

REGULATORY AND LICENSING COMMITTEE

25 FEBRUARY 2021

PRESENT:

Councillors B Yeates (Chairman), Anketell, Binney, Eagland, D Ennis, L Ennis, Evans, Leytham, Salter, Spruce and Warfield

11 APOLOGIES FOR ABSENCE

Apologies were received from Cllr James Parton-Hughes.

12 DECLARATIONS OF INTEREST

There were no declarations of interest received.

13 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held 28 September 2020 were approved.

14 WORK PROGRAMME

It was noted that this meeting was the last of the municipal year.

15 BUSINESS AND PLANNING ACT 2020 UPDATE ON PAVEMENT LICENCES

The Committee received an update on the Business and Planning Act 2020 in respect of Pavement Licences. It was reported that since July 2020, 12 licences had been granted and were valid until 30 September 2021. However, due to the current restrictions the premises are unable to make use of the permission at the time of writing this report. The committee were advised that the use of the licences may be resumed from 12 April onwards but this date was subject to change as part of the government's roadmap. It was noted the £100 application fee had been waived for these licences.

The committee were advised that 11 premises had been found to be compliant with the national and standard conditions; 1 premise had used an article that was not authorised by the pavement licence and an application had been resubmitted to address this issue and objections had been received and the application was therefore refused. This premise would be monitored once the permissions can be used to ensure compliance.

Committee questions included the use of facemasks outside and if the outside areas would be no smoking areas. It had been agreed to have a condition that they would be no smoking areas, so, again this would be monitored when the businesses open and government guidance given.

RESOLVED: That members note the implementation of the Business and Planning Act 2020 regarding pavement licences.

16 REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

The Committee received a report (including appendices) on the feedback of the outcome of the consultation for the Review of the Hackney Carriage and Private Hire Licensing Policy that was approved 2019 and a review had been due in 2020.

Due to the coronavirus pandemic and the impact on the taxi trade, it was felt that this should be delayed further. In July 2020 the Department for Transport released the Statutory Taxi and Private Hire Vehicle Standards and the document sets out a framework of policies that licensing authorities must have regard to when exercising their functions. It was therefore considered that the review of the existing policy needed to be undertaken to consider these Standards. Therefore on 4th December 2020 consultation commenced to statutory bodies and taxi drivers and concluded on 29th January 2021.

Members discussed the contents of the report and appendices showing the changes proposed. The majority of the changes were due to the statutory standards and also some clarification of wording contained within the policy.

During discussions it was asked if electric or non-polluting taxis and private hire cars would be encouraged. It was confirmed that from April 2022 new and renewal taxi and hackney applications would be required to meet the standards of having a non-polluting car engine as it is desirable to improve air quality, however, the infrastructure of having 5 charging points in Lichfield would need to be reviewed and increased to allow more taxis to have access to charging points.

The committee was advised that throughout the pandemic, communication had been maintained with all Taxi drivers and regular emails had been sent directing them to the Council's website for up to date guidance.

RESOLVED: That the revised Hackney Carriage and Private Hire Licensing Policy be approved.

17 THE FEASIBILITY OF USING PARKS STAFF FOR ENVIROCRIME FIXED PENALTY ENFORCEMENT

Members received a report into the feasibility of park staff undertaking fixed penalty enforcement duties. After consultation with the Parks Manager and Human Resources team, the feasibility of such an approach had been considered and the findings recommended that this approach was not considered the most appropriate use of resources at the current time.

The report detailed that Powers under the Environmental Protection Act 1990 (as amended) allowing the serving of fixed penalty notices for litter, waste and various other offences. Powers are also available under the Anti-Social Behaviour, Crime and Policing Act 2014 in relation to offences relating to dog control, including fouling, for which fixed penalty notices can be served.

Summarising the report, time spent carrying out enforcement work for the Rangers is time taken away from their normal duties and this may create capacity issues. Also, it was noted that the Park Staff only work in parks, so they can only see the minority of potential offences which take place across the whole district.

The Committee were informed that the use of intelligence cards regarding dog fouling on the streets had resulted in prompting dog owners to consider their actions more, and the

consultation period on the new Dog Control Public Spaces Protection Order ends early March 2021.

Concerns were raised that the tasks were out of the Park Ranger's current job description scope and a significant amount of training in enforcement work would be required, resulting in an increase in pay also.

Members raised problems as to potential health risks and said this needed to be addressed again, therefore, it was agreed that a task group should be formed to discuss the issues and objectives and consider suitable solutions. Within the task group subjects to be considered should be, increase in staff resources, the use of bags available on the side of dog waste bins and to consider the feasibility use of agency staff for enforcement duties.

RESOLVED: That the information provided be noted and that the use of parks staff to issue environmental crime fixed penalty notices is not recommended to the relevant Cabinet Member at the current time for the reasons set out in the report.

(The Meeting closed at 7.12 pm)

CHAIRMAN