

Licensing and Regulatory Committee



Forest Heath
District Council

Minutes of a meeting of the **Licensing and Regulatory Committee** held on **Monday 19 June 2017** at **6.00 pm** at the **Council Chamber, District Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Ruth Allen	Brian Harvey
Michael Anderson	Victor Lukaniuk
Carol Lynch	Carol Lynch
Ruth Allen	Nigel Roman
John Bloodworth	

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

This being the first meeting of the Licensing and Regulatory Committee since the Council's AGM on 10 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 Michael Anderson nominated Councillor Brian Harvey as Chairman and this was duly seconded by Councillor Nigel Roman, and with the vote being unanimous it was

RESOLVED:

That Councillor Brian Harvey be elected Chairman for 2017/2018.

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

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

Councillor Brian Harvey nominated Councillor Michael Anderson as Vice-Chairman and this was duly seconded by Councillor Nigel Roman, and with the vote being unanimous, it was

RESOLVED:

That Councillor Michael Anderson be elected Vice-Chairman for 2017/2018.

67. **Apologies for Absence**

Apologies for absence were received from Councillors Christine Mason and Reg Silvester.

68. **Substitutes**

There were no substitutes at the meeting.

69. **Public Participation**

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

70. **Minutes**

The minutes of the meeting held on 10 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 (Report No: LIC/FH/17/005)**

The Service Manager (Environmental Health) presented this report which asked Members to consider and support the delivery of a West Suffolk Food Safety Service Plan 2017/2018 for West Suffolk.

The Committee were advised that the Food Standards Agency required every regulatory authority to prepare, adopt and regularly review a Food Safety Service Plan.

The report set out a West Suffolk Food Safety Service Plan, attached as Appendix A to Report No LIC/FH/17/005, covering both the regulatory and support work undertaken by the Environmental Health Service to protect public health in Forest Heath and St Edmundsbury in respect of the food chain, whether they worked in a food business or were a food consumer.

Members were informed that 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; the resources within the team, the process/frequency in respect of visiting premises and the actions/enforcement that can be undertaken by the Council, if necessary.

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

RESOLVED:

That the contents of Report No LIC/FH/17/005 be noted and the delivery of the West Suffolk Food Safety Service Plan 2017/2018, attached as Appendix A, be supported.

72. **Adoption of Conditions in Respect of Hackney Carriage and Private Hire Drivers/Vehicles/Operators (Report No LIC/FH/17/006)**

The Service Manager (Environmental Health) 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 No LIC/FH/17/006, 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.

Members were advised that it was not intended that all private hire vehicles licensed by Forest Heath District 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.

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

RESOLVED:

That the proposed guidance and conditions, attached at Appendix 1 to Report No: LIC/FH/17/006, be approved so they could be applied by the Licensing Authority.

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

The Service Manager (Environmental Health), 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 often seemed to be sporadic and Officers felt that there was a need to change the current structure.

It was proposed to review the fares once yearly, with Officers researching the options from June each annum. 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 (attached later on the agenda as Report No LIC/FH/17/007), 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 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 from June 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) 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 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.

In response to Members' questions the Officer clarified that the criteria of being a "fit and proper person" to hold a licence referred to probity and not health.

In answer to a query, attention was also drawn to Appendix 3 of Report No LIC/FH/17/006, as considered earlier in the meeting. And specifically Paragraph 12 (c) which stated:

"Passengers, regardless of any disability, must be able to be get in and out of the vehicle with reasonable ease and travel within it in safety and reasonable comfort while remaining seated in their wheelchair, if so required."

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 (Report No: LIC/FH/17/007)**

The Service Manager (Environmental Health) present this report which set out the Committee's future work programme of items for consideration during 2017/2018, as attached at Appendix 1 of Report No: LIC/FH/17/007.

Members were informed that the Committee could add items to the forward work programme, which was within its remit, with the approval of the Chairman of the Committee in consultation with the Portfolio Holder for Planning and Growth.

Additional meetings of the Committee could be scheduled if deemed necessary, likewise the Portfolio Holder could be invited to attend when considered valuable.

The Service Manager (Environmental Health) explained that some items may result in a Working Party of Committee Members being formed to progress the matter alongside Officers.

Councillor Victor Lukaniuk made reference to his concerns with regard to air quality within Brandon, which he had previously raised with Officers, and stressed that he would be willing to sit on a Working Party for air quality, should one be formed.

The Chairman spoke on the recent inspections exercise that had been undertaken by Licensing Officers, which he accompanied them on, when they visited some premises and taxi/private hire vehicles operating in the District one evening. He requested that an item be added to the work programme to enable a report setting out the outcome/intelligence gained from the exercise to be presented to the October meeting of the Committee.

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

RESOLVED:

That:-

1. 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/17/007, be noted with the addition of a report to be included for the October 2017 meeting setting out the results of the recent inspections exercise that was undertaken in the District; and
2. Committee Members to participate in the development of policies in the work programme, as appropriate.

The meeting concluded at 6.53 pm

Signed by:

Chairman