

Licensing and Regulatory Committee



Forest Heath
District Council

Minutes of a meeting of the **Licensing and Regulatory Committee** held on **Monday 30 October 2017** at **6.00 pm** at the **Council Chamber, District Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Chairman Brian Harvey

Vice Chairman Michael Anderson

Chris Barker

Victor Lukaniuk

John Bloodworth

Nigel Roman

Simon Cole

Reg Silvester

Carol Lynch

76. **Apologies for Absence**

There were no apologies for absence.

Councillor Christine Mason was unable to attend the meeting.

77. **Substitutes**

There were no substitutes present at the meeting.

78. **Public Participation**

Agenda Item 5. Taxi/Private Hire Handbook Revision (Report No: LIC/FH/17/009)

Mrs Bridgette Banham addressed the Committee in respect of the above item. She explained that she was co-owner of Driving Miss Daisy's Newmarket franchise.

Driving Miss Daisy was a 'companionship service' rather than purely a private hire vehicle. The service was predominately for individuals with particular needs such as dementia, autism or the elderly/vulnerable. Driving Miss Daisy helped these individuals to maintain a degree of independence and remain involved in their local community whilst being safeguarded.

Mrs Banham advised that the brand design of the advertising (livery) was developed specifically to aid dementia suffering clients with visual perception issues. The brand was used in all countries where Driving Miss Daisy

operated on the basis that the design and colours enabled users to easily recognise the vehicle and to offer comfort and reassurance.

Mrs Banham had made an application to the Licensing Authority earlier in the year for an exemption to the conditions which related to signage on vehicles but it was refused; meaning the Newmarket franchise was the only franchise that was unable to use the official Driving Miss Daisy livery nationally.

The amendments to the conditions proposed in Report No LIC/FH/17/009 would enable the Newmarket franchise to use the official brand livery and Mrs Banham was, therefore, in support of the Officer's recommendation in this respect.

79. **Minutes**

The minutes of the meeting held on 19 June 2017 were accepted as an accurate record and were signed by the Chairman, with 8 voting in favour and with 1 abstention, subject to it being noted that Councillor Chris Barker was in attendance and had been omitted from the list and that Councillors Ruth Allen and Carol Lynch had been duplicated.

80. **Taxi/Private Hire Handbook Revision (Report No: LIC/FH/17/009)**

The Licensing Team Leader presented this report which sought approval to amend the Forest Heath District Council Hackney Carriage and Private Hire Licensing Handbook.

The Committee were advised that the proposed amendments to the conditions were (Handbook pages as indicated):

- a) Pages 9 & 16, the inclusion of vaping as well as smoking to be banned from the vehicle as a place of work. Although vaping is not smoking, it still poses a distraction to the driver as vapour may obstruct a driver's view;
- b) Page 23, Transfer of vehicles. Initially there has been some confusion on when a vehicle can be transferred to a new owner and when it becomes a vehicle change on an existing licence, causing issues with age restrictions;
- c) Page 24, a reminder to adhere to the age restriction on vehicles when replaced/changed;
- d) Page 31, Advertisements on Private Hire Vehicles and the 'pre-booked stickers'. There has been some feedback on the way private hire vehicles advertise their own businesses. To negate the need for a council prescribed pre-booked sticker, we have requested that drivers include 'pre-booked only' writing on their door signs or vehicle writing on their vehicles We have removed the size of signage; and
- e) Page 37, adding vaping into the penalty points system.

The Chairman spoke in support of the amendments proposed but stressed the importance (under proposal d) above) of ensuring that Private Hire vehicles continued to have "pre-booked only" written on their vehicles.

It was moved by Councillor Nigel Roman, seconded by Councillor Michael Anderson and with the vote being unanimous, it was

RESOLVED:

That the revised conditions set out in the Forest Heath District Council Hackney Carriage and Private Hire Licensing Handbook, attached as Appendix 1 to Report No: LIC/FH/17/009, be approved and adopted.

81. Plate Exemption Process for Private Hire Vehicles (Report No: LIC/FH/17/010)

The Licensing Team Leader presented this report which sought approval to amend the work procedure and conditions for a Private Hire Licensing plate exemption for executive contracts in the West Suffolk Licensing Guidance Procedure and Conditions.

It was moved by Councillor John Bloodworth, seconded by Councillor Reg Silvester and with the vote being unanimous, it was

RESOLVED:

That the amendments to the West Suffolk Licensing Guidance Procedure and Conditions, attached as Appendix 1 to Report No: LIC/FH/17/010, be approved.

82. Local Air Quality - Progress Report 2016/2017 (Report No: LIC/FH/17/011)

The Environment Officer presented this report which set out the work undertaken during 2016 in order to meet Local Air Quality regulations across the District.

Attention was drawn to Paragraphs 2.7 and 3.1 of Report No LIC/FH/17/011 which set out actions taken by Officers over the past year and identified the next steps to be taken.

Councillor Victor Lukaniuk (as one of the Brandon Ward Members) raised the following points:

1. He spoke in support of the 'Brandon Transport Meetings' that had been undertaken with partners and local stakeholders, which sought to minimise unnecessary traffic movements through Brandon. However, he expressed disappointment that Highways England were yet to have published the A11 Fiveways to Thetford dual carriageway Post Opening Performance Evaluation (POPE) report;
2. Attention was drawn to the 2017 Air Quality Annual Status Report (ASR) attached as Appendix 1 to the report. Page 2 of the report stated "Brandon continues to show gradual improvement in air quality" whereas Page 18 stated "No significant reduction in NO2 recorded in Brandon". Councillor Lukaniuk explained that he found these two statements to be contradictory; and

3. Lastly, he understood that Brandon was to have additional diffusion tubes installed to enhance the air quality monitoring and he enquired as to when this was to take place.

Officers responded to these points as follows:

1. The Service Manager (Environmental Health) explained that at the last Brandon Transport Meeting attendees discussed the need to engage with Norfolk County Council given that a large proportion of traffic travelling through Brandon was either arriving from or travelling to Norfolk. The Chairman agreed to send a letter to the relevant Director at Norfolk County Council in order to formally request representation at future meetings of the group.
The Chairman also agreed to send a letter to Highways England to express disappointment that the POPE was yet to have been published and to request that it be prioritised for publication at the earliest opportunity.
2. The Environment Officer explained that some areas in Brandon were demonstrating a long-term slow reduction in NO₂, however, he would review the wording used in the report in light of the comments made.
3. The Environment Officer advised that additional diffusion tubes were to be located in Brandon in January 2018. Officers would liaise with Councillor Lukaniuk on their proposed locations.

With the vote being unanimous, it was

RESOLVED:

That:-

1. The work undertaken by the West Suffolk Authorities in order to improve local air quality be noted and recognised for its importance;
2. A letter be sent from the Chairman to the relevant Director at Norfolk County Council in order to formally request representation at future Brandon Transport Meetings; and
3. A letter be sent from the Chairman to Highways England to express disappointment that the POPE report was yet to have been published and to request that it be prioritised for publication at the earliest opportunity.

83. Work Programme Update (Report No: LIC/FH/17/012)

The Service Manager (Environmental Health) presented this report which set out the current Work Programme for the Committee.

The Officer updated Members on the current status of items for consideration.

With the vote being unanimous, it was

RESOLVED:

That the current status of the Work Programme and the items expected to be brought to the Committee, as set out in Appendix 1 of Report No: LIC/FH/17/012, be noted.

The meeting concluded at 6.46pm

Signed by:

Chairman
