

LICENSING COMMITTEE

14 January 2021

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

Also present:

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

11 **Apologies for absence**

There were no apologies for absence.

12 **Disclosure of interests**

Councillor Hamid explained that he had an interest in the taxi business as he had applied for a private hire taxi licence. As such he would exclude himself from the meeting during items 14 and 15.

13 **Minutes**

The minutes of the meeting held on the 19 October 2020 were agreed. They would be signed once members and officers returned to the Town Hall.

14 **Update Report on Taxi and Private Hire 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. He advised that this was the second report relating to the development of the strategy. The

strategy considered issues wider than those within the remit of the Licensing Committee and was being presented to members for information and feedback. The final strategy would be brought before the committee prior to approval at Cabinet.

The Business Compliance Officer advised that a trade only consultation had been conducted providing general feedback. Due to the Covid-19 pandemic the methods of consultation had been limited and it was not possible to conduct face to face consultations such as meetings and drop in sessions. A webinar had been arranged and the link to connect had been sent to all drivers by text message. In addition, a survey had been created with 32 responses from drivers received to date.

The majority of responses were in support of the proposals with a high level of support for the strategic aims. A number of comments had been received including in respect to the provision of visible taxi ranks in the borough. The Business Compliance Officer explained that the responses received had not resulted in the need to consider any changes to the proposed strategy at this stage.

The next step was to hold a full public consultation; where drivers would also have a further opportunity to participate. This consultation was scheduled to take place for ten weeks ending on 31 March 2021 during which time members would be able to make comments or suggestions concerning the proposed strategy.

In response to a question from members the Business Compliance Officer advised that the trade was experienced in using on-line facilities and with a switch to digitalisation in the last two years; such as in relation to on-line application processes.

RESOLVED –

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

15

Report on DfT Standards and licensing policy review

The committee received the report of the Business Compliance Officer providing information on options available to align current policy and procedure with the requirements of the new statutory Taxi and Private Hire Vehicle Standards.

The Business Compliance Officer introduced the report explaining that the standards had been introduced by the Department of Transport on 21 July

2020 and these had been examined to see how the council met the requirements. The standards covered a wide range of issues including driver, vehicle and operator standards.

The Business Compliance Officer read paragraphs 4.5 and 4.6 of the report to members and outlined the review conducted in respect of a range of current policies and procedures carried out in accordance with the committee's decision made on 19 October 2020. He went on to discuss paragraph 5.2 of the report and how matters in relation to the suspension and revocation of driver licences would be considered when the council's Environmental Health Policy was reviewed later in the year.

The Business Compliance Officer continued by reading paragraph 7.2 of the report to the committee. He advised members that whilst the revised policy was of some length due to the amalgamation of standards, the council would seek to create shorter reference documents in an easy read format for ease of reference.

RESOLVED –

1. that the committee approve the draft Hackney Carriage and Private Hire Licensing Policy 2021-2026 as found at Appendix 2 for public consultation commencing 18 January 2021.
2. that the committee note the relevant sections of the Standards contained in section 10 of this report. These sections of the Standards do not form part of the proposed policy but will be brought before the relevant committee for consideration in due course.
3. that the committee note the contents of section 12 which are taken from the Department for Transport Standards and relate to the Environmental Health Compliance Policy that is due for review in 2021 and not for consideration at this stage.

16

Review of Licensing Act 2003 Statement of Licensing Policy

The committee received the report of the Senior Licensing Officer bringing a new amended Statement of Licensing Policy (SLP) before the committee before starting consultation on the policy. The Senior Licensing Officer introduced the report explaining that the proposed draft SLP, amending the existing 2018-2023 policy, would be effective from 2021-2026.

The Senior Licensing Officer explained how the committee, at its meeting on 19 October 2020, had asked officers to investigate drawing up a Cumulative Impact Assessment in order to retain a Cumulative Impact Policy within the town centre. He explained how the report laid out how the council approached various sources to gain evidence in drawing up the policy.

He advised that the main data related to the crime and disorder statistics discussed in paragraphs 5.5 to 5.8 of the report. This showed the correlation of crime and disorder in The Parade and High Street and the accumulation of licensed premises in the area. All of the data had been put in the Cumulative Impact Assessment in draft for consultation at Appendix 1 to the report.

It was proposed to include similar measures to the existing policy to discourage alcohol led premises but not other types of establishments. There would be a proposal to reduce the size of the policy area to the Parade and High Street and provide specific attention to premises selling alcohol after 10.00 p.m. as crime issues peaked between 10.00 p.m. and 3.00 a.m.

The Senior Licensing Officer advised that the matter would now need to go for consultation and work had been undertaken with the council's Communications Service in this regard. He advised how the consultation would be conducted and of the importance of the process having regard to the proposed reduction to the policy area.

The Senior Licensing Officer explained that the policy would be reviewed at least every three years and could be brought back to the committee for consideration. It was considered that the proposed policy met the preventing crime and disorder objective and complemented the Council Plan and corporate strategy. Furthermore, it did not affect such premises as restaurants for example.

In response to questions from members the Senior Licensing Officer:

- Explained why Queen's Road was not included in the revised policy area. However, it was located within a Sensitive Licensing Area resulting in it being the subject of additional measures such as in relation to licensing applications, street drinking and litter.
- Reiterated that the policy was regularly reviewed and explained the mechanism for bringing matters back to the committee. He also advised how the council worked in partnership with the police to resolve matters outside of a formal policy review.

The Environmental Health Manager (Business) concluded by explaining that the Cumulative Impact Assessment was one part of the Statement of Principles under the Licensing Act and as such would be reviewed in 2023. This review would include any issues in relation to Queen's Road.

RESOLVED –

1. that, having taken in to account in particular of the implications of the Covid-19 epidemic, the committee is satisfied that sufficient evidence has been gathered to support the commencement of the statutory consultation process in respect of the proposed cumulative impact policy area specified in the report and the draft cumulative impact assessment.
2. the Committee approve officers going out to consultation on the proposed cumulative impact assessment and amended Statement of Licensing Policy as set out in paragraph 7.1 and 7.2.
3. the Committee approves officers going out to consultation with those areas no longer covered by the proposed cumulative impact assessment as set out in paragraph 7.3.
4. that officers report back to the March Licensing Committee with the responses of the consultation.

17 **Licensing Fees & Charges 2021-2022**

The committee received the report of the Senior Licensing Officer seeking the committee's approval to charge fees for the 2021/2022 financial year for some of the different licensing regimes administered by the council. The Senior Licensing Officer introduced the report and outlined the fee charging process to members.

He read the recommendations in paragraphs 3.0 to 3.2 in the report to the committee and, in relation to the recommendation in paragraph 3.2, explained that the discretion was being sought as the matter related to commodities from third parties.

The Senior Licensing Officer explained that licensing fees were set on a cost recovery basis and that the licensing service was a self-funding function. He

advised that where fees were calculated on a cost recovery basis, the proposed fees had been raised by up to 3%.

However, there was one exception to this approach with regard to taxi and private hire driver and vehicle licenses and private hire operator licenses where digitalisation of council taxi services had led to operational efficiencies and the ability to offset the increased costs.

RESOLVED –

1. that the fees and charges set out at appendix 1 pages 1 and 2 for the financial year 2021/2022 be approved and that the fees and charges in appendix 1 page 3 and 4 be recommended to Council for approval.
2. to delegate to the Head of Community Protection, in consultation with the Chair of Licensing, the authority to increase or decrease charges in respect of the provision of:
 - compulsory door signage for hackney carriages
 - Disclosure and Barring Service and Driver and Vehicle Licensing Agency checks
 - licence badges and platesfor the reasons outlined in sections 4.9 and 4.10.

Chair
Licensing Committee

The Meeting started at 7.00 p.m.
and finished at 8.00 p.m.