



Licensing and Regulatory Committee

Time and Date

9.30 am on Tuesday, 17th September, 2019

Place

Diamond Room 2 - Council House

Public Business**1. Apologies****2. Declarations of Interest****3. Minutes** (Pages 1 - 4)

To agree the minutes of the Committee meeting held on 20 August 2019.

4. Exclusion of Press and Public

To consider whether to exclude the press and public for the items of private business for the reasons shown in the reports.

5. Outstanding Issues Report

There are no outstanding issues to report.

6. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**Private Business****7. Reports of the Deputy Chief Executive (Place)****7.1 Poor Conditions at a Food Business** (Pages 5 - 16)

(Listing Officer: Sarah Greenway, Tel: 02476 972238)

7.2 Refusal to carry assistance dog and disabled passenger by licensed Private Hire Driver (Pages 17 - 30)

(Listing Officer: Mick Coggins, Tel: 02476 971997)

8. Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved

Martin Yardley, Deputy Chief Executive, Place, Council House Coventry

Monday, 9 September 2019

Note: The person to contact about the agenda and documents for this meeting is Carolyn Sinclair carolyn.sinclair@coventry.gov.uk

Membership: Councillors F Abbott, J Birdi, J Clifford, B Gittins, J Innes, B Kaur (Deputy Chair), R Lakha, G Lloyd, A Lucas, T Mayer, R Thay, C Thomas (Chair) and S Walsh

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting OR if you would like this information in another format or language please contact us.

Usha Patel/Carolyn Sinclair

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Agenda Item 3

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Committee held at 9.30 am
on Tuesday, 20 August 2019

Present:

Members: Councillor C Thomas (Chair)
Councillor F Abbott
Councillor J Birdi
Councillor J Clifford
Councillor B Gittins
Councillor B Kaur
Councillor G Lloyd
Councillor T Mayer
Councillor S Walsh

Employees (by Directorate):

Place: M Coggins, S Elliott, A Harwood, U Patel, B Welch,
A Wright, S Yarker

Apologies: Councillor J Innes, R Lakha, A Lucas and R Thay

In Attendance: Mr MS Gill (Taxi Trade Representative) for Minute 31
Mr L Wiggetts-Clinton (Unite the Union) for Minute 31

Public Business

28. Declarations of Interest

Councillor G Lloyd declared an interest in the matter referred to in Minute 31 below headed "Hackney Carriage and Private Hire Licensing Fee Review 2019 – Objections". He withdrew from the meeting during the consideration of this item.

29. Minutes

The Minutes of the meeting held on 23 July, 2019 were signed as a true record.

30. Exclusion of Press and Public

RESOLVED that under Section 1004(A) of the Local Government Act 1972, the public be excluded from the meeting for the items of business indicated below on the grounds that those items involve the likely disclosure of exempt information, as defined in Schedule 12A of that Act, in particular those paragraphs of Part 1 of the Schedule as indicated:

Minute No.	Subject	Relevant Paragraphs of Part 1 of Schedule 12A
35	Take Away Meal with Undeclared Allergens	7

36	Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Driver's Licences	1 & 3
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31. Hackney Carriage and Private Hire Licensing Fee Review 2019 - Objections

Further to Minute 5/19 of the meeting held on 25th June, 2019, the Committee considered a report of the Deputy Chief Executive (Place) which detailed objections received in response to proposed fee increases.

The Local Government (Miscellaneous Provisions) Act 1976 provides that the City Council may charge as fees the reasonable cost of administering and enforcing the hackney carriage and private hire licensing function. The fees charged by the Taxi Licensing Office are intended to enable the service to operate on a self-financing basis.

A review of fees was carried out in 2015 and before that in 2009, which involved assessing the resources used for each activity represented by a fee. Any increased costs to taxi licensing since 2015 have been managed within available resources.

The Committee approved the proposed fee increases subject to objections on 25th June, 2019. The proposed fee changes were advertised as per statutory requirement and a consultation sent to all licensed drivers, hackney carriage and private hire vehicle proprietors and the private hire operators.

A total of 93 objections were received which were attached at Appendix B of the report. The majority of responses received objected to the increased costs based on affordability due to a general decrease in business across the City.

The proposed increases were intended to enable the service to operate on a self-financing basis based on the costs of providing the function. The increases have been calculated to ensure that the taxi licensing reserve account can be retained without deficit.

A petition bearing 292 signatures was received objecting to the proposed fee increase and requested that "...Coventry City Council taxi licence fees to be adjourned to a later date. A request for hackney office to justify the 39% increase in fees". Mr Lee Wiggetts-Clinton (Unite the Union) and Mr Major Singh Gill, representatives of the taxi trade, attended the meeting and spoke in respect of the petition.

RESOLVED that having considered the report, the petition submitted and verbal representations made at the meeting, the Committee approves the proposed fee changes detailed in Appendix A of the report, to commence on 30th August, 2019.

32. Report of Recent Prosecutions from 1 February 2019 to 7 August 2019

The Committee noted a report of the Deputy Chief Executive (Place) which provided an update on any prosecutions authorised by the Committee that had concluded at Court between 1 February 2019 and 7 August 2019.

33. Outstanding Issues Report

There were no outstanding issues.

34. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of public business.

35. Take Away Meal with Undeclared Allergens

RESOLVED that, having considered a report of the Deputy Chief Executive (Place):

- 1. The Council Solicitor be authorised to institute legal proceedings under the Food Safety and Hygiene (England) Regulations 2013 and the Food Safety Act 1990 against appropriate persons in respect of the alleged take away meal with undeclared allergens supplied by Wok Express, 15 Station Street West, Coventry.**
- 2. That authority be delegated to the Director of Streetscene and Regulatory Services to authorise legal proceedings for any further offences which may come to light before the case under consideration has been resolved in court.**

36. Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licences

RESOLVED that, having considered the circumstances set out in the reports of the Deputy Chief Executive (Place), now submitted:

- (a) The application for a Hackney Carriage Driver's Licence by Mr Wahid Akhter Fazal be approved.**

(Note: Mr W A Fazal attended the meeting in support of his application.)

37. Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of private business.

(Meeting closed at 11.30 am)

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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of the Local Government Act 1972.

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

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