

HEADING **Public Protection Sub-Committee Arrangements**

Submitted by: **Head of Environmental Health**

Portfolio: **Finance & Efficiency**

Ward(s) affected: **All**

Purpose of the Report

To consider amendments relating to the arrangements for Public Protection Sub-Committee and associated delegations as recommended by Public Protection Committee.

Recommendations

That the arrangements for Public Protection Sub-Committee be approved.

Reasons

In May 2018 the Committee arrangements for the creation of a joint Licensing and Public Protection Committee and a Public Protection Sub-Committee was approved and subsequently implemented. At Public Protection's July meeting members requested a review of the Sub-committee arrangements as member availability during the daytime was limited in order to run the committees. At the September meeting members agreed to make amendments to the Sub-Committee arrangements some of which require Council approval.

1. Background

- 1.1 The Council's Public Protection Committee has many delegated functions including the review of hackney carriage and private hire drivers, vehicles and operators which are not in full compliance with the Council's current 'Taxi and Private Hire Policy 2015'.
- 1.2 A review of the committee arrangements for licensing and public protection committees was undertaken and in May 2018. Council approved the creation of a Licensing and Public Protection Committee to run sequentially and the creation of a Public Protection Sub-Committee.
- 1.3 On 27th June 2018 members of Licensing and Public Protection Committee agreed a report outlining the arrangements for the Public Protection Sub-Committee and requested a review of the arrangements in April 2019. The agreed arrangements were as follows:
 - Meeting will be held on a Tuesday, alternating between 10am and 2pm start times.
 - Committees will be held about every 3 weeks.
 - A maximum of 5 reports/cases will be on the agenda.
 - Further meetings may be programmed, if needed.
 - A programme of meetings and nominated members will be developed and reported to public protection committee.
 - The sub-committee to comprise of 3 members
 - The sub-committee chair to be agreed between the sub-committee members.

2. Issues

- 2.1 During June & July 2018, there was a lack of member availability to attend the sub-committees resulting in the cancellation of one meeting and finding substitutes or replacement members to hold the other meetings.
- 2.2 There has been 100% attendance from drivers to the daytime meetings, with only one vehicle proprietor not attending.

- 2.3 Public Protection committee requested an early review of the arrangements and a number of options were presented to the September meeting. Members resolved to make changes to the day, time and number of members of Public Protection Sub-Committee, some of these amendments require approval by Council.

3. **Proposal**

- 3.1 It is Licensing and Public Protection Committees recommendation that Council approves changes to the day, time and quorum of members of Public Protection Sub-Committee.
- 3.2 Should members agree to this proposal the following arrangements are recommended for the public protection constitution.
- a. Meeting Frequency – approximately every 3 weeks but further meetings to be programmed, if needed
 - b. Meeting notification and publication of papers – 5 working days prior
 - c. Meeting Times – During working day (2pm) and evening (6pm)
 - d. The Sub-Committee Chair to be agreed between the Sub-Committee Members.
 - e. Reports/cases to each meeting to be limited to 5, unless agreed with the Chair.
 - f. A programme of meetings and nominated Members be developed and reported to Public Protection Committee to include 4 Members per Sub-Committee to ensure 3 Members are in attendance.
 - g. That meeting will be quorate with 2 Members in attendance.
 - h. Should Members be unable to attend the Sub-Committee that they notify Democratic Services of an available substitute
- 3.3 The specific amendments to the committee constitution include point g (reducing this from 3 to 2) and c (to include evening meetings) above.

4. **Reasons for Preferred Solution**

- 4.1 To enable Committee to determine applications in the most efficient, effective and practical manner.
- 4.2 To ensure that the Council continues to provide safe transport for those wishing to use Private Hire and Hackney Carriage vehicles.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 5.1 In line with the Council's objectives –
- Local services that work for local people.
 - Growing our people and places.
 - A healthy, active and safe borough.

6. **Legal and Statutory Implications**

- 6.1 The Local Government Act 1972, section 101 allows the Council to arrange for a Committee, Sub-Committee or an officer or another local authority to carry out its powers and duties.

7. **Equality Impact Assessment**

- 7.1 The meetings will be undertaken to accord with the Human Rights Act 1998, Article 6(1) guarantees an applicant a fair hearing and Article 14 guarantees no discrimination.

8. **Financial and Resource Implications**

- 8.1 There will be financial and resource implication including Member participation in the sub-committees and officer support from Environmental Health, Legal and Democratic services and from Facilities Management in facilitating additional evening meetings

9. **Major Risks**

- 9.1 There are no major risks associated with this report

10 **Earlier Cabinet/Committee Resolutions**

Public Protection Meeting 14th July 2016 minute number 11

Council Meeting 16th May 2018 minute number 14

Licensing and Public Protection 27th June 2018 minute number 16

Licensing and Public Protection 18th September 2018 minute number 9