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The Chair and Members of Appeals
and Regulatory Committee - Group 2

Councillors Bellamy, Avis Murphy,
Derbyshire, Peter Innes, Tom
Murphy, Niblock

6 February 2018

Dear Councillor,

Please attend a meeting of the APPEALS AND REGULATORY COMMITTEE - GROUP 2 to be held on WEDNESDAY, 14 FEBRUARY 2018 at 10.00 am in Committee Room 1, Town Hall, Chesterfield, S40 1LP, the agenda for which is set out below.

AGENDA

Part 1 (Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 8)

Minutes of the Meetings of the Appeals and Regulatory Committee held on 13 December, 2017 and 24 January, 2018.

4. Local Government Act 1972 - Exclusion of Public

To move "That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business

on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act".

Part 2 (Non-Public Information)

5. Review Of Hackney Carriage/Private Hire Driver's Licence - Andrew James Howard (A230) (Pages 9 - 12)
6. Application for a Hackney Carriage/Private Hire Driver's Licence - Abid Hussain (A410) (Pages 13 - 32)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Abid Hussain', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

APPEALS AND REGULATORY COMMITTEE

Wednesday, 13th December, 2017

Present:-

Councillor Bellamy (Chair)

Councillors A Murphy
Brown
Bingham
Derbyshire

Councillors P Innes
T Murphy
Niblock
Perkins

*Matters dealt with under the Delegation Scheme

131 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA

No declarations of interest were received.

132 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Alexis Diouf.

133 REVIEW OF LICENCE AND REGISTRATION FEES 2018/19 (A000)

The Senior Environmental Health Officer presented a report seeking approval of the proposals to not increase animal licensing and skin piercing registration fees for 2018/2019, following the annual review of fees, to introduce a charge for food hygiene rating scheme (FHRS) re-rating inspections and to introduce a fee for food export health certificates.

The report outlined the reasons for the proposals.

It was proposed to not increase animal licensing and skin piercing registration fees for 2018/2019 to bring these in line with other Derbyshire authorities and in preparation for a change of fees expected in the near future arising from changes to animal licensing processes proposed by the Department for Environment, Food and Rural Affairs. Details of

existing fees across the authorities were shown as an appendix to the report.

Charging for re-rating inspections under the FHS was now permitted under the revised brand standard for the scheme, allowing local authorities to recover the costs of any re-rate inspection. The Council received an average of 20 requests for re-rate inspections each year, although this could increase if, as expected, the display of food hygiene ratings became mandatory in the future. It was noted that two authorities in Derbyshire currently charged a fee for re-rating inspections and that the other authorities were proposing to charge from April, 2018. Details of proposed charges across the various authorities were attached as an appendix to the report. Based on the calculation of costs involved (shown in Appendix B to the report) it was proposed to introduce a charge of £170 per visit for food hygiene re-rating inspections.

The Council had not been requested to issue food export health certificates until July, 2016, and 12 certificates had been issued since that time. Councils could apply a fee for export certificates to recover the costs of carrying them out. Based on the calculation of costs involved (shown in Appendix E to the report) it was proposed to introduce a fee of £50 for a food export health certificate.

Arising from Members' questions it was clarified that once a charge was introduced food businesses could request a re-rating inspection at any time and that the proposed charges were calculated to just recover the costs of undertaking re-rating inspections or issuing export certificates.

*** RESOLVED –**

- (1) That the animal licensing and skin piercing registration fees for 2018/2019 are not increased, following the annual review of fees.
- (2) That a charge for re-rate food inspections be introduced from April, 2018 at a rate of £170 per visit.
- (3) That a fee for export health certificates be introduced from April, 2018 at a rate of £50 per certificate.

APPEALS AND REGULATORY COMMITTEE

Wednesday, 24th January, 2018

Present:-

Councillor Bellamy (Chair)

Councillors A Murphy
Derbyshire
P Innes

Councillors T Murphy
Niblock

*Matters dealt with under the Delegation Scheme

**152 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

153 APOLOGIES FOR ABSENCE

No apologies for absence were received.

154 MINUTES

RESOLVED –

That the Minutes of the meeting of the Appeals and Regulatory Committee held on 3 January, 2018 be approved as a correct record and signed by the Chair.

155 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

RESOLVED –

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act.

156 **REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - ROBERT JAMES THAYNE (A230)**

The Licensing Enforcement Officer submitted a report for members to consider a review of the Hackney Carriage/Private Hire Driver's Licence for Mr Robert Thayne.

Mr Thayne did not attend the meeting.

*** RESOLVED –**

That Mr Thayne be issued with a formal warning letter.

157 **REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - SHARON MARIE CARTWRIGHT (A230)**

The Licensing Enforcement Officer submitted a report for members to consider a review of the Hackney Carriage/Private Hire Driver's Licence for Mrs Sharon Cartwright.

Mrs Cartwright did not attend the meeting.

*** RESOLVED –**

That Mrs Cartwright be issued with a formal warning letter.

158 **REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - AMRINDER SINGH KHERA (A230)**

The Licensing Enforcement Officer submitted a report for members to consider a review of the Hackney Carriage/Private Hire Driver's Licence for Mr Amrinder Khera.

Mr Khera did not attend the meeting.

*** RESOLVED –**

That Mr Khera be issued with a formal warning letter.

159 **REVIEW OF DECISION TO TERMINATE AN INTRODUCTORY TENANCY (18 - 17/18) (A090)**

The Committee considered a request from a tenant for a review of the Council's decision to terminate an introductory tenancy.

The appeal was heard in accordance with the Council's Introductory Tenant's Procedure. The tenant attended the meeting.

*** RESOLVED –**

That the officers' decision to seek possession be upheld, but that the Council do not implement the decision to seek possession and begin possession proceedings provided the tenant makes payments of the current rent plus a minimum of £10 per week (including rent free weeks) towards the arrears, until the arrears are cleared.

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of the Local Government Act 1972.

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