

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION COMMITTEE held in CIVIC SUITE 0.1A, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN on Wednesday, 17 October 2018.

PRESENT: Councillor S J Criswell – Chairman.

Councillors B S Banks, Mrs M L Beuttell, S J Corney, Mrs A Dickinson, Mrs P A Jordan and L W McGuire.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors Ms A Diaz, Mrs S A Giles and D J Mead.

15. MINUTES

The Minutes of the meeting held on 20th June 2018 were approved as a correct record and signed by the Chairman.

16. MEMBERS INTERESTS

No declarations were received.

17. MONITORING REPORT ON THE DELIVERY OF THE FOOD LAW ENFORCEMENT AND HEALTH AND SAFETY SERVICE PLANS

With the assistance of a report by the Operational Manager (Business) (a copy of which is appended in the Minute Book) the Committee received an update on progress against the delivery of work in the Council's Food Law Enforcement and Health and Safety Service Plans during the period 1st April to 30th September 2018.

With regards to the Food Law Enforcement Service Plan, the Committee's attention was drawn to the comparison of recorded activity against predicted activity in each of the programmed work service areas. Members received an update on those activities where progress had been rated as amber. In doing so, Members commented on the 348 outstanding inspections of category A-D premises and noted that 'food sampling' arrangements could be put in place to ensure that some inspection of these had taken place. The Committee were pleased to note that recruitment to the vacant posts within the Commercial Team had now been successful, as this had had a significant impact on service delivery.

In terms of the unplanned (reactive) work, Members were advised that the number of complaints and service requests had been much higher than expected over the summer period. Further work was now being undertaken to determine whether there was any underlying cause for the increase, although it was suggested that the prolonged period of hot weather may have been a contributing factor.

The Committee were advised that the Commercial Team continued to

deliver the food hygiene training programme with a very high success rate. Although the District Council's Primary Authority partnership with Cambridgeshire Catering Services was in the process of being dissolved as the County Council had now out-sourced the rest of the school meals service. An update on the Better Business for All Initiative was also provided and Members were informed that work had begun with other local authorities in the area to develop a regulatory advice brochure to promote services and signpost to support.

It was reported that the Food Standards Agency were continuing to refine their "Regulating our Futures" programme with the intention of modernising the regulation of food businesses and the Committee received an update on their recent progress. Members also noted that the decision to leave the European Union would necessitate changes to the Council's delegated powers and officer authorisations.

In presenting progress against the delivery of the Health and Safety, the Committee were informed that the number of inspections was down as a result of reported accidents being higher than envisaged. The Coroner's Inquest into the death reported at Hammerton Zoo had not yet concluded.

Whereupon, it was

RESOLVED

that progress on the delivery of the Service Plans for the period 1st April to 30th September 2018 be noted.

18. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

With the assistance of a report by the Head of Community (a copy of which is appended in the Minute Book) the Committee considered the contents of a revised Hackney Carriage and Private Hire Licensing Policy for Huntingdonshire District Council. Appended to the draft policy were proposed revisions to licensing conditions and a revised convictions policy for the Authority (Annexes 1 to 7) which will sit underneath the overarching policy.

The Committee were reminded that Members had approved a draft policy for consultation at their meeting on Wednesday 20th September 2017. The results of the consultation had been brought back to the Committee's last meeting and been in favour of establishing an overarching taxi policy. A revised policy had now been formulated for the Committee's consideration (as set out in Appendix A to the report now submitted).

Members were advised that the new policy sought to address new and recent statutory duties placed upon the Council, provided an opportunity to re-visit a number of existing policies and procedures and enabled the consideration and introduction of a number of new discretionary initiatives to raise standards within the taxi service..

The Licensing Manager was then invited to outline the significant areas in which changes had been made and Committee members went on to discuss these in turn.

The Committee noted that a decision was required as to whether magnetic signage or fixed signage should be permitted for Private Hire Vehicles and went on to discuss the advantages / disadvantages of both options. Having noted that East Cambridgeshire and South Cambridgeshire offer both alternatives and the intention of the Licensing Manager to undertake further enforcement and monitoring which would enable Members to revisit the matter if any issues were seen to be emerging, it was agreed that proprietors should be offered a choice of signage.

The Committee went on to discuss the wording of door stickers for Private Hire vehicles. Having noted that the intention was to remind customers that unless they have pre-booked the vehicle the vehicle insurance was invalid, Members did not agree with the options for wording which had been suggested within the report. It was suggested that the wording should simply state "Insurance Invalid unless Pre-booked".

Members also discussed the introduction of local knowledge and competency tests, together with those for Safeguarding, Child Exploitation and Disability Equality and noted that the Authority would be able to set its own parameters for success / failure.

With regards to Annex 2 – Vehicle Licence Conditions for Private Hire and Hackney Carriages, the Committee were advised that the changes which had been made enabled the Authority to specify much clearer guidelines for the maintenance of vehicles. Following a suggestion from Council Officers, it was agreed that Sections 6 (k) and (l) of these conditions should be removed to reflect modern day lifestyles.

Members were reminded that they had previously discussed whether there should be a uniform appearance for Hackney Carriage vehicles. Having noted the reasons for this not having been included in the draft policy before them, Members of the Committee remained of the opinion that this warranted further investigation and could be considered with a longer lead-in time. However not wishing to hold up the other improvements and having noted that this could be considered as part of further work which would be undertaken on air quality and emissions, the Committee requested that the Head of Community Service report back on the matter to a future meeting.

Whereupon, it was

RESOLVED

- a) that the taxi licensing policy for Huntingdonshire District Council as set out in Appendix A to the report now submitted be approved to take effect from 1st January 2019;
- b) that subject to the removal in of section k and l in Section 6 of the Vehicle Licence Conditions (annex 2) the conditions of licensing as attached at annexes 1 to 7 of the report now submitted be adopted to take effect from 1 January 2019;

- c) that the wording of door stickers for private hire vehicles be “Insurance invalid unless pre-booked’ and that this sit alongside the unique license number to demonstrate it is a HDC authorised vehicle;
- d) that the requirement to have permanent or magnetic door signs displaying the plate number issued by HDC be approved;
- e) that the introduction of a 5 year maximum age of a vehicle at first date of licensing be introduced;
- f) that existing drivers be required to complete the training on Safeguarding, Child Exploitation and Disability Equality;
- g) that the Head of Community in consultation with the Executive Councillor for Operations and Regulation be authorised to make minor amendments to the policy and annexes that are considered necessary without the need to consult on the whole document;
- h) that the Head of Community be authorised to investigate and implement the most appropriate and cost effective method of delivering the Safeguarding, Child Exploitation and Disability Equality training and the implementation of the knowledge, English and Mathematics testing. (The periods for implementation to be delegated to the Head of Community for determination in line with the processes put in place);
- i) that in the event it did not prove possible to implement or deliver any measures proposed within the new policy by 1 January 2019, authority be given to the Head of Community to implement such measures as soon as possible thereafter; and
- j) that the Head of Community be requested to report back to a future meeting on the potential to introduce a uniform appearance for Hackney Carriage Vehicles.

19. SCHEDULE OF FEES AND CHARGES

With the assistance of a report by the Head of Community (a copy of which is appended in the Minute Book) the Committee were advised of details of revised fees and charges for the taxi licensing service and animal welfare licensing with effect from 1 December 2018.

In respect of taxi licensing fees, the Committee were advised that the proposed changes primarily reflected a move to three year licences for drivers and five year licences for operators. Full year costs and income would be monitored over a rolling two year cycle. Member’s attention was then drawn to an error in Appendix A to the report which should read “Garage CoC test Private Hire *and Hackney Carriage Saloon* re-test”.

With regards to Animal Licensing, Members were advised that the Authority was required to review its current fees and charges to respond to changes resulting from the Animal Welfare Act 2018 and to ensure that the Council’s processes were aimed at full cost

recovery. A new model to calculate fees had been adopted which reflects service costs more effectively and allows a benchmark with other authorities. Members were also advised that the total costs had been split to reflect the costs of processing an application and grant of a licence and there was an additional cost for re-inspection.

Whereupon and having noted that under the Council's Code of Financial Management, Service Managers were responsible for reviewing and varying fees and charges annually after consultation with the Executive Councillor, it was

RESOLVED

that the new schedule of fees and charges for Hackney Carriage and Private Hire Vehicles and Animal Activity Licensing as set out in Appendix A to the report now submitted be noted.

20. LICENSING AND PROTECTION SUB COMMITTEE

With the aid of a report by the Elections and Democratic Services Manager (a copy of which is appended in the Minute Book) the Committee received and noted the details of five meetings of the Licensing and Protection Sub Committee which had taken place between 27th June and 10th October 2018.

21. URGENT ITEM - SUSPENSION AND REVOCATION OF PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE AND DRIVERS LICENCES UNDER DELEGATED POWERS

Prior to consideration of the matter it was announced that in accordance with Section 100B (4)(b) of the Local Government Act 1972, the report was being considered as an urgent item of business to enable the Committee to be kept up to-date with relevant and urgent issues regarding licensing.

Following which with the aid of a report by the Head of Community (a copy of which is appended in the Minute Book) the Committee noted the details of actions which had been taken since the last meeting under the Head of Community's delegated authority.

Chairman