

The minutes of the Licensing and Appeals Committee held at 7.00 pm on Tuesday 11th October, 2022 in the Council Chamber, Swanspool House, Wellingborough, Northants, NN8 1BP

Present:-

Members:

Councillor Jonathan Ekins (Chair)	Councillor Jennie Bone
Councillor John Currall	Councillor Anne Lee
Councillor Clive Hallam	Councillor Dorothy Maxwell
Councillor Barbara Jenney	Councillor Dr Anup Pandey
Councillor Lora Lawman	Councillor Geoff Shacklock
Councillor Jim Hakewill as substitute for Councillor Sarah Tubbs.	

Officers:

Iain Smith, Assistant Director Regulatory Services,
Amanda Wilcox, Interim Environmental Health Lead,
Samantha Edmunds, Health Protection Manager,
Carol Mundy, Senior Democratic Services Officer (Committees/Members)

1 Apologies for absence

Resolved to note that apologies were received from Councillors McEwan, Tubbs and Wilkes.

2 Members' Declarations of Interest

The Chair invited those present to make a declaration if they wished to do so.

Resolved to note that no declarations were made.

3 Minutes of the Licensing and Appeals Committee 9 August 2022 (Special)

Resolved to note that the minutes of the Licensing and Appeals Committee (Special) held on 16 August 2022 were approved as a true record and signed by the chair.

4 House to House and Street Collections Policy

The chair agreed to re-order the agenda and the following item was presented for discussion.

The annexed circulated report of the Assistant Director, Regulatory Services, was received to seek approval of the House to House and Street Collections Policy.

The policy was appended to the report, along with an Equalities Impact Assessment, and amalgamated the previous policies of East Northamptonshire and Corby Councils,

neither Kettering or Wellingborough had previously had policies. The approval of such policy will provide clear guidance to both officers and the public around charitable collections.

In determining the House to House policy, consideration was given to specifying a percentage split for the donation to charity and remuneration. Information from the Institute of Fundraising indicated that mechanisms were already in place to ensure this happened with trustees having a legal duty to ensure they act in the best interest of the charity, with the amounts going to charity being shown on collection materials.

An applicant would be required to sign a declaration stating that the collector is compliant with the regulations to show that persons authorised as collectors are fit and proper persons.

Members discussed the policy and shared their concerns about the small donation percentage from items collected that went to the actual charity. In some bases this was as little as 4%. Most of the public considered they were supporting the charities and would expect a considerably larger percentage donation to be given. Members asked if future checks could be made that adequate donations were given to charities and whether the council could set a higher percentage levy.

Health Protection Manager, Samantha Edmunds informed the committee that it would not be possible for financial information relating to the percentage of donations to be checked. This would be resource intensive and as already referenced in the report the Institute of Fundraising had already stated that there were mechanisms in place to ensure adequate amounts benefited the charities. The aim of the policy was to safeguard the interests of donors and beneficiaries, whilst raising funds for local and national charitable purposes.

Councillor L Lawman proposed that there be a minimum of 20% donation to charity. This was seconded by Councillor Maxwell.

The Assistant Director, Iain Smith, informed members that this would be very difficult to enforce. There would be a reliance on declarations and would be extremely resource intensive and costs would not be recoverable.

Councillors Lawman and Maxwell withdrew their proposal.

Councillor Hakewill proposed the motion within the report, which was seconded by Councillor Lee. On being put to the vote the motion was declared carried.

Resolved that the House to House and Street Collections Policy be approved.

5 North Northamptonshire Council - Taxi and Private Hire Policy

The annexed circulated report of the Assistant Director, Regulatory Services was received to seek approval to the North Northamptonshire Taxi and Private Hire Policy to be formally adopted by North Northamptonshire Council.

Appended to the report were the following:

- Appendix 1 Draft North Northamptonshire Taxi and Private Hire Policy
- Appendix 2 Consultation responses

Appendix 3 Officer comments on consultation responses

The Interim Environmental Health Lead, Amanda Wilcox, presented the report to committee. She explained that there had previously been four separate policies for each of the sovereign authorities which needed to be harmonised into one policy for North Northamptonshire.

The new policy would reflect current legislation and guidance and takes into consideration the future and climate change and emission control requirements.

The Policy would enable a consistent approach to all decision making for the Licensing and Appeals Committee and would be the subject of a review two years after it take effect, though it could be reviewed during that period if required.

The policy considered the best practices in each sovereign area to ensure that standards were high, and the safety of the public was paramount. The needs of the licensed trade had also been considered.

The draft policy had been the subject of a consultation for a period of eight weeks and fourteen responses had been received and fully considered. Where deemed to be possible, without compromising public safety or standards, the consultation responses had resulted in changes to the policy.

The main areas of concern were as follows:

- Age limits on licensed vehicles;
- Testing regime for drivers;
- Fold down seats in vehicles;
- Emission Standards

The report further detailed the responses from officers to these concerns.

Mrs Wilcox referred to the concern about the cost of moving to zero emission vehicles, which was referenced within the policy as a two-stage process to help meet the authority's climate change target.

In view of the feedback and concern received it is recommended that the first stage be removed from the policy. This is detailed below:

“From 2025 no new application would be accepted for vehicles fuelled only by diesel or petrol and all new vehicle licence applications were required to be zero emission vehicles”.

This would mean that the authority would require zero emission vehicles from 1 January 2031, with all licences for non-zero emission vehicles expiring on 31 December 2030.

The chair thanked Mrs Wilcox for her report and opened it up for debate.

One area of concern raised by members related to the number of drivers who did not speak English well and could not read English and asked whether the policy insisted that they should be competent.

Mrs Wilcox clarified that Part 1 of the policy made reference under Drivers Training to drivers being proficient in the English Language both oral and written.

It was considered that the cost of hybrid or electric vehicles would be considerable and that it would be wise to remove Phase 1 from the policy as this would give drivers time to change and programme in the cost of replacement vehicles by 2031.

A question relating to the cost of the training was raised with a suggestion that this be programmed to enable the maximum number to attend at a reduced cost.

The officer clarified that the training would need to self-funded and the cost covered by the applicant. The council would, however, do what it could to support applicants to keep the costs down whilst maintaining the highest standards.

The committee commented on the need for enough charging points to be in place for those running electric vehicles. It was considered that all new homes should automatically have charging points installed to encourage the purchase of electric vehicles. It was also noted that a long journey would result in the vehicle having to be charged and then being out of action during that period.

Officers clarified that more infrastructure was being put in place and a programme to install more electric vehicle charging points (EVCP) across North Northamptonshire was being carried out independently. It was also noted that charging times varied considerably depending on output and that a variety of charging points would be installed.

Reference was made to vehicles with fold up seats with many commenting that they had owned vehicles with this provision themselves. Officers were asked of the number of vehicles that would be affected. Officer's did not have the information to hand but commented that the vehicles would still be able to be used, but with limited capacity and not for the additional passengers. The reason for this was to ensure that someone could safely access the seat and could also exit the vehicle safely regardless of any disability.

A question was raised over how the council would know which drivers hadn't had a DBS check and therefore who were a fit and proper person. Mrs Wilcox clarified that all drivers would be required to undertake an enhanced disclosure through the Disclosure and Barring Service, along with the Adult and Child Barred lists.

Confirmation was sought on whether all drivers needed a 'knowledge test' for each of the areas in North Northamptonshire. It was clarified that this would not be necessary as long as they knew the main trunk roads and had a general awareness of the area, although knowledge tests for the relevant zone would still be required for new Hackney Carriage driver applicants.

Officers confirmed that new guidance packs would be issued to all drivers to assist them with understanding the new policy application requirements.

Councillor L Lawman proposed the recommendation within the report, and this was seconded by Councillor Hallam. On being put to the vote the motion was declared carried.

Resolved that:

- (i) the consultation responses and officers comments thereon be noted;
- (ii) It be recommended to the Executive that the Policy and Appendices thereto be adopted by North Northamptonshire Council with the recommended review period of two years;
- (iii) It be recommended to the Executive that the Policy take effect from 1 April 2023.

6 Close of business

There being no further business the chair closed the meeting at 8.40pm.

Chair

Date.....