

**MINUTES
ENVIRONMENT AND LICENSING COMMITTEE**

Tuesday 13 June 2023

Councillor Alison Hunt (Chair)

Present: Councillor Marje Paling Councillor Julie Najuk
 Councillor Stuart Bestwick Councillor Alex Scroggie
 Councillor Boyd Elliott Councillor Martin Smith
 Councillor Rachael Ellis Councillor Clive Towsey-Hinton
 Councillor Des Gibbons Councillor Paul Wilkinson

Absent: Councillor Sue Pickering

Officers in Attendance: B Cox, L Chaplin, P Gibbs, B Hopewell and K Nealon

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Pickering, Councillor Bestwick attended as substitute.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 18 APRIL 2023.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

3 DECLARATION OF INTERESTS.

None.

4 INTRODUCTION OF FINANCIAL PENALTIES FOR CONTRAVENTIONS OF THE CLEAN AIR ACT 1993 SECTION 19A RELATING TO EMISSIONS OF SMOKE IN A SMOKE CONTROL AREA.

Consideration was given to a report of the Head of Environment, which had been circulated in advance of the meeting, seeking approval for the use of financial penalties for offences under section 19A of the Clean Air Act 1993 (as inserted by section 73 of the Environment Act 2021) and to set the monetary level for financial penalties which may be issued for offences under Section 19A of the Clean Air Act 1993 relating to emissions of smoke in a smoke control area.

RESOLVED to:

- 1) Approve the use of financial penalties for smoke control offences in a smoke control area, under Section 19A of the Clean Air Act 1993;
- 2) Sets the level of the financial penalties under Section 19A of the Clean Air Act at £175;
- 3) Approve the increase of the financial penalties to £300 (the maximum value) for persistent/repeat offenders; and
- 4) Delegate authority to the Corporate Director to authorise relevant officers or persons to issue financial penalties in respect of offences, and to determine objections in accordance with Section 19A of the Clean Air Act 1993.

5 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

6 EXCLUSION OF THE PRESS AND PUBLIC.

RESOLVED:

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing reports on the grounds that the reports involve the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

7 APPLICATION FOR A 3 YEAR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - RA

Consideration was given to a report of the Head of Environment, which had been circulated in advance of the meeting, regarding an application for a three year joint Hackney Carriage/Private Hire Driver's Licence for RA.

RA attended the meeting and he addressed the Committee.

In making its decision, the Committee found that there were exceptional mitigating circumstances surrounding the offences which allowed for departure from the Council's approved Policy and Guidelines.

RESOLVED to:

Approve RA's application for a three year Joint Hackney Carriage/Private Hire Driver's Licence.

8 APPLICATION FOR A ONE YEAR JOINT HACKNEY CARRIAGE /

PRIVATE HIRE DRIVERS LICENCE - MRQ

The Committee was informed that MRQ's representative had requested that the matter be adjourned to another date to allow him to attend the committee.

RESOLVED:

To defer consideration of the application to the next available meeting of the committee.

The meeting finished at 5.25 pm

Signed by Chair:
Date: