

HARBOROUGH DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE REGULATORY COMMITTEE

held in the Council Chamber,  
Council Offices, Adam and Eve Street, Market Harborough

27<sup>th</sup> July 2011

commencing at 6.30p.m.

Present:

Councillor: Mrs. Page (Chairman)

Councillors: Bannister, Beaty, Brodrick, Mrs. Burrell, Dunton,  
Hallam, Liquorish, Robinson and Tomlin

Officers: S. Greenway, R. Hollingsworth and E. O'Neill

Apologies for absence were received from Councillors Beesley-Reynolds and Callis.

147 ELECTION OF CHAIRMAN FOR THE 2011/12 YEAR

Councillor Beaty, Chairman of the Council, opened the Meeting and invited nominations for Chairman of the Committee for the 2011/12 year.

It was moved by Councillor Liquorish, seconded by Councillor Mrs. Robinson and

RESOLVED: that Councillor Mrs. Page be elected Chairman for the 2011/12 year.

148 APPOINTMENT OF VICE-CHAIRMAN FOR THE 2011/12 YEAR

Councillor Mrs Page took the Chair and invited nominations for Vice-Chairman of the Committee for the 2011/12 year.

It was moved by Councillor Liquorish, seconded by Councillor Beaty and

RESOLVED: that Councillor Tomlin be appointed Vice-Chairman for the 2011/12 year.

149 MINUTES

RESOLVED: that the Minutes of the Meeting of the Regulatory Committee held on 28<sup>th</sup> March 2011 be taken as read and signed by the Chairman as a true record.

150 DECLARATIONS OF MEMBERS' INTERESTS

Councillor Dunton disclosed a personal and prejudicial interest in the item titled 'Application for Exemption from Private Hire Plate Display'. The nature of the interest was stated to be that he has a business connection to the application. Councillor Dunton did not to take part in the debate or vote concerning this application.

151 ANNUAL SERVICE PLANS – FOOD SAFETY ENFORCEMENT AND HEALTH AND SAFETY ENFORCEMENT 2011/12

R. Hollingsworth, Business Compliance Manager, Health and Enforcement Services, presented this report to the Committee. The purpose of the report was to present to Members of the Regulatory Committee the Health and Enforcement Services service plans for Food Safety Enforcement and Health and Safety Enforcement 2011/12. These were developed in accordance with guidance from the Food Standards Agency under the Framework Agreement on Local Authority Food Law Enforcement, and the Health and Safety Commission under Section 18 guidance to Local Authorities.

The Committee NOTED that:

- (i) 96% of high-risk food premises that should have been inspected in the year 2010/11 were inspected.
- (ii) 87% of food premises across Harborough District were assessed as 'broadly compliant' with food legislation in the year 2010/11. This compared favourably with the national average.
- (iii) the Council has continued to operate and publicise a publically-available food premises star-rating system to enable consumers to make informed food choices, and drive up standards of compliance with food legislation.
- (iv) two businesses were awarded Harborough District Council's Healthy Workplace Award, which recognises the provision of healthy food choices and promotion of active lifestyles for employees.
- (v) it is not currently possible for the Council to generate income by charging for inspections of food premises.

**The Committee RECOMMENDED: that the Food Safety Enforcement Service Plan and the Health and Safety Enforcement Plan for 2011/12 be approved by Council.**

#### 152 APPLICATION FOR EXEMPTION FROM PRIVATE HIRE PLATE DISPLAY

S. Greenway, Senior Licensing Officer, presented this report. The Committee was asked to consider a request from Mr Johnson for an exemption from the requirement to display the private hire licence plate on private hire vehicles licensed by the Council.

A Private Hire Vehicle must not pick up passengers without a prior booking made by the hirer directly with the operators for which the vehicle works. Private Hire Vehicles and their drivers may be pre-booked only via a licensed private hire operator. There are three types of licence: one for the operator, one for the vehicle and one for the driver (all three must be issued by the same licensing authority). Under Section 48 (6) of the Local Government (Miscellaneous Provisions) Act 1976, private hire vehicle proprietors (licensees) are required to exhibit on their vehicles the licence plates provided by the Council. These plates are 24cm in width x 18cm in height and contain information relating to the Private Hire Vehicle Licence Number, Vehicle registration and Licence expiry.

The Act also enables a local authority, generally, to grant exemption from the requirement to display licence plates on private hire vehicles on *occasions specified* by the authority, or on *any occasion*, provided that the notice of exemption is carried in the vehicle (Section 75 (3)). If exemption from display on any occasion is granted, the driver of the vehicle is also exempted from the requirement in Section 54 (2) (a) that he should wear his private hire driver's badge. The driver must, however, be a private hire driver licensed by the Council. If granted an exemption, the plate and the letter of exemption must be carried in the vehicle and produced for inspection when requested. It should be borne in mind that the request from Mr Johnson has been made because the operator wishes to have a specific vehicle for more exclusive work than the daily 'to-and-fro' type of work which these vehicles may undertake.

The Licensing department had received a request from Mr A Johnson for exemption from display of his licence plate at any time. A Private Hire Operator would normally have a good reason to request exemption, such as that the vehicle is primarily used in professional executive chauffeur-driven vehicle hire.

Mr A Johnson states that he has been providing executive chauffeur-driven vehicle hire for celebrities and members of the Royal family. This Committee granted exemption from private hire display for two vehicles in January 2008. These two vehicles are no longer licensed by this authority. Mr Johnson now wishes to licence a new vehicle: a Mercedes Viano.

The provision of an identifying licence plate on the rear of the vehicle and also the driver's badge (which the driver must wear) are an assurance for hirers that they are using a safe and properly-licensed vehicle and not a bogus one.

RESOLVED: that

- (i) the request for exemption from the requirement to display a private hire vehicle licence plate on any occasion be approved.
- (ii) a condition of the licence be that the Council's display card showing the plate number and the expiry date be placed in the front of the vehicle. This will ensure that sufficient evidence is in place to assure any hirer of the vehicle's licence status.

153 MATTERS OF SPECIAL URGENCY

None were received.

The Meeting ended at 6.58p.m.