

LICENSING COMMITTEE

19 October 2020

Present: Councillor G Saffery (Chair)
Councillor A Dychton (Vice-Chair)
Councillors S Bolton, A Grimston, I Hamid, K Hastrick, M Hofman,
A Khan, R Martins, B Mauthoor, M Mills, J Pattinson, R Smith,
I Stotesbury and R Wenham

Officers: Head of Community Protection
Environmental Health Manager (Commercial)
Senior Licensing Officer (AY)
Democratic Services Officer (JK)
Senior Solicitor
Business Compliance Officer

5 **Apologies for absence**

There were no apologies for absence.

6 **Disclosure of interests**

There were no disclosures of interest.

7 **Minutes**

The minutes of the meeting held on the 7 July 2020 were agreed. They would be signed once members and officers returned to the Town Hall.

8 **Review of Licensing Act 2003 Statement of Licensing Policy**

The committee received the report of the Senior Licensing Officer which set out the options available to the authority to review the Statement of Licensing Policy and to confirm the principles of the consultation for reviewing the policy.

The Senior Licensing Officer introduced the report. Following a change in legislation, it was necessary to undertake a review of the cumulative impact policy which applied in the town centre. A cumulative impact assessment was required to review the data and evidence for the policy. The council's

overarching Statement of Licensing Policy was required to be reviewed every five years and this had last happened in 2018.

The significance of the cumulative impact policy was that for applications for licences in that area, the starting point for licensing sub-committees was to refuse the application. The options set out in the report were to remove the cumulative impact policy, replace the policy with a separate special policy or to consult on and publish a cumulative impact assessment to determine whether to continue with the current policy or amend or remove it. Officers were proposing that the third option be pursued. Officers would collate the evidence to justify the policy and bring a report to the Licensing Committee in January 2021. There would be a public consultation following the January meeting with approval of the final policy at the March meetings of the Licensing Committee and Council.

The committee welcomed the timely review of the cumulative impact policy and noted that there could be changes to the town centre in the wake of the COVID-19 pandemic and that the diversity of the offer was to be encouraged.

Members noted that there were potential for new developments in the town centre and it was confirmed that the exercise was based on existing data and trends; it would not be possible to take future changes into consideration. The cumulative impact policy would, however, be subject to review at least every three years.

Considering the difference between a cumulative impact policy and a special policy area; officers advised that the cumulative impact policy had more power. This was because the starting point for applications in the policy area could be a refusal, instead of being to grant the application subject to conditions unless there were good reasons not to grant it. The special policy areas in operation in other areas of Watford, known as sensitive licensing areas, were areas where there were specific known concerns.

The committee was advised that the scope of the cumulative impact policy could be extended to a wider range of licensable activities, should the evidence suggest that it would be appropriate. No data had yet been formally requested from the police and other authorities. The council was also aware that COVID-19 had had significant impacts on the town centre and further policy changes may not be appropriate at this time.

RESOLVED –

1. that the licensing authority draw up a Cumulative Impact Assessment to retain a Cumulative Impact Policy within the town

centre.

2. that the Cumulative Impact Assessment, and a proposed policy, be brought before the Licensing Committee in January 2021 for approval. Consultation on the policy would start after the January Committee and run until mid to late February. The results of the consultation and the final Cumulative Assessment, policy and equalities impact assessment being considered by the committee in March 2021

9 **Report on the Department for Transport Taxi and Private Hire Standards**

The committee received the report of the Business Compliance Officer setting out the proposed process that the council would take to review the current licensing standards against the latest standards published by the Department for Transport in July 2020.

The Business Compliance Officer introduced the report. The report was intended to make the committee aware of the new standards and sought approval for the proposed way forward. This would include a full review of current policy and procedure to consider the amendments required by the new standards. Options for amending the policies would be brought before the committee in January 2021. This would be followed by a full consultation before the final report on the policies to be considered by the committee in March 2021.

The standards were the first to be published in ten years and were weighted towards safety considerations. Appendix 1 provided a copy of the standards which had been highlighted by officers to show the levels of compliance of the council's current policies. Approximately 85% of the new standards were already being met or mostly met. It remained the decision of the council to implement the standards but the forthcoming review would allow members decide exactly which standards should be adopted, if not all of them. However, it was also incumbent upon the council to publish their consideration of the standards even if the policies were not reviewed.

It was confirmed that the committee were not asked to undertake consideration of the detail of the standards but rather the proposed way forward.

Considering the council's existing standards, it was explained that the authority could theoretically remove some of the existing standards as part of the review. This was, however, unlikely as, in general, the new standards increased or were equivalent to current practice. Watford's standards were already high and this was why the policies were already overwhelmingly compliant. It was further

underlined that these were intended by the Department for Transport to be the minimum required standards.

RESOLVED –

1. That the committee approves a full review of current policy and procedure to determine the necessary amendments required by the new standards.
2. That specific options for new policy and procedure be brought before the committee in January 2021 for discussion and decision on ways to proceed.
3. That the suggested options be subject to full consultation between January 2021 and March 2021 and that a final report on any new taxi and private hire licensing policy be brought before the Committee in March 2021.

The meeting briefly adjourned at this point to enable the live stream link to be restored.

10 **Report on the Taxi Strategy**

The committee received the report of the Business Compliance Officer providing an update on the development of the council's Taxi and Private Hire Strategy, the current status of the strategy and the proposed next steps.

The Business Compliance Officer introduced the report. The taxi and private hire strategy considered issues wider than those within the remit of the Licensing Committee. The report was for information and feedback and the final strategy would be brought back before being approved by Cabinet. There would be substantial public and trade consultation throughout the process beginning in November 2020 with the taxi and private hire trade.

The purpose of the strategy was to bring together the policy and procedure that impact the taxi trade to ensure there is an integrated transport network. The strategic aims were contained within the strategy and did not contain specific outcomes as these were for individual departments to determine.

The committee noted that it was important that the strategy be implemented quickly and that the trade represented some parts of the community more than others and had suffered a considerable impact from COVID-19. Officers confirmed that there would be a full equality impact assessment undertaken following any review.

Turning to the developing technology in this area, the committee were advised that a fully-electric wheelchair-accessible taxi was now available but the cost was likely to be prohibitive. The strategy was intended to ensure the trade was sustainable and drivers were able to invest in their businesses, especially given the considerable recent pressures.

RESOLVED –

1. that the committee notes the contents of the report.

Chair
Licensing Committee

The Meeting started at 7.00 pm
and finished at 8.00 pm