

LICENSING COMMITTEE

30 January 2017

10.00 - 10.50 am

Present: Councillors Bird (Chair), Benstead (Vice-Chair), Abbott, Gawthrope, Holt, McPherson, T. Moore, Pippas, Ratcliffe, Sinnott and Smart

Officers:

Environmental Health Manager: Yvonne O'Donnell

Solicitor: Carol Patton

Committee Manager: Toni Birkin

FOR THE INFORMATION OF THE COUNCIL**17/52/Lic Apologies for absence**

Apologies were received from Councillor Adey.

17/53/Lic Declarations of Interest

No interests were declared.

17/54/Lic Minutes of the previous meeting

The minutes of the meeting of the 17th October 2016 were approved and signed as a correct record.

17/55/Lic Public Questions

A member of the public asked a question as set out below.

1. Mr Wratten raised the following points:

- i. The trade had mixed views on the requirement for taxi drivers to complete safeguarding training.
- ii. Asked how the roll out of training was progressing.
- iii. Would drivers be charged for renewal of this training?
- iv. Drivers were confused about how they were expected to deal with any safeguarding concerns.

- v. Concerns were also raised that this would disadvantage City drivers as South Cambs driver would not be required to undertake this training.

The Environmental Health Manager responded:

- i. Drivers were being asked to be eyes and ears.
- ii. They were asked to report any concerns.
- iii. It was hoped that South Cambs would also adopt a similar policy and to harmonise standards.
- iv. Agreed to discuss this with the trade at the next Taxi Forum.

Councillor Benstead stated the training was intended to assist drivers. The need for such training had been identified following high profile abuse cases in other parts of the country. The Committee discussed ways in which the training could have positive benefits for the drivers such as, some form of accreditation that could be displayed in the vehicle.

Mr Wratten asked a second question. Details of the question can be found with minute item 17/57/LIC.

17/56/Lic Changes to the Delegations for Hackney Carriage Private Hire Vehicle, Drivers, Proprietors and Operators

The Committee received a report from the Environmental Health Manager regarding delegated officer decision making in respect of the Taxi Policy and update of the Council's Constitution.

The Committee then debated the Officer's report.

The Committee noted an error in text of the recommendation and resolved unanimously to amend it as follow:

Additional wording in bold and underlined:

The Council has delegated its Licensing function to the Licensing Committee and further delegated authority to the Licensing Sub Committee and to Officers of the Council who will determine applications and licensing decisions in accordance with the Policy.

*Any decision to refuse to grant, refuse to renew, **revoke** or suspend an application or any decision relating to the policy will be determined by Officers*

through the scheme of delegation. The applicant will have the right of appeal to the Magistrates Court.

All decisions regarding breaches of the Enforcement Management System will be determined by the Licensing Sub Committee with a right of appeal to the Magistrates Court.

The Committee:

Resolved (unanimously):

- i. Approved the delegated decision making process in the Hackney Carriage and Private Hire Licensing Policy as below:

The Council has delegated its Licensing function to the Licensing Committee and further delegated authority to the Licensing Sub Committee and to Officers of the Council who will determine applications and licensing decisions in accordance with the Policy.

Any decision to refuse to grant, refuse to renew, revoke or suspend an application or any decision relating to the policy will be determined by Officers through the scheme of delegations. The applicant will have the right of appeal to the Magistrates Court.

All decisions regarding breaches of the Enforcement Management System will be determined by the Licensing Sub Committee with a right of appeal to the Magistrates Court.

If it appears that the interests of public safety require the suspension or revocation of the licence of a driver with immediate effect, the Head of Service or his/her deputy, in consultation with the Chair of Licensing has the delegated authority to make such a decision.

The driver has the right of appeal against the decision to the Magistrates Court.

- ii. Approved the amendment of the constitution as outlined in the below:

The Council has delegated the following powers to the Head of Service:

All matters relating to Hackney Carriage, Private Hire, and Trishaw vehicles, and the drivers, proprietors and operators of those vehicles.

17/57/Lic Annual Review of Licensing Fees & Charges 2017/18

Question from member of the public.

Mr Wratten responded to the report and made the following comments:

- i. Had made formal representation within the consultation period.
- ii. Questioned why the increase in charges to drivers was so large.
- iii. Annual increases had been agreed three years ago. However, this increase was considerable above the current inflation figure.
- iv. The annual charge for a taxi badge would increase from £152 to £220.
- v. At the same time the rise in fares had been restricted to 1%.
- vi. Administration processes do not appear to have changed.
- vii. The cost of vehicle checks also appears excessive for a process that was very quick.

The Environmental Health Manager responded:

- i. Full consultation on the changes had been carried out.
- ii. The change to the charges reflected the true cost of providing the service.

Mr Wratten responded as follows:

- i. The increase is excessive and the service received had not changed.
- ii. Drivers had reported that the time taken to administer services had not increased and if anything, was taking less time.
- iii. Some of the work being undertaken was very straightforward and an increase of 15% was unfair.

The Committee received a report from the Environmental Health Manager regarding the level of fees and charges with effect from 1st April 2017, as set out in Appendix A of the Officer's report, and to request officers to communicate the charges to the businesses, taxi trade and public.

The Committee then debated the Officer's report. The Committee made the following comments:

- i. Supported a move towards a more accurate charging process.
- ii. Confirmed that the council should not be making a profit from, or be subsidising, the provision of the service.
- iii. Confirmed that costs included other services such as, enforcement, training and administration of the forums.

- iv. Stated that the council could not afford to make a loss on this service.
- v. Had some sympathy with the trade who would experience a large increase in charges.
- vi. Suggested that this level of increase was likely to be a one off, catch up process.

The Committee:

Resolved (unanimously)

To approve the level of fees and charges with effect from 1st April 2017, as set out in Appendix A of the Officer's report, and to request officers to communicate the charges to the businesses, taxi trade and public.

The meeting ended at 10.50 am

CHAIR