

EAST STAFFORDSHIRE BOROUGH COUNCIL

SCRUTINY (ENVIRONMENT AND HEALTH AND WELL BEING) COMMITTEE

Minutes of the Meeting of the Scrutiny (Environment and Health and Well Being) Committee in the Coltman VC Room, Town Hall Burton upon Trent on Thursday 23rd June 2022.

Present:

Councillors Mrs P L Ackroyd (Chairman), L Beech, Mrs V J Gould, H Hall, Mrs J A Killoran (via Zoom), P Walker (via Zoom), C Wileman and County Councillor P E B Atkins.

Also present:

Councillors G Allen (Deputy Leader (Regeneration and Planning policy) and B G Peters (Deputy Leader (Community and Regulatory Services)

Officers Present:

Mark Rizk (Head of Service), the Communities, Open Spaces and Facilities Manager, the Licensing and Enforcement Manager and the Senior Democratic Services Officer.

An apology for absence was received from Councillor L Walker.

01/22 **DECLARATIONS OF INTEREST**

There were no declarations at the commencement of the meeting.

02/22 **URGENT BUSINESS**

There was no urgent business for consideration at the meeting.

03/21 **APPOINTMENT OF VICE-CHAIRMAN**

Councillor Mrs K J Killoran was appointed vice-chairman for the ensuing year.

04/22 **PETITION RECEIVED**

The Report of Head of Service (Mark Rizk) had been brought to the Committee as a consequence of correspondence received from Mr Asif Hussain seeking a review of the outcome of the Council's consideration of a petition.

Mr Hussain was dissatisfied with the decision of the Licensing Committee on 15th December 2021 in respect of the Hackney Carriage and Private Hire Euro Emissions Policy review. Following a petition received by the Authority dated 15th November 2021 the petition was subsequently referred to full Council on 28th February 2022.

The Licensing Committee considered a petition at the meeting on 15th December and the following decision was subsequently referred to full Council on 28th February 2022 with the following recommendation:

“That full Council endorse the recommendations of the Licensing Committee to approve the age limits of Hackney Carriage and Private Hire Vehicles take precedence over the

emissions dated 1st April 2022, and amends the Hackney Carriage and Private Hire Policy 2019 -2022 accordingly.

However, an amendment was proposed by Councillor B G Peters and seconded by Councillor M Metcalfe, as follows:

“That this Council extend the introduction of the emissions date from 1st April 1022 to 1st October 2022 and amends the Hackney Carriage and Private Hire Policy 2019 – 2022 accordingly”.

The amendment was carried.

Accordingly a petition was received on 15th November 2021, and was required to be dealt with under the Council’s Petition Scheme. It was within the Licensing Committee’s power to make a decision on the petition.

A meeting of the Licensing Committee was convened for 15th December 2021, in order that the petition would be considered. At the meeting, 20 representatives of the taxi trade were in attendance, and a member of the trade represented the delegation and presented the content and reason for the petition. Approximately 100 members of the taxi trade were present outside the Town Hall with placards to demonstrate in support of the petition. The petition also received 129 signatures. The petition requested the following:

“Our concerns are we would like an immediate review of the 1st April 2022 Euro 4 and Euro 6 compliancy requirement”. The reason for the policy review were set out in the petition document, stating that:

1. It breaches an existing agreement and it was also discriminatory;
2. There was no national requirement for taxis to conform to such policy and the policy was in disharmony with the policy of neighbouring Council’s;
3. The wider and negative impact of the policy such as costs on drivers, do outweigh any alleged benefits.

The petition also stated that “we have already provided evidence to back up our claim to reinstate our right to drive Euro 5 engine vehicles”.

It was resolved at the meeting that:

Age limits on vehicles take precedence over the Emissions date.

This decision required the full endorsement of full Council in order to amend the existing provision as set out in the provision set out in paragraph 19 of the Council’s Hackney Carriage and Private Hire Licensing Policy 2019 – 22, which deals with the implementation of the emissions policy.

The matter was referred to this the Scrutiny (Environment Health and Wellbeing) Committee to review the petition and make such recommendations as they determine.

Accordingly Mr Hussain was invited to and attended the meeting.

The Chairman addressed the Committee and explained that they cannot override Council decision but they could request that Council consider any recommendations made by the scrutiny committee.

The Licensing and Enforcement set out the background to the issue for the review.

The petition organiser (Mr Hussain) spoke on the petition.

Ward Councillor, P Walker made representations on why he considered that the response was insufficient.

The Licensing and Enforcement Manager addressed the Committee, after which the matter was open for debate.

Discussions took place.

A motion was put forward by Councillor P Walker that the Scrutiny (Environment, Health and Well Being) Committee, recommend to Council that the decision made at the Licensing Committee on 15th December 2021, stood.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor H Hall	Councillor Mrs P L Ackroyd	
Councillor C Wileman	Councillor L Beech	
	Councillor Mrs V Gould	

*Councillor Mrs J Killoran and P Walker did not vote, as they attended via Zoom.

The motion was lost.

A further motion was put forward by Councillor L Beech that the recommendations be noted and to take no further action regarding the matter.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor Mrs P L Ackroyd	Councillor H Hall	
Councillor L Beech	Councillor C Wileman	
Councillor Mrs V Gould		

*Councillor Mrs J Killoran and P Walker did not vote, as they attended via Zoom.

05/22 **UPDATE FROM HEALTH AND CARE OVERVIEW SCRUTINY COMMITTEE OF STAFFORDSHIRE COUNTY COUNCIL**

Councillors noted that the next meeting of the Health and Care Overview Scrutiny Committee would take place the following week. County Councillor P E B Atkins

NOTED.

06/22 **CORPORATE PLAN PERFORMANCE REPORT END OF YEAR 21/22**

The Report of Sal Khan, Head of Service, regarding the end of year performance was considered. The Open Spaces Manager provided a brief overview of the report to the committee.

An opportunity for questions followed.

Councillor requested information regarding the communication about the recycling target and will the target be met. The Open Spaces Manager informed Members that this would be answered outside of the meeting.

NOTED

07/22 **SCRUTINY WORK PROGRAMME**

The Chairman updated the Committee on the two reviews that could be undertaken.

As a result of full Council on 21st March 2022 it was agreed that a review of Homelessness would take place.

It was also agreed that the Waste topic would be reviewed in the September 2022 meeting.

Resolved:

1. That a meeting be arranged to take place on 25th July 2022 in the Coltman VC Room, Town Hall, at 6.30pm to review the Homelessness topic.
2. That invitations be extended to the Cabinet Member (Councillor Bernard Peters), representatives from Burton Hope, the YMCA, and the Council's Homeless Team to attend the above meeting.

08/22 **PUBLIC EXECUTIVE DECISION RECORDS**

Councillors received for information a list of public Executive Decision Records.

NOTED.

09/22 **QUESTIONS**

No questions had been received in advance of the meeting.

10/22 **DATE OF NEXT MEETING**

The next meeting would take place on 25th July 2022.

NOTED.

11/22 **EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:

That, in accordance with Section 100(A) (4) of the Local Government Act, 1972 the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act.

12/22 **PRIVATE EXECUTIVE DECISION RECORD(S)**

Councillors received for information a list of private Executive Decision Records.

NOTED.

Chairman