

Licensing and Regulatory Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Licensing and Regulatory Committee** held on **Tuesday 20 June 2017** at **5.00 pm** in **Conference Chamber West**, at **West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Wayne Hailstone	Clive Springett
Sara Mildmay-White	Frank Warby
Richard Rout	Anthony Williams

Substitutes attending:

Susan Glossop	Patricia Warby
Jane Midwood	

65. **Election of Chairman 2017/2018**

This being the first meeting of the Licensing and Regulatory Committee since the Council's AGM on 18 May 2017, the Business Partner (Litigation and Licensing) opened the meeting and asked for nominations for Chairman of the Committee for 2017/2018.

Accordingly, Councillor Clive Springett nominated Councillor Frank Warby as Chairman and this was duly seconded by Councillor Patricia Warby, and with the vote being unanimous, it was

RESOLVED:

That Councillor Frank Warby be elected Chairman for 2017/2018.

Councillor Frank Warby then took the Chair for the remainder of the meeting and requested nominations for the election of Vice-Chairman.

66. **Election of Vice-Chairman 2017/2018**

Councillor Frank Warby nominated Councillor Clive Springett as Vice-Chairman and this was seconded by Councillor Patricia Warby, and with the vote being unanimous, it was

RESOLVED:

That Councillor Clive Springett be elected Vice-Chairman for 2017/2018.

67. Apologies for Absence

Apologies for absence were received from Councillors Sarah Broughton, Tony Brown, Bob Cockle, Jeremy Farthing and Margaret Marks.

Councillors Beccy Hopfensperger and Peter Thompson were also unable to attend.

68. Substitutes

The following substitutions were declared:

Councillor Patricia Warby for Councillor Sarah Broughton;
Councillor Susan Glossop for Councillor Jeremy Farthing; and
Councillor Jane Midwood for Councillor Margaret Marks.

69. Public Participation

There were no questions/statements from members of the public.

70. Minutes

The minutes of the meeting held on 11 April 2017 were unanimously accepted by the Committee as an accurate record and were signed by the Chairman.

71. West Suffolk Food Safety Service Plan 2017-2018

The Committee received Report No: LIC/SE/17/006, which asked members to consider and support the delivery of a West Suffolk Food Safety Service Plan for West Suffolk. The Food Standards Agency required every regulatory authority to prepare, adopt and regularly review a Food Safety Service Plan.

This report presented a West Suffolk Food Safety Service Plan, attached as Appendix A, covering both the regulatory and support work undertaken by the Environmental Health Service to protect the public health in Forest Heath and St Edmundsbury in respect of the food chain, whether they work in a food business or were a food consumer. As the Plan was an operational document, it would undergo regular review and change in future years. Officers would continue to maintain and enhance dialogue with stakeholders which would help inform any revision to the Plan, as well as helping to improve the services the Council delivered.

Members considered the Service Plan and asked questions to which the Service Manager provided responses. In particular discussions were held on how the Eat Out Eat Well Scheme could be progressed further with businesses. The Committee also sought clarification on the process for the Food Hygiene Rating Scheme, in particular frequency of re-inspections.

In response to a particular question raised by the Committee, the Service Manager (Environmental Health Service) agreed to provide a written response on how the Suffolk "Eat Out Eat Well" award scheme was reaccredited to food businesses.

There being no decision required, the Committee **noted** the West Suffolk Food Safety Service Plan 2017-2018, attached as Appendix A to Report No: LIC/SE/17/006.

72. **Training for Private Hire and Hackney Carriage Drivers**

The Committee received Report No: LIC/SE/17/007, which sought approval to adopt a work procedure and conditions for a Private Hire Licensed plate exemption for executive contracts.

The aim of the procedure document, attached at Appendix 1 to the report was to ensure public safety whilst taking a balanced approach to licensing requirements. Its objective was the provision of an exemption to allow "executive vehicles" to operate without displaying external identification plates. It was not intended that all private hire vehicles licensed by St Edmundsbury Borough Council should be exempt from the Council's requirement to display an external identification plate. However, the Council recognised that there might be circumstances when it would be appropriate for vehicles operating the type of service to be considered suitable for such an exemption.

Until now, there had been no formal process for this dispensation other than a request in writing. This process would ensure the vehicles that were applying do conduct executive style work, wear professional attire, had an executive vehicle of a high standard and could support their application with proof of bookings and testimonials from customers.

Also attached to the report at Appendix 2 was a draft application form, and at Appendix 3, the current Taxi and Private Hire Conditions Handbook.

The Committee considered the draft proposed conditions and guidance (Appendix 1), and asked questions to which responses were provided.

In response to a question raised, members were informed that out of 350 private hire vehicles registered, 50 exemptions had been granted.

It was then proposed by Councillor Anthony Williams, seconded by Councillor Clive Springett and with the vote being unanimous, it was

RESOLVED:

That the proposed guidance and conditions, attached at Appendix 1 to Report No: LIC/SE/17/007, be approved so they can be applied by the Licensing Authority.

73. **Process for Setting Hackney Fares (Verbal)**

The Service Manager (Environmental Health Service), presented a verbal report, which informed the Committee that currently, officers waited to be approached by hackney drivers with a proposal for a fare increase. This seemed to be sporadic and with the drivers not supporting a regular forum meeting, officers felt that there was a need to change the current structure.

The structure would change to review the fares once yearly, with officers researching the options from June. One option which the Committee could consider was linking changes to the Consumer Price Index (CPI). This had the benefit of transparency and independence and would avoid unexpected, disproportionate price changes for customers.

As set out in the proposed Work Programme, the Committee would receive at the October 2017 meeting a number of options for consideration and be invited to approve preferred options for consultation with stakeholders during the Autumn. Following consultation, the preferred proposals options would then be put forward for consideration by the Committee in January 2018. The approved fares would then be put into effect from April 2018. The review cycle would then recommence in June 2018.

Members felt that the fare structure could be simplified and this would help members in their decision-making. In response to the question, the Service Manager (Environmental Health Service), advised that officers wanted to streamline the structure and make it more transparent to customers.

It was suggested that a small group could look at the information before it was presented to the Committee in January 2018.

There being no decision required, the Committee **noted** the verbal update on the future process for setting hackney fares.

74. Wheelchair Accessible Vehicles and Assistance Dogs Exemption Processes (Verbal)

The Service Manager (Environmental Health Service) presented a verbal report, which informed the Committee that the Equality Act 2010 had brought in a requirement for all Councils to advertise a list of all of their wheelchair accessible vehicles. This was available on the Council's webpage and was regularly updated by the Environment Officers.

Drivers had been written to outlining the requirement for the list to be displayed and that they could appeal to magistrates to have their name removed.

Drivers could also apply for an exemption from picking up customers in wheelchairs, but this would require a doctor's certificate and drivers would also need to display an exemption badge at all times.

There being no decision required, the Committee **noted** the verbal update on the exemption process for wheelchair accessible vehicles and assistance dogs.

75. Work Programme Update

The Committee received Report No: LIC/SE/17/008, which updated members on the current status of its work programme of items for consideration (Appendix 1) during 2017-2018.

The Service Manager (Environmental Health Service) informed the Committee that it could add items to the forward work programme, which was within its

remit, with the approval of the Chairman of the Committee and in consultation with the Portfolio Holder for Planning and Growth.

In considering its future work programme the Committee questioned whether "A-Boards" came under the "Street Vending and Trading Policy", and whether "busking" could be looked at, as it was on the increase, to which the Service Manager (Environmental Health Service) agreed to provide a written response.

There being no decision required, the Committee **noted** the current status of its work programme and the items expected during 2017-2018.

The Meeting concluded at 5.35pm

Signed by:

Chairman
