005/06 – The Director of Development and Environment submitted a report (previously circulated) on the Best Value Performance Indicators 2005/06.

Discussion ensued on the need to encourage residents to recycle and the amount and location of landfill sites around Darlington.

IT WAS AGREED – That the report be received.

26. PUBLIC PROTECTION SERVICE PLAN 2005/06 – The Director of Development and Environment submitted a report (previously circulated) which outlined targets and what the Department hoped to achieve during the financial year as contained in the Public Protection Service Plan, prepared in conjunction with staff and forming the basis for Performance Monitoring.

IT WAS AGREED – That the report be received.

27. LITTER INITIATIVE 2005/06 – ACTION PLAN – The Director of Community Services submitted a report (previously circulated) on the litter initiative launched in 2002 aimed at reducing litter and fly tipping in Darlington.

The submitted report stated that six Campaigns had been undertaken during 2004/05 including Spring Cleaning, Youth Litter and Dog Litter Initiatives, outlined performance management which placed the Council just above average in terms of levels of cleanliness and summarised the three key areas on which the Litter Initiative would focus for 2005/06.

Reference was also made to the new approach to street cleansing which piloted in the Eastbourne, Lascelles, Bank Top, Lingfield and Middleton St. George Wards which had resulted in a litter classification Grade B (acceptable standard) as opposed to Grade C (unacceptable standard) improving the overall cleanliness of the areas.

Discussion ensued on the need to involve the community in litter initiatives; education school children, at a young age, not to drop litter; zonal cleansing to be done following refuse collections; and bin bags being raised by animals during the night.

A member stated that there was a Litter Pick Action Group in Heighington currently collecting 40 bags of litter per week and a request was made for educational packs in order to promote the issue to scouts and playgroups.

IT WAS AGREED – That the report be received.

28. ANY OTHER BUSINESS – Following a question by a Member as to whether taxis were subject to BVPI's, the Assistant Director – Public Protection stated that BVPI's were five yearly but that some had actually been in existence for ten years and that once a target had been achieved a new one was issued. He also stated that the Government was now moving away from Best Value and that he would send the member the Best Value Review which covered the Regulatory Services of Licensing.