

**MINUTES OF THE MEETING OF THE LICENSING AND REGULATORY COMMITTEE HELD
AT THE COUNCIL OFFICES, STATION ROAD, WIGSTON ON THURSDAY, 5 MARCH 2020
COMMENCING AT 6.30 PM**

PRESENT

Mrs L M Broadley Chair
M L Darr Vice-Chair



COUNCILLORS

G A Boulter
F S Broadley
D M Carter
M H Charlesworth
F S Ghattoraya
J Kaufman
Mrs L Kaufman
C D Kozlowski
Mrs H E Loydall

OFFICERS IN ATTENDANCE

S J Ball Trainee Solicitor
Ms P Fisher Interim Head of Customer Service & Transformation
S Tucker Democratic & Electoral Services Manager / Deputy Monitoring Officer

20. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors Mrs R H Adams, Mrs L Eaton JP, R F Eaton and D A Gamble.

21. APPOINTMENT OF SUBSTITUTES

None.

22. DECLARATIONS OF INTEREST

Councillors G A Boulter and M H Charlesworth each declared a non-pecuniary interest with regard to agenda item 9 - Environmental Health Update (Q2 & Q3 2019/20) - insofar as Councillor Boulter owns a property within South Wigston Ward comprising the area of the recently-approved Selective Licensing Scheme and Councillor Charlesworth carries on a mobile food business registered with the Council.

23. MINUTES OF THE PREVIOUS MEETING

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting held on 5 September 2019 be taken as read, confirmed and signed.

24. ACTION LIST ARISING FROM THE PREVIOUS MEETING

The Chair provided a verbal update to the Committee in relation to action point number 3 (as set out at page 7 of the public agenda reports pack) regarding the up-to-date position on staffing levels in the Environmental Health Section and provided clarification on the subject of previous hygiene ratings at food premises as was similarly provided at meeting of the Services Delivery Committee on 3 March 2020.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The Action List arising from the previous meeting held on 5 September be noted.

25. PETITIONS AND DEPUTATIONS

None.

26. REVIEW OF HACKNEY CARRIAGE / PRIVATE HIRE LICENSING POLICY (MARCH 2020)

The Committee gave consideration to the report and appendix (as set out on pages 8 - 72 of the public agenda reports pack) which asked it consider and make comment on the proposed revised Hackney Carriage (HC) and Private Hire (PH) Licensing Policy ("the Policy") and to approve the same for consultation.

Having considered the Policy, Members made the following comments:

- All references throughout the Policy to the former job post 'Head of Corporate Resources' be substituted with 'Head of Law & Democracy' accordingly;
- The wording regarding the distinction between combined HC/PH vehicle licence holders being permitted to drive either a licenced HC or a PH plated-vehicle and not both (i.e. no dual-plating) be made more explicit (at page 24);
- The wording '... as well as being a licenced driver' be expanded so to include '... as well as being a [combined Hackney Carriage / Private Hire] licenced driver [with the Council' or words to similar effect (at page 21); and
- The general public, including the Council's Health and Wellbeing Board and Community Engagement and Disability Forum(s), be directly consulted on the matter of fully wheelchair-accessible HC/PH vehicles to establish if there is any unmet need with the Borough for such vehicles by disabled passengers.

In relation to the latter comment regarding wheelchair-accessible HC/PH vehicles, the Committee specifically requested that the proposed wording to be used as part of the consultation be prior approved by Councillor J Kaufman and that the Committee have sight of the working as may be approved before its publication.

Councillor J Kaufman further requested that further clarification be provided outside of the meeting in respect of whether wheelchair-accessible standards as may set out in the Disability Discrimination Act 1995 applied to HC and/or PH licenced vehicles.

It was moved by Councillor J Kaufman, seconded by Councillor Mrs L Kaufman and

UNANIMOUSLY RESOLVED THAT:

The comments made by Members (as reflected in the preceding minutes of the meeting's proceedings) be formally adopted as the collective comments of the Committee for inclusion into and in relation to the Policy.

It was moved by the Chair, seconded by the Vice-Chair and

UNANIMOUSLY RESOLVED THAT:

- (i) The collective comments of the Committee be duly noted in relation to the proposed revised Hackney Carriage and Private Hire Licensing Policy; and**
- (ii) The proposed revised Hackney Carriage and Private Hire Licensing Policy be approved for consultation (as amended).**

27. LICENSING UPDATE (Q2 & Q3 2019/20)

The Committee gave consideration to the report and appendices (as set out on pages 73 - 83 of the public agenda reports pack) which asked it to note the work undertaken by the Licensing Section during the second and third quarter(s) of 2019/20.

The Committee requested that a full breakdown of the number of the following applications be provided in the quarterly-report(s) at all subsequent meetings:

- Hackney Carriage / Private Hire Driver, Vehicle and Operator Licences, including the number of new and renewal applications (as set out at paragraph 1 at page 74); and
- House to House Collection Licences between 'Charities' and 'Other Organisations' (as set out at Appendices 1 and 2 at pages 76 and 80 respectively).

The Committee also requested that an appropriate liaison with Leicestershire Police be established by the Council to ensure a more co-ordinated and joined-up approach in relation to the issuing and monitoring of Street Collection Permits by the Council and Street Pedlar's Certificates by the Police.

Councillor J Kaufman requested that further clarification be provided outside of the meeting regarding whether certain premises within the Borough offering massage and other special treatments were subject to any form of licensing regime.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The content of the report and appendices be noted.

28. ENVIRONMENTAL HEALTH UPDATE (Q2 & Q3 2019/20)

The Committee gave consideration to the report and appendix (as set out on pages 84 - 89 of the public agenda reports pack) which asked it to note the work undertaken by the Environmental Health Section during the second and third quarter(s) of 2019/20.

Councillor D M Carter requested that further clarification be provided outside of the meeting regarding:

- the figures provided at paragraph 2.3 of the report (at page 85) in respect of dogs collected and kennelled and, in particular, if those figures were inclusive of any repeat offenders and/or incidents; and
- the figures provided at paragraph(s) 6 of the report (at page 88) in respect of food hygiene inspections and, in particular, the interchangeable meaning being attached to the phrase 'carried over' and 'carried forward, therefore resulting in a more favourable compliance level of 95% as opposed to 92%.

Councillor Mrs L Kaufman requested that further assurances be provided outside of the meeting in that financial considerations alone would not factor into any decision as may be taken by College Garth to euthanize a dog whilst in their custody.

In relation to the dog warden patrol report (as set out at Appendix 1 at pages 87 - 89), the Committee requested that more detailed and information pertinent to the Borough be provided alongside the quarterly-report(s) at all subsequent meetings.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The content of the report and appendix be noted.

29. EXCLUSION OF THE PRESS AND PUBLIC

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The press and public 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 involved the likely disclosure of exempt information, as defined in the respective paragraph(s) 3 of Part 1 of Schedule 12A of the Act and, in all the circumstances, the public interest in maintaining the exempt item(s) outweighed the public interest in disclosing the information.

30. FUTURE OF THE PEST CONTROL SERVICE (MARCH 2020) (EXEMPT REPORT)

The Committee gave consideration to the exempt report (as set out on pages 90 - 94 of the private agenda reports pack) which asked it to determine the future provision of the Council's in-house Pest Control Service.

It was moved by the Chair, seconded by the Vice-Chair and

UNANIMOUSLY RESOLVED THAT:

- (i) The contents of the report be noted; and**
- (ii) The recommendation (as set out in the exempt report) be approved.**

THE MEETING CLOSED AT 7.57 PM



Chair

Thursday, 11 June 2020

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