



**TO COUNCILLOR:**

E R Barr  
G A Boulter  
Mrs L M Broadley (Chair)  
F S Broadley

M H Charlesworth  
M L Darr (Vice-Chair)  
R F Eaton  
Mrs L Eaton JP

J Kaufman  
Mrs L Kaufman  
Mrs H E Loydall  
R H Thakor

Dear Sir or Madam

I hereby **SUMMON** you to attend a meeting of the **LICENSING AND REGULATORY COMMITTEE** to be held at the **COUNCIL OFFICES, STATION ROAD, WIGSTON** on **THURSDAY, 31 JANUARY 2019** at **6.30 PM** for the transaction of the business set out in the Agenda below.

Yours faithfully

Council Offices  
Wigston  
**23 January 2019**

**Mrs Anne E Court**  
Chief Executive

<u>ITEM NO.</u>	<u>AGENDA</u>	<u>PAGE NO'S</u>
1.	<b>Apologies for Absence</b>	
2.	<b>Declarations of Interest</b>	
	Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'.	
3.	<b>Minutes of the Previous Meeting</b>	
	To read, confirm and sign the minutes of the previous meeting in accordance with Rule 17 of Part 4 of the Constitution.	
4.	<b>Action List Arising from the Previous Meeting</b>	1
	To read, confirm and note the Action List arising from the previous meeting.	
5.	<b>Petitions and Deputations</b>	
	To receive any Petitions and, or, Deputations in accordance with Rule 24 of Part 4 of the Constitution.	
6.	<b>Environmental Health Update (Q3 2018/19)</b>	2 - 5
	Report of the Acting Environmental Health Team Leader	



**7. Licensing Update (Q3 2018/19)**

**6 - 11**

Report of the Senior Licensing & Enforcement Officer

**8. Exclusion of the Press and Public**

The press and public are likely to be excluded from the remainder of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972 (Exempt Information) during consideration of the item(s) below on the grounds that it involves the likely disclosure of exempt information, as defined in the respective paragraph(s) 1, 2 and 3 of Part 1 of Schedule 12A of the Act and, in all the circumstances, the public interest in maintaining the exempt item(s) outweighs the public interest in disclosing the information.

**9. Environmental Health & Licensing Service Review Outcomes (January 2019)**

**12 - 16**

Report of the Head of Law & Governance / Monitoring Officer

**For more information, please contact:**

**Licensing or Environmental Health**

Oadby and Wigston Borough Council  
Council Offices  
Station Road, Wigston  
Leicestershire  
LE18 2DR

**t:** (0116) 257 2642 (Licensing)

**e:** [licensing@oadby-wigston.gov.uk](mailto:licensing@oadby-wigston.gov.uk)

**t:** (0116) 257 2590 (Environmental Health)

**e:** [environmental.health@oadby-wigston.gov.uk](mailto:environmental.health@oadby-wigston.gov.uk)

## LICENSING AND REGULATORY COMMITTEE

### **ACTION LIST**

**Arising from the Meeting held on Thursday, 11 October 2018**

No.	Minute Ref. / Item of Business	*Action Details / Action Due Date	Responsible Officer(s)' Initials	Action Status
1.	<b>13. - Action List Arising from the Meeting held on 12 July 2018</b>	A report to be brought back to the next meeting detailing the actions taken to address the issues raised by the Internal Auditors as part of the Licensing Section review, including a staffing update in relation to both the Environmental Health and Licensing functions.  <i>Due by Jan-19</i>	<b>DaGi</b>	Report Update (Agenda Item 9)
2.	<b>15. - Review of Scale of Fees &amp; Charges (2019/20)</b>	A 'Minor Variations to Premises Licences or Club Premises certificates' fee of £89.00 to be added to the proposed Scale.  <i>Due by Nov-19</i>	<b>ChRa</b>	Complete
		The additional fee was added to the 2019/20 Scale of Fees and Charges as recommended and approved by the Policy, Finance and Development Committee on 27 November 2018.		
3.	<b>16. - Environmental Health Update (Q2 2018/19)</b>	Members to be provided with full follow-up details to reported enforcement matters, particularly in relation to abandoned vehicles, including the signposting of actions to be taken by other relevant agencies, going forward.  <i>Due by Ongoing</i>	<b>DaGi ToCa</b>	Ongoing

\* | All actions listed are those which are informally raised by Members during the course of debate upon a given item of business which do not form part of - but may be additional, incidental or ancillary to - any motion(s) carried. These actions are for the attention of the responsible Officer(s).

# Agenda Item 6



<b>Licensing and Regulatory Committee</b>	<b>Thursday, 31 January 2019</b>	<b>Matter for Information</b>
-----------------------------------------------	--------------------------------------	-----------------------------------

**Report Title:** **Environmental Health Update (Q3 2018/19)**

**Report Author(s):** **Tony Cawthorne (Acting Environmental  
Health Team Leader)**

<b>Purpose of Report:</b>	To update Committee on the work undertaken by the Environmental Health Section during quarter 3 of 2018/19.
<b>Report Summary:</b>	This report provides information on the progress of routine work and projects within the current Project Plan relevant to Environmental Health. Matters for discussion expand on the themes and subjects previously reported to the Committee.
<b>Recommendation(s):</b>	<b>That the contents of the report be noted.</b>
<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	David Gill (Head of Law & Governance / Monitoring Officer) (0116) 257 2626 <a href="mailto:david.gill@oadby-wigston.gov.uk">david.gill@oadby-wigston.gov.uk</a>  Tony Cawthorne (Acting Environmental Health Team Leader) (0116) 257 2670 <a href="mailto:tony.cawthorne@oadby-wigston.gov.uk">tony.cawthorne@oadby-wigston.gov.uk</a>
<b>Corporate Priorities:</b>	Effective Service Provision (CP2) Balanced Economic Development (CP3)
<b>Vision and Values:</b>	Teamwork (V3) Customer Focus (V5)
<b>Report Implications:-</b>	
Legal:	There are no implications arising from this report.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	Decreasing Financial Resources (CR1) Effective Utilisation of Assets/Buildings (CR5) Organisational/Transformational Change (CR8)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.

Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	None.
<b>Background Papers:</b>	None.
<b>Appendices:</b>	None.

## 1. Public Space Protection Order

- 1.1 The Public Space Protection Order (PSPO) was formally brought into force on 24 September 2018 for a period of three years. New designated signage has been procured and erected in the designated areas across the Borough to highlight the key regulatory issues. The offences under the PSPO can be found on the [Council's website by following the link](#).
- 1.2 Environmental Health Officers continue to monitor the parks and open spaces across the Borough to which the PSPO applies in order to maintain a positive enforcement presence. No Fixed Penalty Notices (FPN's) have been issued under the new PSPO to date.

## 2. Abandoned Vehicles

- 2.1 The Council has received 21 notifications of abandoned vehicles this quarter. Following investigation by Officers, involving contacting registered keepers and informal notices placed on vehicles, of the 21 vehicles reported, only 1 case required formal Officer Intervention and firm enforcement, resulting in the vehicle being towed and destroyed.

## 3. Pest Control Statistics

### 3.1 Statistics

- 3.1.1 The table below compares the cases in quarter 3 for 2017 and 2018. A significant increase can be found in the treatment of wasp nests and mice and, in addition, the treatment of bedbugs brought in a significant amount under the revised charges of £600.

<b>Pest Type</b>	<b>Q3 Cases 2017 (1/10/17 to 31/12/17)</b>	<b>Q3 Cases 2018 (1/10/18 to 31/12/18)</b>
<b>Rats</b>	<b>24</b>	<b>32</b>
<b>Mice</b>	<b>9</b>	<b>13</b>
<b>Fleas</b>	<b>4</b>	<b>2</b>
<b>Cockroaches</b>	<b>0</b>	<b>0</b>
<b>Wasps</b>	<b>17</b>	<b>25</b>
<b>Bedbugs</b>	<b>0</b>	<b>2</b>
<b>Squirrels</b>	<b>4</b>	<b>2</b>

- 3.1.2 The Council's Pest Control Service has undertaken two further inspections to provide quotes for potential contracts in quarter 3 (i.e. one public house and one school). The Council currently undertakes three commercial contracts (i.e. one catering premise, one residential home and a hostel) which are progressing well.

3.1.3 Pest Control is also undertaken in the Blaby District Council (BDC) area and the 'Stronger Together Pest Control Service' is delivering a sewer treatment for BDC on behalf of Severn Trent Water.

### 3.2 **Forecast**

The 'Stronger Together Pest Control Service' continues to be promoted and advertised across the Borough in Letterbox and on the Council's website to both residents, businesses and further afield into the BDC area.

One comment from a Blaby resident who sought treatment after searching the web said "I wanted to go to a Council as I know I could trust them and knew I wouldn't be cheated".

A full financial appraisal across the Pest Control and Dog Warden Service will be presented to the next meeting of the Service Delivery Committee scheduled for 19 March 2019.

## 4. **Fly-Tipping and Littering**

4.1 Enforcement of fly-tipping cases is undergoing a positive transformation with the acquisition and use of portable 'wild-life cameras' to assist in crime detection and, to some extent, prevention. The cameras have been used in Magna Road and Bennet Way, Wigston.

4.2 During this last quarter, there have been 13 reports of fly-tipping and following investigation by Officers, no formal action was taken. There were 2 littering cases. No FPN's were issued in quarter 3.

## 5. **Food Hygiene Inspections**

5.1 The acquisition of additional resources to tackle the back-log of inspections has been identified and sourced to ensure that we are compliant with Food Standard Agency expectations by March 2019. Performance against projected outturns are regularly reviewed and adjusted to ensure the timely completion of the current inspection programme.

5.2 To date, 131 inspections have been completed in quarter 1, quarter 2 and quarter 3. A further 90 will be completed by March 2019, keeping us well on course to achieving our given target. Food Safety Inspections carried out between October and December 2018 totalled 47 (which consisted of 18 A-D, 19 E and 10 new premises).

5.3 The results are summarised below and can also be found on the Council's website and a full list of premises within Oadby and Wigston Borough Council and their Food Hygiene Ratings (FHR) can be found on the [Food Standard Agency's webpage](#).

5.4 To date, the total number of food premises in the Food Hygiene Rating (FHR) Scheme is 320. This number fluctuates due to closures and new businesses.

5.5 Those with a Food Hygiene Rating of three or above are broadly compliant. The remaining 7 properties are receiving increased visits from Environmental Health Officers and formal action is being investigated in one case.

<b>FHR</b>	<b>No. of Businesses attaining Score</b>
5	258
4	34
3	21

2	3
1	3
0	1

## **6. Other Enforcement Matters**

- 6.1 The Council was successful in obtaining an Order against a dog owner under the Dogs Act 1871 following a hearing at Leicester Magistrates' Court in early January 2019. The case arose from an incident reported to Environmental Health involving an unprovoked attack on a family Labrador by the dog owner's two dogs, a Japanese Akita and Belgian Shepherd, which occurred near to Beauchamp College on Ridgeway, Oadby back in August 2018.
- 6.2 The Order now requires the dog owner to keep his two dogs under proper control by ensuring that they are kept on leads and are muzzled at all times whilst in a public place. The dog owner was also ordered to pay the Council its full costs in bringing the case. The Environmental Health Team will continue to monitor the situation to ensure that the Order is being complied with and will take further legal action against the dog owner if it is not.

# Agenda Item 7



<b>Licensing and Regulatory Committee</b>	<b>Thursday, 31 January 2019</b>	<b>Matter for Information</b>
-----------------------------------------------	--------------------------------------	-----------------------------------

**Report Title:** **Licensing Update (Q3 2018/19)**

**Report Author(s):** **Mandy Geary (Senior Licensing & Enforcement Officer)**

<b>Purpose of Report:</b>	This information report provides an overview of the work undertaken by the Licensing Section for the third quarter of 2018/19.
<b>Report Summary:</b>	This report covers the standard quarterly reporting items in relation to taxi and private hire licensing, applications under the Licensing Act 2003 and Gambling Act 2005 and notable enforcement activity. An update is also provided in respect other concurrent matters.
<b>Recommendation(s):</b>	<b>That the contents of the report and appendix be noted.</b>
<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	David Gill (Head of Law & Governance / Monitoring Officer) (0116) 257 2626 <a href="mailto:david.gill@oadby-wigston.gov.uk">david.gill@oadby-wigston.gov.uk</a>  Mandy Geary (Senior Licensing & Enforcement Officer) (0116) 257 2637 <a href="mailto:mandy.geary@oadby-wigston.gov.uk">mandy.geary@oadby-wigston.gov.uk</a>
<b>Corporate Priorities:</b>	Effective Service Provision (CP2)
<b>Vision and Values:</b>	Accountability (V1) Customer Focus (V5)
<b>Report Implications:-</b>	
Legal:	There are no implications arising from this report.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	No corporate risk(s) identified.
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	None.



<b>Background Papers:</b>	None.
<b>Appendices:</b>	<b>1.</b> Licensing Application Statistics (Q3 2018/19)

## **1. Taxi and Private Hire Licensing**

### **1.1 Vehicles**

From 1 October to 31 December 2018, the Licensing Section has processed 163 hackney carriage/private hire applications. The vehicle fleet remains of high quality.

### **1.2 Drivers**

On 3 October, 14 applicants sat the Council competency test as part of the drivers' licence application process; there were 3 passes on the day. On 7 November, 18 applicants were booked to take the test; there were 2 passes on the day. On 5 December, 14 applicants attended the test; there were 4 passes. 62 drivers attended the Child Sexual Exploitation Courses held in October, November and December 2018.

### **1.3 Revocation of Drivers' Licences**

One driver's licence application has been revoked under section 61(1)b of the Local Government (Miscellaneous Provisions) Act 1976. To ensure the safety of the public, the licence was revoked with immediate effect under section 61(2B) of the 1976 Act as it was deemed to be in the public interest. The driver in question has been made aware of the Council's decision and the appeal process if he wishes to use it.

## **2. Licensing Act 2003**

2.1 During the three month period, there have been 39 applications relating to the Licensing Act. During the same period, there has been 1 premises licence application which did not attract any representations.

## **3. Gambling Act 2005**

3.1 No Gambling Act premises licence applications have been received recently. The Council's requirement to publish a new Statement of Licensing Principles under the Gambling Act has to be concluded by 31 January. This is now in process and the public notice to publish the new Statement of Principles has been actioned.

## **4. Licensing Enforcement**

4.1 Whilst the team have continued to respond to complaints received from members of the public, there has not been any proactive enforcement activity undertaken.

## **5. Other Regulatory Updates / Miscellaneous**

5.1 The Leicestershire & Rutland Licensing Forum will now be attended by shared Licensing Officer on behalf of Oadby and Wigston Borough Council and Blaby District Council.

5.2 A breakdown of licensing application statistics for quarter 3 is attached at **Appendix 1** to this report for Members' perusal.

5.3 A training session for Committee Members was held on 22 January focusing on a case-study to discuss and reflect on best practice and procedure for sub-committee hearings.

## General Licensing

### Animal Boarding Licence

Total Cancel/Surrender Applications: 1

Total New Applications: 2

**Total Animal Boarding Licence Applications: 3**

### Animal Welfare Licence

Total Amendment Applications: 1

Total New Applications: 1

**Total Animal Welfare Licence Applications: 2**

### House to House Collection Licence

Total New Applications: 6

**Total House to House Collection Licence Applications: 6**

### Street Collection Permit

Total Amend Applications: 3

Total New Applications: 5

**Total Street Collection Permit Applications: 8**

### Street Trading Consent

Total New Applications: 1

**Total Street Trading Consent Applications: 1**

### Tattooing Personal Registration

Total New Applications: 3

**Total Tattooing Personal Registration Applications: 3**

### Tattooing Premises Registration

Total New Applications: 2

**Total Tattooing Premises Registration Applications: 2**

**General Licensing Total Applications: 25**

## Taxi Licensing

### Combined HC\PH Driver Licence

Total Applications: 1

Total New Applications: 13

Total Renewal Applications: 39

Total Revocation Applications: 1

**Total Combined HC\PH Driver Licence Applications: 54**

### Hackney Carriage Licence

Total Cancel/Surrender Applications: 3

Total New Applications: 39

Total AMEND Applications: 1

Total Renewal Applications: 42

Total Revocation Applications: 1

Total Suspension Applications: 1

Total Suspension Lifted Applications: 1

Total Transfer Applications: 4

**Total Hackney Carriage Licence Applications: 92**

### Private Hire Operator Licence

Total Int/Amend Applications: 1

Total New Applications: 1

Total Renewal Applications: 1

**Total Private Hire Operator Licence Applications: 3**

### Private Hire Vehicle Licence

Total Cancel/Surrender Applications: 2

Total New Applications: 6

Total Renewal Applications: 6

**Total Private Hire Vehicle Licence Applications: 14**

**Taxi Licensing Total Applications: 163**

## Licensing Act 2003

### Late Temporary Event Notice - WITH Alcohol

Total Temp Event Notice Applications: 2

Total Late Temporary Event Notice - WITH Alcohol Applications: 2

### Personal Alcohol Licence

Total Cancel/Surrender Applications: 1

Total Change N/A Holder Applications: 1

Total New Applications: 4

Total Personal Alcohol Licence Applications: 6

### Premises Licence

Total Annual Fee Applications: 6

Total Cancel/Surrender Applications: 1

Total Vary DPS Applications: 4

Total AMENDMENT Applications: 4

Total New Applications: 1

Total Transfer/DPS Applications: 1

Total Premises Licence Applications: 17

### Temporary Event Notice - WITH Alcohol

Total ADMIN Amend Applications: 4

Total Modification Applications: 1

Total Temp Event Notice Applications: 9

Total Temporary Event Notice - WITH Alcohol Applications: 14

Licensing Act 2003 Total Applications: 39

## Gambling Act 2005

### Small Society Lotteries

Total Annual Fee Applications: 5

Total Cancel Applications: 1

Total New Applications: 4

Total Small Society Lotteries Applications: 10

Gambling Act 2005 Total Applications: 10

Total Applications: 237

# Agenda Item 9

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted