

NOTICE OF MEETING

CABINET MEMBER FOR ENVIRONMENT & COMMUNITY SAFETY DECISION MEETING

FRIDAY, 14 NOVEMBER 2014 AT 10.00 AM

CONFERENCE ROOM L, SECOND FLOOR, THE CIVIC OFFICES

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CABINET MEMBER FOR ENVIRONMENT & COMMUNITY SAFETY
Councillor Robert New, Conservative

Group Spokespersons

Councillor Sandra Stockdale, Liberal Democrat
Councillor John Ferrett, Labour
Councillor Steve Hastings, UK Independence Party

(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

AGENDA

1 Apologies for Absence

2 Declaration of Members' Interests

3 Provision of Domestic Abuse Perpetrator Programmes. (Pages 1 - 4)

Purpose.

To update the Cabinet Member for Environment and Community Safety on the progress of the Domestic Abuse Perpetrator Programme and future delivery options.

RECOMMENDED that the Cabinet Member for Environment & Community Safety:

- 1 Acknowledge the progress made in the short amount of time.**
- 2 Approve exploring the benefits of selling the programme to other authorities and agencies.**

4 Delegated Authority - Anti-social Behaviour, Crime & Policing Act 2014 (Pages 5 - 10)

Purpose.

To agree delegation of powers for the Community Protection Notice (CPN) and Public Spaces Protection Order (PSPO). This will enable authorised officers to issue notices and Fixed Penalty Notices (FPNs) on behalf of the local authority.

The report also confirms the single point of contact for the Community Trigger for Portsmouth City Council as the ASB Unit Manager, Health, Safety and Licensing (HSL).

RECOMMENDED that the Cabinet Member for Environment & Community Safety:

- 1. Confirm the lead delegated officer for the powers bestowed upon it under the Anti-social Behaviour, Crime and Policing Act 2014 to be the City Solicitor.**
- 2. Authorise the City Solicitor to delegate authority and for the purposes of this Act to the Head of Health, Safety and Licensing and the ASB Unit Manager to enable them to act on behalf of the City Solicitor.**
- 3. Authorise the Community Wardens, Environment Enforcement Officers (litter, fly tips etc.) and Environment Health Officers (noise) to issue CPNs and FPNs on behalf of the local authority,**
- 4. Authorise other local authority officers and approved partners working on behalf of the local authority can be approved upon completion of appropriate training and authorisation.**

5 **Tattooing Hygiene Rating Scheme.** (Pages 11 - 28)

Purpose.

In 2013, the Cabinet Member for Environment and Community Safety endorsed a consultation on the proposals for an amended Portsmouth City Tattooists Registration Scheme and the delivery of a new Charter of Good Practice. At that time, officers from Environmental Health [EH] were engaging with all the registered tattooists in Portsmouth and offering advice on good practice to safeguard cleanliness standards.

Our liaison demonstrated that tattooing businesses in Portsmouth widely supported our involvement to protect public health and that they welcomed our assistance and our new approach to challenging poor practices and poorly performing practitioners.

Since 2013, progress has been made in the delivery of some of the Charter's initiatives, however, prior to full implementation, EH would like to introduce and adopt a further scheme to rate tattooing studios in regard to their hygiene standards in a similar manner to our rating of food businesses. It is proposed that the two schemes be combined. Businesses will then be invited to participate, inspected and rated '1', '2' or '3' in accordance with defined rating schedules.

The purpose of this report is to set out the details of how the Tattooing Hygiene Rating Scheme [THRS] will work and to provide an update as to how the original Charter has been put into practice since its endorsement.

RECOMMENDED that the Cabinet Member for Environmental and Community Safety approves the proposal to adopt the Charter of Good Practice and the Tattooing Hygiene Rating Scheme in a single scheme and endorses the manner in which this will be implemented as detailed in Appendix 1.

6 **Adoption of the Shellfish Action Plan.** (Pages 29 - 60)

Purpose.

The Portsmouth Port Health Authority [PPHA] district comprises of the two harbours, Langstone and Portsmouth. Within these areas, there are a number of classified shellfish beds which are commercially harvested.

Portsmouth City Council Environmental Health service [EH] have a statutory responsibility to monitor the quality of harvested oysters, clams and other live bivalve molluscs [LBM] from these beds to ensure that they meet the appropriate standards in order to prevent illness to consumers.

The local shellfish industry is reported to be worth in excess of £500,000 annually, with approximately 50 locally registered vessels operating within the PPHA. The purpose of this report is to explain how, following receipt of poor LBM sampling results, the classified beds will be appropriately closed pending further sampling and how closure protocols and the reporting of poor results will be communicated to interested and involved parties.

RECOMMENDED that the Cabinet Member for Environmental and Community Safety approve the proposal to manage the harvesting of live bivalve molluscs within the Portsmouth Port Health Authority area through the implementation of the Shellfish Local Action Plan (SLAP) as described in Appendix 1.

7 Portsmouth's Waste Prevention Plan (Pages 61 - 150)

Purpose.

The development of a Waste Prevention Programme is a requirement of the revised Waste Framework Directive (2008/98/EC). Through their Waste Prevention Programme launched in December 2013, DEFRA have recommended that all Local Authorities should have a local waste prevention plan which details how they are going to support a reduction in the amount of waste being produced. This report presents Portsmouth City Council's draft waste prevention plan (WPP) for approval.

RECOMMENDED that the Cabinet Member for Environment & Community Safety:

1. **Note the benefits of working on waste prevention (see 3.1)**
2. **Agree the adoption of Project Integra's waste prevention plan (see 3.2)**
3. **Approve the draft Portsmouth waste prevention plan (see 3.3)**
4. **Notes that an update report will be provided for Members on an annual basis (see 5.2)**

8 Forward Plan Omission

The following item did not appear on the Forward Plan published on 9 October. The Forward Plan Omission procedure has been followed for the inclusion of this item on the agenda: Open Air Events - Controlling the Impact of Music.

RECOMMENDED that it be noted that this item did not appear on the Forward Plan published on 8 October.

9 Open Air Events - Controlling the Impact of Music. (Pages 151 - 174)

Purpose.

Most outdoor events providing amplified musical entertainment have the potential to cause noise pollution and widespread nuisance.

With good planning, community engagement, careful management and control, it is possible to ensure that events deliver the organisers' objectives and meet the expectations of the audience whilst ensuring that the local community is not unduly disturbed by noise.

The purpose of this report is to explain how this balance can be achieved and under what circumstances it may be acceptable to cause noise which is likely to give rise to higher than normally acceptable levels of complaint.

The proposed guidance also confirms the advice and support to be provided by the city council's Environmental Health service and Events team

RECOMMENDED that the Cabinet Member for Environment and Community Safety approves the proposals to effectively manage the impact of amplified music from open air events as set out in the Noise from Open Air Events Guidance for Applicants (Appendix 1).

10 Exclusion of Press and Public.

In view of the contents of the following item on the agenda the Cabinet Member for Environment & Community Safety is RECOMMENDED to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the press and public be excluded for the consideration of the following items on the grounds that the report contain information defined as exempt in Part 1 of Schedule 12A to the Local Government Act, 1972”.

The public interest in maintaining the exemption must outweigh the public interest in disclosing the information.

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012, regulation 5, the reasons for exemption of the listed items is shown below.

Members of the public may make representation as to why the item should be held in open session. A statement of the Council’s response to representations received will be given at the meeting so that this can be taken into account when members decide whether or not to deal with the item under exempt business.

(NB The exempt/ confidential papers on the agenda will contain information which is commercially, legally or personally sensitive and should not be divulged to third parties. Members are reminded of standing order restrictions on the disclosure of exempt information and are invited to return their exempt documentation to the Local Democracy Officer at the conclusion of the meeting for shredding.)

Item	Exemption Para No.*
Waste Disposal Contract (Appendix 1 only)	3

* Paragraph Numbers:

1. Information relating to any individual
2. Information that is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

11 Waste Disposal Contract Update (Pages 175 - 182)

Purpose.

The purpose of this report is to outline the options currently available for the future of the waste disposal contract and recommend a change to the existing contract.

RECOMMENDED that the Cabinet Member for Environment & Community Safety:

- 1. Extends the household waste disposal contract, in line with the existing contract provision from its current expiry in 2023/5 to a co-terminus date of 2030. This is subject to agreement by all parties including the contractor and partner authorities.**
- 2. Delegate authority to the Head of Service for Transport & Environment, S151 Officer and City Solicitor to work with partner authorities to deliver the required changes in contractual arrangements.**

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.