



NOTICE OF MEETING

CABINET MEMBER FOR ENVIRONMENT & COMMUNITY SAFETY DECISION MEETING

WEDNESDAY, 11 NOVEMBER 2015 AT 10AM

CONFERENCE ROOM A, SECOND FLOOR, THE CIVIC OFFICES

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CABINET MEMBER FOR ENVIRONMENT & COMMUNITY SAFETY DECISION MEETING

Councillor Robert New (Conservative)

Group Spokespersons

Councillor Yahiya Chowdhury, Labour

Councillor Julie Swan, UK Independence Party

Councillor Phil Smith, Liberal Democrat

(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 **Proposal to Address the Issue of New Psychoactive Substances (Pages 1 - 18)**

Purpose.

To brief the Cabinet Member for Environment and Community Safety on the process and consideration given to date, to the implementation of a Public Space Protection Order (PSPO) to address concerns about New Psychoactive

Substances (NPS).

To advise the Cabinet Member for Environment and Community Safety that primary legislation to address NPS is due to be enacted early in 2016.

Recommendation

That the Cabinet Member for Environment and Community Safety agrees to use primary legislation, due to be enacted in early 2016, to address the concern around NPS in the city.

4 Health & Safety Service Plan 2015/ 2016 (Pages 19 - 24)

Purpose.

This report is an expression of the council's commitment to its health and safety role and responsibilities to develop a Health and Safety Delivery Team. It sets out the manner in which health and safety inspections, initiatives and activities have been designed to meet the requirements of the National Local Authority Enforcement Code, issued by the Health and Safety Executive (HSE), under section 18 of the Health and Safety at Work etc. Act 1974 (HSW Act).

The HSE requires a Health and Safety Intervention Plan to be submitted annually for Member approval to ensure local transparency and accountability.

As in 2014/15, this year's plan is based upon the following key priorities:

- Controlling real risks - those which arise most often and those with the serious consequences.
- Ensuring that those who create risks manage them responsibly and understand that failure to manage real risks responsibly will lead to robust action.

Upon approval, the plan will be effective for a period of 1 year.

Recommendation

That the Cabinet Member for Environment and Community Safety approve the manner in which Environmental Health proposes to deliver its Health and Safety responsibilities in 2015/ 2016.

5 Noise Enforcement Policy 2015 (Pages 25 - 74)

Purpose.

The Environmental Protection Act 1990 is the principal legislation for dealing with the majority of noise related issues. The introduction of the Anti-Social Behaviour, Crime and Policing Act 2014 (ASBC&P) does however provide new powers that may be useful in combating noise in the street and other public areas where there is a strong element of noise related anti-social behaviour.

Environmental health investigates all complaints received by PCC in relation

to noise nuisance and has consequently devised comprehensive service management procedures guiding officers in the investigation of multiple types of noise nuisance, including domestic, industrial, entertainment and machinery sources. Few of these, however, are of assistance in dealing with noise outside the boundary of a premises.

The purpose of this report is therefore to seek approval for changes to Portsmouth City Council's (PCC) Noise Enforcement Policy 2011 following the adoption of the ASBC&P Act to assist particularly with noise occurring in public areas but also occasionally in conjunction with existing noise enforcement powers.

Recommendation

That the Cabinet Member for Environment & Community Safety:

- 1. Adopts the Portsmouth City Council 2015 neighbourhood noise enforcement policy as attached as Appendix 1 to this report.**
- 2. Approves the guidance note attached as Appendix 2 which sets out how the ASBC&P Act might be used in relation to noise.**
- 3. Acknowledges both the content of the statistical report, attached as Appendix 3 which provides details of the pollution control team specifically in relation to noise enforcement.**

6 Inspection Plan for Food Business Operators 2015/ 2016 (Pages 75 - 126)

Purpose.

The purpose of this report is to update the Cabinet Member for Environment & Community Safety on the current level of food business hygiene compliance in Portsmouth and to set out the programme of inspection during 2015/ 2016.

Recommendation

- a) That the Cabinet Member for Environment and Community Safety:**
- b) Approves the continuation of a risk-based approach to the statutory and regulatory inspection and enforcement of food business operators.**
- c) Acknowledges the level of hygiene compliance in food businesses in Portsmouth and the public health importance of this service.**
- d) Approves the Food Operating Plan 2015/ 2016 as described in Appendix 1 of this report.**

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