

# HEALTH AND CONTROL COMMITTEE

Minutes of the meeting held on Wednesday, 22 September 1999, at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Attwood (Chair); Councillors Aujla, Butler, Mrs Clayton, Cleaver, Mrs Compton, Crowther, Davis, Doody, Mrs Evans, Gifford, Gill, Golby, Harris, Mrs Leddy, Mrs Pavier

(Councillor Davis substituted for Councillor Copping  
Councillor Mrs Pavier substituted for Councillor Mrs Goode)

## 358. MINUTES

The minutes of the meeting held on 21 July 1999 having been printed and circulated were taken as read and signed by the Chair as a correct record.

## 359. REFUSE COLLECTION AND RECYCLING

Phil Maple, Serviceteam Service Director for this area and Ian Postles, Area Contract Manager attended and addressed members on the contract for refuse and recycling which had been let to Serviceteam on 1 April 1998.

Both Mr Maple and Mr Postles answered questions from members.

The Chair thanked them for attending and it was agreed that they be invited to give a further presentation, to the Committee, in twelve months time.

### PART I

(Matters not the subject of powers delegated to the Committee by the Council)

## 360. ENGINEERING SERVICE PLAN 2000/2001

A report from the Commissioning Team and Engineering was submitted on the Engineering Service Plan 2000/2001 in relation to those services provided by Engineering which were under the control of this Committee. These were drainage and waste management, including public conveniences and abandoned vehicles but not street cleansing.

The report sought agreement to performance indicators, saving options and bids for capital and revenue resources.

The performance indicators, as set out as an appendix to the report, were presented in a new format designed to assist members in the monitoring of the service.

## **HEALTH AND CONTROL COMMITTEE (Continued)**

The saving options were also set out as an appendix to the report. No savings had been made on the S18/S104 agreements or on the Severn Trent Agency agreement. The increases in car parking charges, as approved by the Development Committee, would generate sufficient additional income to meet this Committee's target.

Bids for additional resources were also set out as an appendix to the report.

### **RECOMMENDED** that

- (1) the performance indicators, as submitted, be approved; and
- (2) Strategy Committee be asked to approve the bids for capital and revenue resources as set out in Appendix "G".

### **361. ENVIRONMENTAL HEALTH AND LICENSING SERVICE PLANS 2000/2001**

A report from the Commissioning Team, Head of Environmental Health and Head of Members' Services was submitted on service plans for 2000/2001. The report sought agreement for revised performance measures, proposed savings and bids for additional resources, in respect of the Environmental Health service plan and revised performance measures and a proposal to increase entertainments licence fees in respect of the Licensing service plan.

Saving options for Environmental Health were set out as an appendix to the report and, although amended at the meeting, still met this Committee's target.

Details of bids for additional resources from Environmental Health totalling £48,200 were set out in the report.

Reference was made to the proposed revision in the service plan for Licensing to the review the level of fees for public entertainment licences with a review to ensuring all the Council's costs were recovered, any changes in fees to be operative by 1 April 2000.

### **RECOMMENDED** that

- (1) the performance measures and saving options within the Environmental Health service plan 2000/2001, as submitted but amended at the meeting, be approved; and
- (2) the Strategy Committee be asked to approve the bids for additional resources for Environmental Health as set out in Appendix "G".

## HEALTH AND CONTROL COMMITTEE (Continued)

### PART II

(Matters delegated to the Committee by the Council)

#### 362. **FEES AND CHARGES 2000/2001**

A report from Finance, Environmental Health, Engineering and Members' Services was submitted on fees and charges for the year 2000/2001. At its meeting held in January 1997, the Strategy Committee had formulated the Council's Financial Strategy for the three years to 2000/2001. The Strategy comprised of three major elements relating to the target level of revenue spending, the level of capital expenditure and the increase in income to be sought by increased fees and charges associated with using Council facilities.

In addition, the Financial Strategy required that committees identified service options to reduce net expenditure by 15% in real terms, over the three year period. This had been achieved through the establishment of service plan groups.

The Council had decided that committees should seek to increase income from fees and charges by 2.5% for 2000/2001. Any income generated above 2.5% could be counted as a service plan option for consideration by the service plan group. A suggested list of fees and charges for 2000/2001 was submitted. The majority of fees and charges had been reviewed to cover the 2.5% increase and then rounded to a convenient figure which, in most cases, had resulted in an increase above 2.5%. There were areas where the suggested increase was not in line with the 2.5% and the reasons for these suggestions were set out in the report.

In view of the decision taken in respect of the service plan, (see minute 361 above), the fees and charges did not include a fee for entertainments licences which was being reviewed.

The income from the various fees and charges would achieve the 2.5% target.

**RESOLVED** that the Strategy Committee be recommended to approve the fees and charges for the various facilities under the control of this Committee, as set out in Appendix "H", with effect, unless otherwise stated, from 1 April 2000.

#### 363. **FLOODING - 8 AUGUST 1999**

A report from Engineering was submitted which provided a brief summary of the events relating to the flooding in the district on 8 August 1999.

The Committee also considered the following Notice of Motion from Councillor Cockburn which had been referred to it by the Council:-

"That in the light of the events of 8 August 1999, when properties in the Mill End and other areas of Kenilworth were seriously affected by flooding resulting from the nearby housing development, the District Council be asked:-

## **HEALTH AND CONTROL COMMITTEE (Continued)**

1. To enforce all appropriate regulations in order to clear the Tanyard stream and culverts of obstructions, and, to keep them clear to alleviate any further flooding problems.
2. To carry out a survey of the drainage system, with particular attention to known "black spots" with a view to regular inspections taking place to forestall future flooding resulting from obstructions."

(Councillor Cockburn attended the meeting and addressed Members on his Motion.)

### **RESOLVED** that

- (1) the report be noted and the Committee's appreciation be extended to the staff who assisted in providing the service to the public on 8 August; and
- (2) the Council's current policy on land drainage as set out in the 1983 report, be reviewed taking into account what further action the Council might wish to take using the permissive powers under the Land Drainage Acts and a further report be submitted to the Committee.

## **364. RUGBY ROAD RECYCLING CENTRE**

A report from Engineering was submitted on suggested improvements to the recycling centre at Rugby Road shops, Milverton.

At its meeting held in May 1999 the Committee agreed, following a petition presented by Councillor Mrs Begg, that the centre should remain but that officers should investigate whether the site could be improved in order to further reduce the visual impact and any possible noise nuisance.

One of the problems which had been highlighted was that the paper bank was sometimes overflowing and that the bank should be emptied more frequently or additional banks put in place. Enquiries had been made through Oxfam as to whether a smaller, less obtrusive textile bank could be provided at Rugby Road. Oxfam felt, however, that a smaller bank would need to be emptied far too frequently, adding to the cost of the collection service which they currently provided free of charge.

The most major change which had been proposed was that the height of the fence surrounding the site be raised and that cross beams be put in place to mask the site more thoroughly. To make these changes, the current fencing would need to be removed and new fencing, of the desired specification and design, erected in its place at a cost of approximately £2,500.

## **HEALTH AND CONTROL COMMITTEE (Continued)**

### **RESOLVED** that

- (1) no action be taken to replace the fence;
- (2) an extra litter bin be provided on the site; and
- (3) the textile bank provided by Oxfam be retained.

### **365. WARWICKSHIRE WASTE MANAGEMENT FORUM - EMPLOYMENT OF CONSULTANTS**

A report from Engineering and the Commissioning Director was submitted which sought approval for the provision of £5,000 from available key issues funding for the joint commission of consultants. Warwickshire Waste Management Forum had been formed last year and was comprised of members from Warwickshire County Council and the five District/Borough Councils in Warwickshire. It was working towards establishing a way forward for dealing with waste on a countywide basis. This Council was represented on the Forum by the Chair and Vice-Chair of this Committee.

The Forum had resolved to invite Councils to agree to the appointment of consultants following a consensus that this was a fundamental step in establishing an integrated waste management strategy. The Forum had agreed that the funding for the commission of consultants would be shared by the Councils involved, with the County Council paying half the overall costs and each of the other Councils contributing 10% each. It was agreed that the total expenditure should not exceed £50,000.

**RESOLVED** that Members agree that an amount of up to £5,000 be made available from key issues funding to pay 10% of the cost of employing consultants to work on behalf of the Warwickshire Waste Management Forum in developing an integrated waste management strategy.

### **366. HOUSE IN MULTIPLE OCCUPATION - 3 BARROWFIELD LANE, KENILWORTH**

(Councillor Davis declared a substantial interest in this item and left the room while it was being discussed).

A report from Environmental Health was submitted on the repayment of grant monies following a breach of grant condition in respect of the above premises.

At its meeting in May 1999, the Committee had agreed to reclaim all of the grant, which had been paid in December 1995, together with interest from the "owner for the time being", i.e. Warwickshire County Council. A letter had been sent to the Property Services Department of the County Council advising them of the decision and of the amount payable. A reply had been received advising that the property came under the jurisdiction of the Police Authority and that all correspondence had been forwarded on to them. The

## **HEALTH AND CONTROL COMMITTEE (Continued)**

Police Authority had responded outlining their position and offering to make a one-off payment of £450 in full and final settlement. The amount of the grant was £1,254.62 with £494.32 interest.

**RESOLVED** that the offer by the Police be not accepted and they be pursued for the full amount.

### **367. FOOD SAFETY TEAM - APPROVAL OF QUALITY MANAGEMENT SYSTEMS**

A report was submitted from Environmental Health advising Members of the Food Safety Team's success in having its quality management systems audited and approved by an independent body to BS EN ISO 9002:1994. Lloyds Register Quality Assurance, a world leading certification body, had been chosen to undertake the assessment. In May 1999, after four days of assessment, the Food Safety Team's system received approval for "the advancement and enforcement of food safety". The Team could now use the official logo on its correspondence and the certificate had been presented to the Chair of this Committee on 14 September 1999.

**RESOLVED** that the report be noted and the Committee's appreciation be extended to all those involved in reaching the high standard required by the assessors.

### **368. GENERAL REPORT**

#### **(A) SEWERS FOR ADOPTION**

**RESOLVED** that the sewers listed in Appendix "I" be adopted by the Council as agents for Severn Trent Water Limited under Section 102 of the Water Industry Act 1991 as public sewers.

#### **(B) PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984 - CASES 2 AND 3/1999-2000**

**RESOLVED** that the circumstances of the cremations which the Council had been required to carry out under the provisions of the above Act be noted.

#### **(C) HOUSE RENOVATION GRANTS 1999/2000**

**RESOLVED** that the details of the number of applications for house renovation grants for the period from 1 April 1999 to 31 August 1999 inclusive be noted.

**HEALTH AND CONTROL COMMITTEE (Continued)**

(D) LICENSING SUB-COMMITTEE

**RESOLVED** that the minutes of the meeting of the Licensing Sub-Committee held on 25 August 1999, as set out in Appendix "J", be received.

(The meeting ended at 8.15 pm)

MINS/H&C22-9

**APPENDIX "G" MINUTE NUMBERS 360 AND 361**

## HEALTH AND CONTROL COMMITTEE (Continued)

### Capital Programme Bids

<u>Engineering</u>	2000/2001	2001/02
	£	£
Flood Alleviation Schemes:-		
St. Mary's Lands	2,500	69,500
Pingle Brook	48,000	32,000

### Revenue Bids

#### Engineering

Watercourses - programme of brook stabilisation	10,000		
Drainage Project Engineer	21,549 + on costs		

<u>Environmental Health</u>	2000/01	20001/02	2002/03
	£	£	£
Pollution Control - contaminated land register	25,000	-	-
Food Safety increase in inspection level for licensing of butcher shops	6,000	6,000	6,000
continuation of half-time food inspector's post	10,700	10,700	10,700
Home Safety Extension of scheme for provision of home safety equipment	6,500	6,500	6,500

GMWP/Capitalbids.wpd

APPENDIX "H "

Proposed

MIN



## HEALTH AND CONTROL COMMITTEE (Continued)

	Charge £
<u>PEST CONTROL (INCLUSIVE OF VAT)</u>	
<u>Rodent Control</u>	
(Control of Rat and Mice Infestation)	
<u>Non-Domestic Premises (with contract):</u>	
Minimum Charge for smaller Non-Domestic Premises	120.00
Other Non-Domestic Premises	By Assessment
<u>Non-Domestic Premises (without contract):</u>	
One man and van per hour	31.00
Two men and van per hour	50.00
<u>Domestic Premises</u>	
<u>Rat Infestation:</u>	Free
<u>Mice Infestation:-</u>	
Standard Charge	37.00
OAP's/Persons in receipt of Income Support or addition to State Pension and Registered Disabled Persons	Free
Pensioners not in receipt of Income Support or additions to State Pensions	18.50
<u>Destruction of Wasps Nests and Treatment for Fleas, Bedbugs and Cockroaches</u>	
Standard Charge	37.00
OAP's/Persons in receipt of Income Support or addition	

## APPENDIX "J"

## MINUTE NUMBER 368 (D)

### LICENSING SUB-COMMITTEE

Minutes of the meeting held on Wednesday, 25 August 1999 at the Town Hall, Royal Leamington Spa at 4.30 pm.

**PRESENT:**Councillor Mrs Clayton (Chair); Councillors Attwood, Mrs Boad, Cleaver, Mrs Edwards, Jackson, Mrs Leddy, Thomas

(Councillor Mrs Boad substituted for Councillor Harris  
Councillor Thomas substituted for Councillor Shilton)

### PART I

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

**HEALTH AND CONTROL COMMITTEE (Continued)**

to State Pension and Registered Disabled Persons Pensioners not in receipt of Income Support or additions to State Pensions	Free
<u>LICENCES (VAT NOT APPLICABLE)</u> (Excluding Entertainment Licences)	18.50
Animal Boarding Establishments Act 1963	62.00
Breeding of Dogs Act 1973	62.00
Dangerous Wild Animals Act	240.00
Game Dealers Act 1831	11.00
Pet Animals Act 1951	62.00
Riding Establishments Act	160.00

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**PART I**

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

## **HEALTH AND CONTROL COMMITTEE (Continued)**

Rag Flock and Other Filling Materials Act 1951:	
Registration of Premises	110.00
Manufacture Licence	110.00
Storage Licence	110.00
Hackney Carriage Licences:	
Horse Drawn Vehicles Licence	130.00
Vehicle Licence - Annual	185.00
Vehicle Licence - Three months or less	46.00
Vehicle Licence - Transfer	26.00
Driving Licence	17.00
Medical Examination Fee	25.00
Private Hire Licences:	
Vehicle Licence - Annual	185.00
Vehicle Licence - Three months or less	46.00
Vehicle Licence - Transfer	26.00
Operator's Licence	56.00
Driving Licence	17.00
Medical Examination Fee	25.00
Theatres Act 1968:	
Theatres Licence (up to 12 months duration)	132.00
Theatre Licence (up to 3 weeks)	32.00
Transfer of Licence	32.00
Cinema Act 1985:	

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### **PART I**

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

## HEALTH AND CONTROL COMMITTEE (Continued)

Cinema Licence (annual)	120.00
Transfer of Licence	32.00
Local Government (Miscellaneous Provisions) Act 1982:	
Ear Piercing, Electrolysis, Acupuncture, Tattooing (Registration)	56.00
Tattooing Repeat registration within 2 years	25.00
Sex Establishments Licence	585.00
Consent for Street Trading	57.00
Late Night Refreshment House Licence	74.00
Transfer of Refreshment House Licence	32.00
Dog Track Licence	208.00
Zoo Licence (+ Vets inspection fees)	82.00

\* NOTE: With effect from 1st July 2000

\\CTTS\IEHCHARGE

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### PART I

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

	<u>Charge</u> £	<u>Proposed</u>
<b><u>MISCELLANEOUS CHARGES</u></b>		
(Exclusive of VAT)		
<b><u>Charges for the Administration of Improvement Grants</u></b>	at cost	
<b><u>Contaminated Land Search</u></b>	41.13	
Clearing Private Blocked Drains		
(subject to a contribution from STW towards the cost of employing a jetter and crew still being made)		
- simple rodding	64.00	
- jetter and crew	64.00	
- emergency call-out	64.00	
(All up to 2 hours maximum)		
- over 2 hours		at cost

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**PART I**

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

Food Inspection	
- Inspection	70.00

Garden Refuse Tickets

- sold to the public from Council Offices	
- 1 ticket	1.10
- Book of 5 tickets	5.00
- Book of 10 tickets	9.50
- Book of 15 tickets	14.00
- Book of 25 tickets	23.00

Bulky Refuse Tickets	6.00
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ctts/ehcharge

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**PART I**

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

MINUTE NO 368(A)

APPENDIX

“I”

**ADOPTION OF SEWERS  
SCHEDULE**

**LOCATION**

**SIZE**

**DESCRIPTION**

**APPROXIMATE**

**(mm)**

**LENGTH (m)**

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**PART I**

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

**Foul Water Sewer**

LAPWORTH	(i)Development at Junction of Old Warwick Road and Station Lane  (a)Lapworth Oaks  Manhole in carriageway opposite No. 5 to existing manhole in carriageway of Station Lane.	150	34
BAGINTON	(ii)Development of Coventry Airpark - Phase I (a)Parkway West	Nil	Nil
	(iii)Development of Coventry Air Park - Phase II (Plot 5000)	Nil	Nil
BAGINTON	(iv)Development of Coventry Air Park - Phase II		
BAGINTON	(a)Rock Farm Lane  From manhole south of cross wind runway westwards		

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**PART I**

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NIL



	within airport land to manhole close to pumping station.		
	Manhole close to Pumping Station then into pumping	1800	141
		375	5
	<b>Rising Main</b> From pumping station the through airport land at first north-westwards, then south westwards and westwards to manhole at junction with Coventry Road.	300	713
	<b>GRAVITY SEWER</b>  Manhole at junction with Coventry Road northwards along grass verge of Coventry Road turning into airport land, adjacent to Coventry Road and Leamington Road, to manhole near commercial entrance to airport.		

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NIL

	Manhole in verge near commercial entrance to Baginton Airport north westwards to join the "Sowe Valley" sewer.	375	753
		450	105

LOCATION

DESCRIPTION

SIZE

APPROXIMATE

(mm)

LENGTH (m)

Surface Water Sewers

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**PART I**

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NIL

**LAPWORTH**

(i)	<p><b><u>Development at Junction of Old Warwick Road and Station Lane</u></b></p> <p>(a)Lapworth Oaks</p> <p>Manhole in carriageway opposite No. 5 to existing manhole on watercourse situated in grass verge.</p>	225	42
<p><b><u>BAGINTON</u></b></p> <p>(ii)</p>	<p><b><u>Development of Coventry Airpark - Phase I</u></b></p> <p>(a)Parkway West</p> <p>From manhole in carriageway adjacent to "Walkers Crisps" northwards in carriageway to manhole in centre of traffic island (near Airport entrance).</p> <p>Manhole in carriageway entrance to Coventry Airport Terminal</p>	675	250

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NIL

	eastwards to manhole in centre of traffic island.	750	37
	Manhole in centre of traffic island eastwards along carriageway to manhole at side of carriageway.	750	116
	Manhole at side of carriageway eastwards to manhole in grass verge near entrance to "Unipart".	825	52
	Manhole in grass verge near entrance to "Unipart" eastwards through manhole in traffic island with Parkway West\ Siskin Drive\ Parkway East, then southwards through landscaping area to manhole in southwest corner of land of "Digital Microwave".	900	270

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NIL

	<u>Surface Water Sewers (Cont'd)</u>		
	Manhole in southwest corner of "Digital Microwave" eastwards along boundary fence of "Digital Microwave", then through open ground to cascade structure, then in to the River Avon.		
	(iii)Development of Airpark - Phase II - (Plot 5000)		
BAGINTON	Manhole in open field north of Sewerage Settlement tanks to outfall on channel which leads to the River Avon.	827	105
	(iv)Development of Coventry Air Park - Phase II		

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NIL

BAGINTON	(a)Rock Lane Farm	1200	165
		Nil	Nil

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**PRESENT:**Councillor Mrs Clayton (Chair); Councillors Attwood, Mrs Boad, Cleaver, Mrs Edwards, Jackson, Mrs Leddy, Thomas

(Councillor Mrs Boad substituted for Councillor Harris  
Councillor Thomas substituted for Councillor Shilton)

**PART I**

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL



**APPENDIX "J"**

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(Councillor Mrs Boad substituted for Councillor Harris  
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**PART I**

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NIL

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(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

Councillor Thomas  
substituted for Councillor  
Shilton)

**PART I**

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

**PART II**

(Matters delegated to the Sub-Committee by the Council)

£

**PUBLIC AND PRESS**

**RESOLVED** under  
Section 100A of the Local  
Government Act 1972  
that the public and press

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NIL

be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within paragraph 5 of Part I of Schedule 12A of the Local Government Act 1972.

£

### **PRIVATE HIRE DRIVERS LICENCE**

A report from Members' Services was submitted on an application for the renewal of a private hire drivers licence from a person whose driving licence had revealed convictions.

Authority had been delegated to the Head of

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NIL

Members' Services to approve or refuse applications for private hire or taxi drivers licences depending on convictions revealed. If an application was refused, the applicant was invited to appeal to the Sub-Committee.

The Sub-Committee had approved a general policy for deciding on applications which revealed convictions and a copy of the policy had been supplied to each Member.

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(Councillor Mrs Boad substituted for Councillor Harris  
Councillor Thomas substituted for Councillor Shilton)

**PART I**

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

LICENSING SUB-COMMITTEE (Continued)

The application for renewal of the private hire drivers licence from ASS had been refused under the delegated authority and he had been invited to attend this meeting to appeal against that decision.

Details of the convictions revealed on the applicant's driving licence were set out in the report.

ASS attended the meeting, together with his Solicitor. The procedure for dealing with the appeal was explained to him and he raised no objection to it. His Solicitor then addressed the Sub-Committee in support of his application and his Solicitor and he answered questions from Members. His Solicitor was then asked if he wished to sum up which he declined.

ASS and his Solicitor then left the meeting and the Sub-Committee considered all the information

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(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

supplied to it.

**RESOLVED** that the decision to refuse the application for the renewal of the private hire drivers licence in this case be overturned but ASS be warned as to his future conduct and informed that in the event of any future convictions the Sub-Committee will consider the revocation of his licence.

3.

### **MILLENNIUM LICENSING HOURS**

A report from Members' Services on the position with regard to extension of permitted hours, under entertainments licences, over the Millennium was submitted. In the past, the Magistrates had extended the licensing hours on New Years Eve by approving applications for special hours of exemption for each individual premises. The granting of special orders of exemption had had the effect of extending the permitted hours under the public entertainments licence.

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(Councillor Mrs Boad substituted for Councillor Harris  
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(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

LICENSING SUB-COMMITTEE (Continued)

A draft De-Regulation Order had been issued by the Government with the intention of extending liquor licensing hours on the Millennium and future new years eves. This Order had not received consent by the Lords as it was not felt appropriate for it to apply for future years. An Order had, therefore, now been approved which contained the same provisions but would only apply to the Millennium and not future years. The effect of the Order was to allow licensed premises, (other than off-licences), and premises in respect of which a club was registered to remain open from the end of the permitted hours on 31 December to the beginning of the permitted hours on the following day. This would mean that premises could remain open from the beginning of licensing hours, which

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NIL



LICENSING SUB-COMMITTEE (Continued)

was normally 11.00 am on the morning of New Years Eve, to the end of licensing hours which was normally 11.00 pm on New Years Day. The new Order did not allow for the automatic extension of entertainments licence permitted hours to coincide with the new liquor licensing hours. The Council would, therefore, receive applications for extensions to the permitted hours under public entertainments licences.

The Chief Superintendent of Police had indicated that the Police would not oppose any application for the extension of hours of entertainments licences for New Years Eve up to 3.00 am, but he suggested that applications for extensions of hours after 3.00 am should be scrutinised by the Sub-Committee with an input from the Police. It was understood that this view was being considered at a national level by the Police. Inspector Butler attended the

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(Councillor Mrs Boad substituted for Councillor Harris  
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NIL

LICENSING SUB-COMMITTEE (Continued)

meeting on behalf of the Chief Superintendent. He was not aware of any national policy and addressed the Sub-Committee in support of the proposal that applications for extensions after 3.00 am should be considered by the Sub-Committee with an input from the Police.

The report also referred to provisions in the Order allowing the Magistrates to make restriction Orders restricting the hours that individual premises could remain open for the sale of alcohol. Applications for such Orders could be made by the Chief Officer of Police, any person living in the neighbourhood, or anybody representing persons who did, or the local authority in whose area the premises were situated.

The Council's Head of Environmental Health felt that if the hours during which music and dancing was provided was controlled under the

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NIL

LICENSING SUB-COMMITTEE (Continued)

entertainments licence it would not be necessary to apply for the Magistrates to restrict the liquor licensing hours.

**RESOLVED** that

authority be delegated to the Head of Members' Services to approve applications for extensions to the hours under public entertainments licences on New Years Eve up to 3.00 am; and

pplications for extensions after 3.00 am be referred to the Sub-Committee for a decision, together with the views of the Police on each individual application.

4.

**PRIVATE HIRE VEHICLES - CONDITIONS**

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Councillor Thomas substituted for Councillor Shilton)

**PART I**

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

LICENSING SUB-COMMITTEE (Continued)

A report from Members' Services was considered on an application for an amendment to the conditions attached to private hire vehicle licences to allow signs on the rear windows of the vehicles. Private hire vehicle licences were issued subject to the following condition:-

"No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as maybe required by any statutory provision or required or permitted by other conditions, provided however that this condition shall not apply to any indication on a taxi meter fitted to the vehicle or to signs fitted to the front door panels of the vehicle which contained no words or numbers other than the name and address of the operator of the vehicle or the name under

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(Councillor Mrs Boad substituted for Councillor Harris  
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NIL

LICENSING SUB-COMMITTEE (Continued)

which he carries on his business and its address and telephone number or to any further signs on mini-buses which have been approved by the Council.”

The condition had first been introduced to ensure that vehicles did not become covered with advertisement signs and be unsightly. The condition was relaxed in respect of mini-buses some years ago to allow certain other additional signs to be approved by the Council.

An application had now been received from the proprietor of a private hire firm in Kenilworth for the conditions to be changed to allow him to have a discreet sign in the rear window of his private hire cars. The application was for a small sign, giving the name of the firm which was displayed on the lower edge of rear windscreen. The applicant

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NIL

LICENSING SUB-COMMITTEE (Continued)

maintained that the sign did not hamper the driver's vision in any way and he felt that it made his drivers drive more courteous and safe knowing that cars following them knew whose car it was.

**RESOLVED** that

the conditions attached to private hire vehicle licenses be amended to allow discrete signs bearing the name of the company in the rear window subject to consent for such signs being obtained from the Council;

authority be delegated to the officers to approve applications for such consent;

in cases where the officers are not prepared to grant consent the application

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NIL

LICENSING SUB-COMMITTEE (Continued)

be referred to the Sub-Committee for a decision; and

the condition with regard to signs on vehicles be amended to make it more understandable.

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**PART I**

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NIL

LICENSING SUB-COMMITTEE (Continued)

5. **PROPOSED CHANGES TO THE LAW ON SUNDAY OBSERVANCE  
RELATING TO MUSIC AND DANCING AND TO THE LAW ON LIQUOR LICENSING ON SUNDAYS**

A report from Members' Services was submitted which sought the views of Members on a consultation paper issued by the Home Office on proposed changes to the law on Sunday observance relating to music and dancing and to the law on liquor licensing on Sundays.

The Sunday Observance Act 1780 prohibited charging admission to entertainments and amusements to which the public were invited on Sundays. This prohibition had been removed from many Sunday activities but it still applied to public dances.

The Licensing Act 1964 provided for special hours certificates which could be granted by the Magistrates in respect of licenced premises which were licensed for music and dancing and which provided substantial refreshment. Special hours certificates permitted alcohol to be sold as an ancillary to music and dancing and refreshment beyond the normal

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(Councillor Mrs Boad substituted for Councillor Harris  
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NIL



## LICENSING SUB-COMMITTEE (Continued)

licensing hours up to 2.00 am, or 3.00 am in parts of central London. However, the certificates were not at present available on Sundays.

The Government proposed to amend the Sunday Observance Act 1780 so that charges could be made for public admission to dances or to discos on Sundays. The Government also proposed to amend the Licensing Act 1964 so that in future special hours certificates could permit extensions of the hours during which alcohol could be sold on Sunday evenings but only until 12.30 am except on the eve of a Bank Holiday other than Easter. The same changes would be made in respect of registered clubs and casinos. The Government also proposed to amend the Licensing Act 1964 to permit alcohol to be sold up to 12.30 am on Sunday evenings in restaurants.

The Local Government Association had supplied a copy of the consultation paper and requested comments on it by 6 September 1999. The Council were not on the Home Office's list on consultees.

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NIL

LICENSING SUB-COMMITTEE (Continued)

The Council's standard conditions prohibited entertainment on any Sunday, Christmas Day or Good Friday without the written permission of the Council. If the necessary Order was made bringing into effect the proposals, dancing would still not be permitted on premises in the district on Sundays unless the Council were to grant consent under the existing conditions.

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NIL

## LICENSING SUB-COMMITTEE (Continued)

RESOLVED that

1) the Council make the following observations direct to the Home Office with copies to the Local Government Association and local M.P.s:-

“The Council note the contents of the consultation paper but seek assurance that district councils’ discretion to control public entertainment on Sundays, under public entertainments licences, will not be eroded”;

2) the Home Office be informed of this Council’s concern that the list of consultees was far from comprehensive;

3) the Home Office be asked to consider bringing liquor licensing under democratic control by transferring responsibility from the magistrates to district councils.

6. **HACKNEY CARRIAGE FARES**

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### PART I

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

## LICENSING SUB-COMMITTEE (Continued)

A report from Members' Services was submitted on a request for an increase in the maximum hackney carriage fares allowed to be charged by hackney carriages in the district.

The Council had power under the Local Government (Miscellaneous Provisions) Act 1976 to fix the maximum fare which could be charged by hackney carriages licensed for the district. The existing table of fares had been operative from 6 October 1997.

An application had been received from the Leamington Hackney Carriage Owners and Drivers Association for an increase to the table. The application involved a 9% increase in charges for distance and 25% increase in respect of waiting time.

All proprietors had been consulted on the application. One proprietor was opposed to any increase and one proprietor supported the application in full.

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Councillor Thomas substituted for Councillor Shilton)

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(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

LICENSING SUB-COMMITTEE (Continued)

The Leamington Spa hackney Carriage Association supported the application for the increase in fares by was opposed to the increase in waiting time and the 50% surcharge on Sundays. They suggested a 50% surcharge on Christmas Eve and New Years Eve. They also suggested that instead of 10 pence for each subsequent one twelfth or completed part thereof, it should be 20 pence for each subsequent one six mile. Details of fares for Stratford and Rugby were set out in the report for comparison purposes.

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**PART I**

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NIL

## LICENSING SUB-COMMITTEE (Continued)

Motoring costs had risen by 4.6% from October 1997 to May 1999 while general inflation had increased by 3.8%. However, the proprietors had obtained information from the RAC which showed that from October 1997 to July 1999 diesel prices had increased by 14%.

RESOLVED that the application for an increase in fares be not approved.

7.

### **HACKNEY CARRIAGE LICENSING**

A report from Members' Services was submitted on the introduction of a policy to increase the provision of wheelchair accessible vehicles and to comply with that part of the Transport Act which only allowed the Council to restrict the number of taxi licences it issued if it was satisfied that there was no unmet demand.

At its last meeting, the Sub-Committee had approved in principle a policy of removing the restriction on the number of licences issued but only issuing licences to new wheelchair accessible vehicles. The officers had been

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NIL

## LICENSING SUB-COMMITTEE (Continued)

asked to carry out consultations with the relevant taxi associations and submit a report to this meeting on the action the Council needed to implement the policy. All proprietors had been informed of the Council's proposals and asked for their comments. Only one reply had been received which expressed concern that a number of people would be prepared to buy a new wheelchair accessible vehicles and that there would be too many vehicles licensed, especially for Leamington.

In order for the Sub-Committee to implement the policy approved in principle at the last meeting, it would be necessary to rescind the policy which restricted the number of hackney carriage licences issued for the areas of Warwick, Leamington and Kenilworth and agree that in future no application for a licence for these areas would be refused merely on the grounds of quantity control. It would also be necessary to resolve that applications for additional licences would only be granted in respect of new vehicles which had facilities for carrying a disabled person in a wheelchair within the vehicle.

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NIL

LICENSING SUB-COMMITTEE (Continued)

Consideration would also need to be given as to which wheelchair accessible vehicles would be acceptable.

RESOLVED that

consideration of this matter be deferred to a future meeting and that a representative of the Council of Disabled People and the existing taxi proprietors be invited to that meeting; and

copies of all previous reports to the Committee on this matter be circulated to all Members attending the next meeting of the Sub-Committee.

(The meeting ended at 7.00 pm)

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NIL