

# Licensing and Regulatory Committee

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| <b>Title</b>  | <b>Agenda</b>   |  |   |
| <b>Date</b>   | <b>Monday 10 July 2023</b>  |  |   |
| <b>Time</b>   | <b>5.30 pm</b>  |  |   |
| <b>Venue</b>  | <b>Conference Chamber<br/>West Suffolk House</b><br>Western Way<br>Bury St Edmunds, IP33 3YU  |  |   |
| <b>Full Members</b>   | <b>Chair</b><br><b>Vice Chair</b><br><br><b>Conservative Group (6)</b><br><br><b>The Independent Group (4)</b><br><br><b>Progressive Alliance Grouping (5)</b>  | To be appointed by the Licensing and Regulatory Committee on 10 July 2023<br><br>Carol Bull<br>Patrick Chung<br>Rachel Hood<br><br>Michael Anderson<br>Roger Dicker<br><br>Pat Hanlon<br>Rowena Lindberg<br>Richard O'Driscoll | Beccy Hopfensperger<br>Ian Houlder<br>Charlie Lynch<br><br>Aaron Luccarini<br>Don Waldron<br><br>Marilyn Sayer<br>Liz Smith |
| <b>Substitutes</b>  | <b>Conservative Group (3)</b><br><br><b>The Independent Group (2)</b><br><br><b>Progressive Alliance Grouping (2)</b>   | Mike Chester<br>Joanna Rayner<br><br>Mick Bradshaw<br><br>Janne Jarvis   | Richard Rout<br><br>Gerald Kelly<br><br>David Smith   |
| <b>Interests – declaration and restriction on participation</b> | Members are reminded of their responsibility to declare any disclosable pecuniary interest, other registerable or non-registerable interest which they have in any item of business on the agenda, <b>no later than when that item is reached</b> and, when appropriate, to leave the meeting prior to discussion and voting on the item. |  |   |
| <b>Quorum</b>   | Five Members  |  |   |
| <b>Committee administrator</b>                                  | <b>Helen Hardinge</b><br>Democratic Services Officer<br><b>Telephone</b> 01638 719363<br><b>Email</b> <a href="mailto:helen.hardinge@westsuffolk.gov.uk">helen.hardinge@westsuffolk.gov.uk</a>  |  |   |

## Public information



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| <b>Venue</b>   | Conference Chamber,<br>West Suffolk House,<br>Western Way,<br>Bury St Edmunds IP33 3YU   |
| <b>Contact information</b>                             | Telephone: 01638 719363<br>Email: <a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a><br>Website: <a href="http://www.westsuffolk.gov.uk">www.westsuffolk.gov.uk</a>  |
| <b>Access to agenda and reports before the meeting</b> | The agenda and reports will be available to view at least five clear days before the meeting on our website.   |
| <b>Attendance at meetings</b>                          | <p>This meeting is being held in person in order to comply with the Local Government Act 1972. We may be required to restrict the number of members of the public able to attend in accordance with the room capacity. If you consider it is necessary for you to attend, please inform Democratic Services in advance of the meeting.</p> <p>As a local authority, we have a corporate and social responsibility for the safety of our staff, our councillors and visiting members of the public. We, therefore, request that you exercise personal responsibility and do not attend the meeting if you feel at all unwell.</p> <p>West Suffolk Council continues to promote good hygiene practices with hand sanitiser and wipes being available in the meeting room. Attendees are also able to wear face coverings, should they wish to.</p> |
| <b>Public participation</b>                            | <p>Members of the public who live or work in the district are invited to put one question or statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.</p> <p>The Constitution allows that a person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start. <b>We urge anyone who wishes to register to speak to notify Democratic Services by 9am on the day of the meeting so that advice can be given on the arrangements in place.</b></p> <p>There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chair's discretion.</p>       |
| <b>Accessibility</b>                                   | If you have any difficulties in accessing the meeting, the agenda and accompanying reports, including for reasons of a disability or a protected characteristic, please contact Democratic Services at the earliest opportunity using the contact details provided above in order that we may assist you.  |

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| <b>Recording of meetings</b> | <p>The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).</p> <p>Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.</p>  |
| <b>Personal information</b>  | <p>Any personal information processed by West Suffolk Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: <a href="https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm">https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm</a> or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.</p> |

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# Agenda

## Procedural matters

### Part 1 – public

**1. Election of Chair 2023/2024**

**2. Election of Vice Chair 2023/2024**

**3. Apologies for absence**

**4. Substitutes**

Any member who is substituting for another member should so indicate, together with the name of the relevant absent member.

**5. Minutes**

**1 - 4**

To confirm the minutes of the meeting held on 23 January 2023 (copy attached).

**6. Declarations of interest**

Members are reminded of their responsibility to declare any disclosable pecuniary interest, other registerable or non-registerable interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

**7. Public participation**

Members of the public who live or work in the District are welcome to speak and may ask one question or make a statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.

A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.

There is an overall limit of 15 minutes for public speaking, which may be extended at the Chair's discretion.

**8. Presentation on Cumulative Impact Assessment (CIA) Consultation**

**9. Presentation and insight into the pro-active Licensed Premises Inspection Programme**

# Licensing and Regulatory Committee

**Minutes** of a meeting of the **Licensing and Regulatory Committee** held on **Monday 23 January 2023** at **5.30pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present

**Councillors**

**Chair** Clive Springett

**Vice Chair** Rachel Hood

Michael Anderson

Patrick Chung

Roger Dicker

Pat Hanlon

Brian Harvey

Beccy Hopfensperger

Birgitte Mager

Sara Mildmay-White

Robert Nobbs

Karen Soons

1. **Apologies for absence**

Apologies for absence were received from Councillors Carol Bull, Aaron Luccarini and Don Waldron.

Councillor Richard Rout was also unable to attend the meeting.

2. **Substitutes**

The following substitution was declared:

Councillor Birgitte Mager substituting for Councillor Carol Bull.

3. **Minutes**

The minutes of the meeting held on 11 July 2022 were unanimously confirmed as a correct record and were signed by the Chair.

4. **Declarations of interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

5. **An Exploration into Opportunities for Licensing Rickshaws (Report No: LIC/WS/23/001)**

*(The Chair advised all that he had brought forward this agenda item in order to allow the registered public speaker to address the meeting immediately prior to the consideration of the report at Agenda Item 7 as their question/statement related to the content of the Hackney Carriage Fares report.)*

The Food, Safety & Licensing Manager presented this report which sought the Committee's endorsement for Officers to undertake exploratory work into the provision for licensing rickshaws within West Suffolk.

The Chair welcomed Libby Ranzetta, Director at EcoCarriers Bury St Edmunds, and Amanda Martin, EcoCarrier rider, to the meeting.

EcoCarriers had approached the Licensing Authority in order to discuss expanding their operation to include a fare driven element.

Members were advised that EcoCarriers was a not-for-profit community benefit society, a type of cooperative. Their aim was to promote and facilitate increased cycling in Bury St Edmunds and the surrounding villages in order to help tackle climate change.

From March 2022 EcoCarriers had undertaken a commercial delivery service; transporting food, medicine and parcels for customers who wanted their goods transported efficiently and without damaging the environment.

In September 2022 EcoCarriers launched the 'Bury Bike Train' which provided a way for children to ride their own bikes to and from school in a group, supported by adult cyclists.

The Committee was informed that EcoCarriers was now considering expanding their offer further to operate two rickshaws as a commercial enterprise in order to provide an environmentally friendly taxi service to Bury St Edmunds and surrounding villages. Bury St Edmunds Business Improvement District (BID) had voiced support for the venture.

EcoCarriers had approached the Council at this early stage as they wished to ensure that the service was regulated and operated at the highest of standards.

As EcoCarriers was a not-for-profit venture the income generated would aim to cover costs of the service. It was not intended to be significant competition to rival the taxis operating in the area as it would be a small-scale operation covering a small part of the district.

In response to questions posed, EcoCarriers confirmed they hadn't undertaken any formal market research to date but had received a number of inquiries from existing delivery customers as to whether a taxi service could be provided.

Whilst Members of the Committee wholeheartedly commended EcoCarriers' environmental stance some concerns were raised in respect of the safety of rickshaws on the public highway, particularly in relation to the roads outside of Bury St Edmunds town centre and leading to the outlying villages.

The Committee also commented on the need to ensure rickshaw drivers had undertaken some form of training/test prior to operating as a licensed driver. EcoCarriers suggested that there could be scope to work with West Suffolk College to develop an appropriate course.

The Business Partner Litigation & Licensing advised the meeting that in legislation there was no discrepancy for non-motorised Hackney Carriages. Therefore, if the rickshaws were licenced in this way the drivers would still be required to hold a minimum of a 12-month DVLA drivers' licence.

Following queries in respect of taxi ranks, the Food, Safety & Licensing Manager explained that the rickshaws would be unlikely to be able to use the ranks as Hackney Carriages waiting there for trade were obligated to accept the fare, regardless of destination, and the rickshaws intended on only having a very limited area of operation. However, this could potentially be addressed via conditions on an issued licence.

In summary, Councillors were not opposed to Licensing Officers working with EcoCarriers and undertaking initial exploratory work into the provision for licensing rickshaws within West Suffolk.

However, they asked that EcoCarriers submit a full detailed business case together with a risk assessment of the routes that could be offered. Best practice examples of other Licensing Authorities who licenced rickshaws were to be sought, options for a driving standards assessment were to be explored and consideration given to the Disability Discrimination Act (DDA).

Lastly, reference was made to the email that had been sent to the Committee by Councillor Jason Crooks in relation to this matter, and Members asked that Officers also give weight to the points he raised.

*(Councillor Karen Soons joined the meeting at 5.40pm during the preliminary discussion of this item.)*

## 6. **Public participation**

The following member of the public spoke under this item in relation to Agenda Item 7: Report No LIC/WS/23/002 Review into West Suffolk Council's Hackney Carriage Fares:

### **Mark Goodchild (Goodchilds Cars)**

With the consent of the Chair, Mark Goodchild tabled a proposal for revised fares he had devised, which set out on average a 4% increase on the fares currently in operation that were approved by the Committee at their meeting on 11 July 2022.

Mr Goodchild explained that the increase approved in July failed to cover increased costs fully. He also advised the Committee that in his experience the public had been overwhelmingly positive in respect of the increased fares.

## 7. **Review into West Suffolk Council's Hackney Carriage Fares (Report No: LIC/WS/23/002)**

The Food, Safety & Licensing Manager presented this report which recommended that the Council maintain West Suffolk Council's Hackney Carriage Fares at their current level, following the increase made to them at the meeting of the Licensing and Regulatory Committee on 11 July 2022.

The Committee was advised of corrections to the report, in that the AA Fuel prices referenced in Paragraph 2.6 of Report No LIC/WS/23/002 should have referred to the Essex and East Anglia region and not the South East. Secondly, the fares operated by other authorities set out in Paragraph 2.3 should have read £8.20 for East Suffolk North and not £6.60.

Members were advised that Officers were recommending that the current fares be maintained primarily due to the reduction in fuel costs that had taken place over the last six months.

Furthermore, the Licensing Authority was still pursuing evidence of certification of recalibrated meters from approximately 70 licenced West Suffolk drivers, following the increase approved last year.

A number of Members remarked on the spring budget that was due to be announced in March 2023 and the impact this could have on fuel prices, dependent on the level of fuel duty set.

Accordingly, Councillor Sara Mildmay-White proposed that the Hackney Carriage Fares be maintained at their current level and reviewed again following the spring budget so that this could be taken into consideration. This was duly seconded by Councillor Robert Nobbs.

Upon being put to the vote and with the vote being unanimous, it was resolved that

#### Decision

The Hackney Carriage Fares be maintained at their current level and reviewed again following the spring 2023 budget so that this could be taken into consideration.

The meeting concluded at 6.29pm

**Signed by:**

**Chair**

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