

## **LICENSING COMMITTEE**

### **Minutes of a meeting of the Licensing Committee held on Tuesday 19 July 2016 at 6pm at Addenbrooke House, Ironmasters Way, Telford**

**A**

**Present:** Councillors C Mason (Chair), M Boylan, I Fletcher, J Francis, M Hosken, S J Reynolds, M Smith and R T Kiernan (Substitute for J Seymour)

**In Attendance:** A Astley (Assistant Director - Neighbourhood & Customer Services), S Fisher (Principal Licensing Officer), L Fletcher (Public Protection Manager), N Minshall (Service Delivery Manager), C Phillips (Licensing Technical Officer), D Moseley (Democratic and Scrutiny Services Team Leader), S Worthington (Democratic and Scrutiny Services Officer).

#### **LC -1 Apologies for Absence**

Councillors J Seymour and C Turley.

#### **LC -2 Declarations of Interest**

None.

#### **LC -3 Minutes**

**Resolved** – that the minutes of the meeting of the Licensing Committee held on 23 March 2016 be confirmed and signed by the Chairman.

#### **LC -4 Licence Fees**

The Principal Licensing Officer presented the report of the Service Delivery Manager: Public Protection regarding the proposed levels of License Fees and charges in respect of Hackney Carriages, Private Hire trades, Gambling and other licenses.

The Fees were based on cost recovery only, and since the fees were last reviewed, the Licensing Services had two significant changes within the service area. A Contact Centre had been introduced, which meant that the service no longer took calls from members of the public, as well as the implementation of a new software system. These changes had not been in place for a twelve month period and it was felt that there needed to be some time for this to settle so it was proposed that the license fees remain the same level as the previous year.

It was hoped that the fees could be reviewed further in January 2017, for implementation on 1 April 2017.

It was noted that there had often been problems when new software had been implemented and concerns were raised regarding this. The members were reassured that the software system, 'Uniform', had been used by other areas of the

Council and the team had looked at ways to improve it. The officers had needed time to get used to the new system but it had been working well. It was agreed that an update report on the new system would be provided to the Committee in six months.

During discussion, it was advised that the shortfall from the fees not having been fully recovered had been compensated for by savings and under-spend in other areas of public protection. The Licensing Income target had been based on annual licenses, however, not all of the licenses issued were annual, so a new way of calculating the income target had been discussed with finance so that the income target was modelled over the lifespan of the licensing period. The members were reassured that the efficiencies made had not been detrimental to the service.

**Resolved – that**

- (a) it be approved that the level of fees remain the same for the current financial year.**
- (b) the level of proposed fees, as shown at Appendix A of the report, be approved to come into force on 1 September 2016 subject to any consultation responses received.**

**LC -5 Review of the Council's Hackney Carriage and Private Hire License Policies and Conditions**

The Service Delivery Manager clarified that the review of policies and conditions had been due for some time. The Children & Young People Scrutiny Committee had completed a review of Child Sexual Exploitation and a decision had been made that the policy would not be updated until the recommendations had been received from and these had now been incorporated into the policy. This had given the opportunity for public safety to be put first and foremost in the policy. It was appreciated that licensed vehicles had a positive effect in Telford and Wrekin, especially in the night-time economy.

The Principal Licensing Officer presented the report of the Service Delivery Manager: Public Protection, to consider, and approve consultation on, a revision to the Council's Hackney Carriage and Private Hire Licensing Policies and License Conditions.

The last review of the conditions and policy had been completed in 2013. All the changes that were made in the documents were to be consulted on.

The Principal Licensing Officer referred to all proposed amendments to the Council's policies and conditions of licence as set out in the Appendices to the report which would be the subject of consultation with key stakeholders.

During discussion, it was asked if the proposed new vehicle types for Hackney Carriages would be confusing for the public. Members were advised that the proposed vehicles did not look similar to Private Hire Vehicles and no vehicle that had been licensed as a Private Hire Vehicle would be licensed as a Hackney Carriage.

Members raised their concern regarding the removal of the requirement for first aid kits and fire extinguishers, as this was felt to be a retrograde step. It was discussed that there could be implications when first aid kits were used and the driver would be liable if there had been issues. It was noted that the report was a consultation document and any recommendations made had been noted.

It was queried what would happen if a driver did not inform the Licensing Service of warnings, charges or arrests. Members were advised that the police informed the Service of incidents under the Protection of Freedoms Act. It was previously a condition for drivers to report that they had received a conviction, so the amendment aimed to broaden this requirement. If the driver did not report an offence, then the offence would be present on the next Disclosure and Barring Service Records Check, and their fitness and propriety to be licensed would be reviewed.

Members raised their concern regarding Private Hire Vehicles being parked in a safe place, rather than an approved parking area. There had been on-going difficulties with taxis parking outside of private properties and disturbing residents. It was agreed that this had been a longstanding issue, but the previous arrangements had not worked. Under the proposed requirements, stronger conditions relating to plying for hire gave some reassurance regarding parking but illegal parking was outside the jurisdiction of the Licensing Authority.

The Members questioned if the application forms had been amended, as it was felt that they had been misinterpreted by some drivers. It was agreed that the wording was not clear, but it was felt it was an administrative matter and did not need to form part of the policy.

The Chair proposed an amendment to the Policy and stated that the amendment to remove the requirement for drivers to carry a first aid kit and fire extinguisher should not take place.

**Resolved – that**

- (a) a twelve week consultation on the amendments to the policies and conditions of the license, including the reinsertion of the requirement to carry a first aid kit and fire extinguisher, with the Hackney Carriage and Private Hire trade, partners and stakeholders be approved to take place.**
- (b) the Chair of the Licensing Committee and the Principal Licensing Officer be authorised to consider and determine the results of the consultation. Any adverse comments as a result of the consultation will be referred to the Licensing Committee for determination.**

The meeting adjourned at 7.03pm for the Committee to view some examples of potential vehicles which were proposed to be licensed as Hackney Carriages.

The meeting resumed at 7.14pm.

**LC -6 Park Homes Fees and Charges Policy**

The Service Delivery Manager summarised the report in relation to the fees and charges policy for park homes.

The Mobile Homes Act 2013 allowed Local Authorities to introduce fees and charges in relation to park homes, as long as a published policy existed. This had not previously been implemented in Telford & Wrekin as there had been issues with implementing licenses for sites. This work had been completed, so the fees policy had again been looked at.

Neighbouring Local Authorities, including South Staffordshire, Hereford and Worcester, had implemented a fee policy or had been looking to do so.

It was noted that there did not need to be a policy in place, however, this meant that the Local Authority would not be able to charge for applications or renewal of licenses.

**Resolved – that**

- (a) the Park Homes Fees and Charges Policy be adopted.**
- (b) authority be delegated to the Public Protection Service Delivery Manager and Public Protection Manager to approve any future minor amendments to the Park Homes Fees and Charges Policy.**

The meeting ended at 7.21pm.

**Chairman:** .....

**Date:** .....